



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB4082

Introduced 10/15/2025, by Rep. Justin Slaughter

#### SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-3-10.1 new

Amends the Unified Code of Corrections. Provides that notwithstanding any prior exclusion, any person incarcerated under an indeterminate sentence on the effective date of the amendatory Act whose minimum term was 20 years or more as of February 1, 1978, may elect to be resentenced under the 1978 determinate sentencing law. Provides that the election must be made in writing to the Department of Corrections, which shall inform all eligible persons within 60 days after the effective date of the amendatory Act. Provides that the Department of Corrections shall provide all necessary forms and assistance to eligible persons. Provides that upon election, the person's indeterminate sentence shall be converted to a determinate sentence consistent with the 1978 sentencing structure and the offense for which the person was convicted. Provides that time served shall be applied retroactively, and the person shall be credited with all sentence credits and earned time applicable under the law in effect since the date of original commitment. Provides that any person whose recalculated determinate sentence has been fully served shall be immediately released to a mandatory supervised release term under the terms applicable to the offense class and sentence length at the time of original sentencing. Provides that the Prisoner Review Board shall schedule hearings for eligible persons who elect the option within 180 days after receiving their request. Provides that thereafter, continued review shall occur no less frequently than every 12 months, unless earlier action is deemed by the Board to be appropriate. Provides that nothing in the provision shall be construed to require parole or mandatory supervised release for any person who does not elect the option, or who is otherwise ineligible. Effective immediately.

LRB104 14422 RLC 27560 b

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Unified Code of Corrections is amended by  
5 adding Section 3-3-10.1 as follows:

6 (730 ILCS 5/3-3-10.1 new)

7 Sec. 3-3-10.1. Election of determinate sentencing for  
8 certain indeterminately sentenced persons.

9 (a) The General Assembly acknowledges that the 1978  
10 transition from indeterminate to determinate sentencing was  
11 intended to promote fairness and consistency resulting from  
12 the transition. However, persons serving indeterminate  
13 sentences with minimum terms of 20 years or more were excluded  
14 from electing to convert to determinate sentencing under the  
15 1978 law.

16 (b) As of the effective date of this amendatory Act of the  
17 104th General Assembly, a limited number of persons remain  
18 incarcerated under pre-1978 indeterminate sentences, commonly  
19 referred to as "C-number" inmates, each having served over 40  
20 consecutive years in the custody of the Illinois Department of  
21 Corrections.

22 (c) Notwithstanding any prior exclusion, any person  
23 incarcerated under an indeterminate sentence on the effective

1 date of this amendatory Act of the 104th General Assembly  
2 whose minimum term was 20 years or more as of February 1, 1978,  
3 may elect to be resentenced under the 1978 determinate  
4 sentencing law.

5 (d) The election must be made in writing to the Department  
6 of Corrections, which shall inform all eligible persons within  
7 60 days after the effective date of this amendatory Act of the  
8 104th General Assembly. The Department shall provide all  
9 necessary forms and assistance to eligible persons.

10 (e) Upon election, the person's indeterminate sentence  
11 shall be converted to a determinate sentence consistent with  
12 the 1978 sentencing structure and the offense for which the  
13 person was convicted. Time served shall be applied  
14 retroactively, and the person shall be credited with all  
15 sentence credits and earned time applicable under the law in  
16 effect since the date of original commitment.

17 (f) Any person whose recalculated determinate sentence has  
18 been fully served shall be immediately released to a mandatory  
19 supervised release term under the terms applicable to the  
20 offense class and sentence length at the time of original  
21 sentencing.

22 (g) The Prisoner Review Board shall schedule hearings for  
23 eligible persons who elect this option within 180 days after  
24 receiving their request. Thereafter, continued review shall  
25 occur no less frequently than every 12 months, unless earlier  
26 action is deemed by the Board to be appropriate.

1       (h) Nothing in this Section shall be construed to require  
2 parole or mandatory supervised release for any person who does  
3 not elect this option, or who is otherwise ineligible.

4       (i) This Section is intended to restore the opportunity  
5 for resentencing that was available to other similarly  
6 situated persons in 1978, and to ensure equitable treatment  
7 for those who were excluded solely based on the length of their  
8 original minimum sentence.

9       Section 99. Effective date. This Act takes effect upon  
10 becoming law.