

104TH GENERAL ASSEMBLY**State of Illinois****2025 and 2026****SB2257**

Introduced 2/7/2025, by Sen. Robert Peters

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-6-3

Amends the Unified Code of Corrections. Changes the sentence credits of committed persons serving a term of imprisonment in the Department of Corrections for various offenses. Provides that the sentence credit allotments shall apply to committed persons incarcerated before the effective date of the amendatory Act, and the Department of Corrections shall award sentence credit for periods of incarceration prior to the effective date of the amendatory Act accordingly. Provides that committed persons who wish to receive sentence credit for educational, vocational, substance abuse, behavior modification programs, life skills courses, re-entry planning, and correctional industry programs accumulated prior to the effective date of the amendatory Act in an amount specified in the provision to a committed person serving a sentence for an offense committed after June 19, 1998, if the Department determines that the committed person is entitled to this sentence credit, based upon: (1) documentation provided by the Department that the committed person engaged in any full-time substance abuse programs, correctional industry assignments, educational programs, behavior modification programs, life skills courses, or re-entry planning provided by the Department and satisfactorily completed the assigned program as determined by the standards of the Department during the committed person's current term of incarceration; or (2) the committed person's own testimony in the form of an affidavit or documentation, or a third party's documentation or testimony in the form of an affidavit that the committed person likely engaged in any full-time substance abuse programs, correctional industry assignments, educational programs, behavior modification programs, life skills courses, or re-entry planning provided by the Department and satisfactorily completed the assigned program as determined by the standards of the Department during the committed person's current term of incarceration. Effective July 1, 2026.

LRB104 09291 RLC 19349 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 changing Section 3-6-3 as follows:

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

7 Sec. 3-6-3. Rules and regulations for sentence credit.

8 (a)(1) The Department of Corrections shall prescribe rules
9 and regulations for awarding and revoking sentence credit for
10 persons committed to the Department of Corrections and the
11 Department of Juvenile Justice shall prescribe rules and
12 regulations for awarding and revoking sentence credit for
13 persons committed to the Department of Juvenile Justice under
14 Section 5-8-6 of the Unified Code of Corrections, which shall
15 be subject to review by the Prisoner Review Board.

16 (1.5) As otherwise provided by law, sentence credit may be
17 awarded for the following:

18 (A) successful completion of programming while in
19 custody of the Department of Corrections or the Department
20 of Juvenile Justice or while in custody prior to
21 sentencing;

22 (B) compliance with the rules and regulations of the
23 Department; or

1 (C) service to the institution, service to a
2 community, or service to the State.

3 (2) Except as provided in paragraph (4.7) of this
4 subsection (a), the rules and regulations on sentence credit
5 shall provide the following, with respect to offenses listed
6 in clause (i), (ii), or (iii) of this paragraph (2) committed
7 on or after June 19, 1998 or with respect to the offense listed
8 in clause (iv) of this paragraph (2) committed on or after June
9 23, 2005 (the effective date of Public Act 94-71) or with
10 respect to offense listed in clause (vi) committed on or after
11 June 1, 2008 (the effective date of Public Act 95-625) or with
12 respect to the offense of unlawful possession of a firearm by a
13 repeat felony offender committed on or after August 2, 2005
14 (the effective date of Public Act 94-398) or with respect to
15 the offenses listed in clause (v) of this paragraph (2)
16 committed on or after August 13, 2007 (the effective date of
17 Public Act 95-134) or with respect to the offense of
18 aggravated domestic battery committed on or after July 23,
19 2010 (the effective date of Public Act 96-1224) or with
20 respect to the offense of attempt to commit terrorism
21 committed on or after January 1, 2013 (the effective date of
22 Public Act 97-990), the following:

23 (i) that a committed person ~~prisoner~~ who is serving a
24 term of imprisonment for first degree murder or for the
25 offense of terrorism shall receive no more than 7.5 days
26 of sentence credit for each month of his or her sentence of

1 ~~imprisonment sentence credit and shall serve the entire~~
2 ~~sentence imposed by the court;~~

3 (ii) that a committed person ~~prisoner~~ serving a
4 sentence for attempt to commit terrorism, attempt to
5 commit first degree murder, solicitation of murder,
6 solicitation of murder for hire, intentional homicide of
7 an unborn child, predatory criminal sexual assault of a
8 child, aggravated criminal sexual assault, criminal sexual
9 assault, aggravated kidnapping, aggravated battery with a
10 firearm as described in Section 12-4.2 or subdivision
11 (e)(1), (e)(2), (e)(3), or (e)(4) of Section 12-3.05,
12 heinous battery as described in Section 12-4.1 or
13 subdivision (a)(2) of Section 12-3.05, unlawful possession
14 of a firearm by a repeat felony offender, aggravated
15 battery of a senior citizen as described in Section 12-4.6
16 or subdivision (a)(4) of Section 12-3.05, or aggravated
17 battery of a child as described in Section 12-4.3 or
18 subdivision (b)(1) of Section 12-3.05 shall receive no
19 more than 12 ~~4.5~~ days of sentence credit for each month of
20 his or her sentence of imprisonment;

21 (iii) that a committed person ~~prisoner~~ serving a
22 sentence for home invasion, armed robbery, aggravated
23 vehicular hijacking, aggravated discharge of a firearm, or
24 armed violence with a category I weapon or category II
25 weapon, when the court has made and entered a finding,
26 pursuant to subsection (c-1) of Section 5-4-1 of this

1 Code, that the conduct leading to conviction for the
2 enumerated offense resulted in great bodily harm to a
3 victim, shall receive no more than 12 ~~4.5~~ days of sentence
4 credit for each month of his or her sentence of
5 imprisonment;

6 (iv) that a committed person ~~prisoner~~ serving a
7 sentence for aggravated discharge of a firearm, whether or
8 not the conduct leading to conviction for the offense
9 resulted in great bodily harm to the victim, shall receive
10 no more than 12 ~~4.5~~ days of sentence credit for each month
11 of his or her sentence of imprisonment;

12 (v) that a person serving a sentence for gunrunning,
13 narcotics racketeering, controlled substance trafficking,
14 methamphetamine trafficking, drug-induced homicide,
15 aggravated methamphetamine-related child endangerment,
16 money laundering pursuant to clause (c) (4) or (5) of
17 Section 29B-1 of the Criminal Code of 1961 or the Criminal
18 Code of 2012, or a Class X felony conviction for delivery
19 of a controlled substance, possession of a controlled
20 substance with intent to manufacture or deliver,
21 calculated criminal drug conspiracy, criminal drug
22 conspiracy, street gang criminal drug conspiracy,
23 participation in methamphetamine manufacturing,
24 aggravated participation in methamphetamine
25 manufacturing, delivery of methamphetamine, possession
26 with intent to deliver methamphetamine, aggravated

1 delivery of methamphetamine, aggravated possession with
2 intent to deliver methamphetamine, methamphetamine
3 conspiracy when the substance containing the controlled
4 substance or methamphetamine is 100 grams or more shall
5 receive no more than 15 ~~7.5~~ days sentence credit for each
6 month of his or her sentence of imprisonment;

7 (vi) that a committed person ~~prisoner~~ serving a
8 sentence for a second or subsequent offense of luring a
9 minor shall receive no more than 12 ~~4.5~~ days of sentence
10 credit for each month of his or her sentence of
11 imprisonment; and

12 (vii) (Blank). ~~that a prisoner serving a sentence for~~
13 ~~aggravated domestic battery shall receive no more than 4.5~~
14 ~~days of sentence credit for each month of his or her~~
15 ~~sentence of imprisonment.~~

16 The sentence credit allotments listed in clauses (i)
17 through (vii) of this paragraph (2) shall apply to committed
18 persons incarcerated before the effective date of this
19 amendatory Act of the 104th General Assembly, and the
20 Department of Corrections shall award sentence credit for
21 periods of incarceration prior to the effective date of this
22 amendatory Act of the 104th General Assembly accordingly.

23 (2.1) For all offenses, other than those enumerated in
24 subdivision (a)(2)(i), (ii), or (iii) committed on or after
25 June 19, 1998 or subdivision (a)(2)(iv) committed on or after
26 June 23, 2005 (the effective date of Public Act 94-71) or

1 subdivision (a)(2)(v) committed on or after August 13, 2007
2 (the effective date of Public Act 95-134) or subdivision
3 (a)(2)(vi) committed on or after June 1, 2008 (the effective
4 date of Public Act 95-625) or subdivision (a)(2)(vii)
5 committed on or after July 23, 2010 (the effective date of
6 Public Act 96-1224), and other than the offense of aggravated
7 driving under the influence of alcohol, other drug or drugs,
8 or intoxicating compound or compounds, or any combination
9 thereof as defined in subparagraph (F) of paragraph (1) of
10 subsection (d) of Section 11-501 of the Illinois Vehicle Code,
11 and other than the offense of aggravated driving under the
12 influence of alcohol, other drug or drugs, or intoxicating
13 compound or compounds, or any combination thereof as defined
14 in subparagraph (C) of paragraph (1) of subsection (d) of
15 Section 11-501 of the Illinois Vehicle Code committed on or
16 after January 1, 2011 (the effective date of Public Act
17 96-1230), the rules and regulations shall provide that a
18 committed person ~~prisoner~~ who is serving a term of
19 imprisonment shall receive one day of sentence credit for each
20 day of his or her sentence of imprisonment or recommitment
21 under Section 3-3-9. Each day of sentence credit shall reduce
22 by one day the committed person's ~~prisoner's~~ period of
23 imprisonment or recommitment under Section 3-3-9.

24 (2.2) A committed person ~~prisoner~~ serving a term of
25 natural life imprisonment shall receive no sentence credit.

26 (2.3) Except as provided in paragraph (4.7) of this

1 subsection (a), the rules and regulations on sentence credit
2 shall provide that a committed person ~~prisoner~~ who is serving
3 a sentence for aggravated driving under the influence of
4 alcohol, other drug or drugs, or intoxicating compound or
5 compounds, or any combination thereof as defined in
6 subparagraph (F) of paragraph (1) of subsection (d) of Section
7 11-501 of the Illinois Vehicle Code, shall receive no more
8 than 12 ~~4.5~~ days of sentence credit for each month of his or
9 her sentence of imprisonment.

10 (2.4) Except as provided in paragraph (4.7) of this
11 subsection (a), the rules and regulations on sentence credit
12 shall provide with respect to the offenses of aggravated
13 battery with a machine gun or a firearm equipped with any
14 device or attachment designed or used for silencing the report
15 of a firearm or aggravated discharge of a machine gun or a
16 firearm equipped with any device or attachment designed or
17 used for silencing the report of a firearm, committed on or
18 after July 15, 1999 (the effective date of Public Act 91-121),
19 that a committed person ~~prisoner~~ serving a sentence for any of
20 these offenses shall receive no more than 4.5 days of sentence
21 credit for each month of his or her sentence of imprisonment.

22 (2.5) Except as provided in paragraph (4.7) of this
23 subsection (a), the rules and regulations on sentence credit
24 shall provide that a committed person ~~prisoner~~ who is serving
25 a sentence for aggravated arson committed on or after July 27,
26 2001 (the effective date of Public Act 92-176) shall receive

1 no more than 4.5 days of sentence credit for each month of his
2 or her sentence of imprisonment.

3 (2.6) Except as provided in paragraph (4.7) of this
4 subsection (a), the rules and regulations on sentence credit
5 shall provide that a committed person ~~prisoner~~ who is serving
6 a sentence for aggravated driving under the influence of
7 alcohol, other drug or drugs, or intoxicating compound or
8 compounds or any combination thereof as defined in
9 subparagraph (C) of paragraph (1) of subsection (d) of Section
10 11-501 of the Illinois Vehicle Code committed on or after
11 January 1, 2011 (the effective date of Public Act 96-1230)
12 shall receive no more than 4.5 days of sentence credit for each
13 month of his or her sentence of imprisonment.

14 (3) In addition to the sentence credits earned under
15 paragraphs (2.1), (4), (4.1), (4.2), and (4.7) of this
16 subsection (a), the rules and regulations shall also provide
17 that the Director of Corrections or the Director of Juvenile
18 Justice may award ~~up to 180 days~~ of earned sentence credit,
19 provided that such earned sentence credit shall not reduce the
20 sentence of the committed person to less than the amounts set
21 forth in subparagraphs (i), (ii), (iii), and (iv) of (4.7) of
22 this subsection (a) for prisoners serving a sentence of
23 ~~incarceration of less than 5 years, and up to 365 days of~~
24 ~~earned sentence credit for prisoners serving a sentence of 5~~
25 ~~years or longer~~. The Director may grant this credit for good
26 conduct in specific instances as either Director deems proper

1 for eligible persons in the custody of each Director's
2 respective Department. The good conduct may include, but is
3 not limited to, compliance with the rules and regulations of
4 the Department, service to the Department, service to a
5 community, or service to the State.

6 Eligible committed persons ~~inmates~~ for an award of earned
7 sentence credit under this paragraph (3) may be selected to
8 receive the credit at either Director's or his or her
9 designee's sole discretion. Eligibility for the additional
10 earned sentence credit under this paragraph (3) may be based
11 on, but is not limited to, participation in programming
12 offered by the Department as appropriate for the committed
13 person ~~prisoner~~ based on the results of any available
14 risk/needs assessment or other relevant assessments or
15 evaluations administered by the Department using a validated
16 instrument, the circumstances of the crime, demonstrated
17 commitment to rehabilitation by a committed person ~~prisoner~~
18 with a history of conviction for a forcible felony enumerated
19 in Section 2-8 of the Criminal Code of 2012, the committed
20 person's ~~inmate's~~ behavior and improvements in disciplinary
21 history while incarcerated, and the committed person's
22 ~~inmate's~~ commitment to rehabilitation, including participation
23 in programming offered by the Department.

24 The Director of Corrections or the Director of Juvenile
25 Justice shall not award sentence credit under this paragraph
26 (3) to a committed person ~~an inmate~~ unless the committed

1 person inmate has served a minimum of 60 days of the sentence,
2 including time served in a county jail; except nothing in this
3 paragraph shall be construed to permit either Director to
4 extend a committed person's ~~an inmate's~~ sentence beyond that
5 which was imposed by the court. Prior to awarding credit under
6 this paragraph (3), each Director shall make a written
7 determination that the committed person ~~inmate~~:

8 (A) is eligible for the earned sentence credit;

9 (B) has served a minimum of 60 days, or as close to 60
10 days as the sentence will allow;

11 (B-1) has received a risk/needs assessment or other
12 relevant evaluation or assessment administered by the
13 Department using a validated instrument; and

14 (C) has met the eligibility criteria established by
15 rule for earned sentence credit.

16 The Director of Corrections or the Director of Juvenile
17 Justice shall determine the form and content of the written
18 determination required in this subsection.

19 (3.5) The Department shall provide annual written reports
20 to the Governor and the General Assembly on the award of earned
21 sentence credit no later than February 1 of each year. The
22 Department must publish both reports on its website within 48
23 hours of transmitting the reports to the Governor and the
24 General Assembly. The reports must include:

25 (A) the number of committed persons ~~inmates~~ awarded
26 earned sentence credit;

1 (B) the average amount of earned sentence credit
2 awarded;

3 (C) the holding offenses of committed persons ~~inmates~~
4 awarded earned sentence credit; and

5 (D) the number of earned sentence credit revocations.

6 (4) (A) Except as provided in paragraph (4.7) of this
7 subsection (a), the rules and regulations shall also provide
8 that any committed person ~~prisoner~~ who is engaged full-time in
9 substance abuse programs, correctional industry assignments,
10 educational programs, work-release programs or activities in
11 accordance with Article 13 of Chapter III of this Code,
12 behavior modification programs, life skills courses, or
13 re-entry planning provided by the Department under this
14 paragraph (4) and satisfactorily completes the assigned
15 program as determined by the standards of the Department,
16 shall receive one day of sentence credit for each day in which
17 that committed person ~~prisoner~~ is engaged in the activities
18 described in this paragraph. The rules and regulations shall
19 also provide that sentence credit may be provided to a
20 committed person ~~an inmate~~ who was held in pre-trial detention
21 prior to his or her current commitment to the Department of
22 Corrections and successfully completed a full-time, 60-day or
23 longer substance abuse program, educational program, behavior
24 modification program, life skills course, or re-entry planning
25 provided by the county department of corrections or county
26 jail. Calculation of this county program credit shall be done

1 at sentencing as provided in Section 5-4.5-100 of this Code
2 and shall be included in the sentencing order. The rules and
3 regulations shall also provide that sentence credit may be
4 provided to a committed person ~~an inmate~~ who is in compliance
5 with programming requirements in an adult transition center.

6 (B) The Department shall award sentence credit under this
7 paragraph (4) accumulated prior to January 1, 2020 (the
8 effective date of Public Act 101-440) in an amount specified
9 in subparagraph (C) of this paragraph (4) to a committed
10 person ~~an inmate~~ serving a sentence for an offense committed
11 prior to June 19, 1998, if the Department determines that the
12 committed person ~~inmate~~ is entitled to this sentence credit,
13 based upon:

14 (i) documentation provided by the Department that the
15 committed person ~~inmate~~ engaged in any full-time substance
16 abuse programs, correctional industry assignments,
17 educational programs, behavior modification programs, life
18 skills courses, or re-entry planning provided by the
19 Department under this paragraph (4) and satisfactorily
20 completed the assigned program as determined by the
21 standards of the Department during the committed person's
22 ~~inmate's~~ current term of incarceration; or

23 (ii) the committed person's ~~inmate's~~ own testimony in
24 the form of an affidavit or documentation, or a third
25 party's documentation or testimony in the form of an
26 affidavit that the committed person ~~inmate~~ likely engaged

1 in any full-time substance abuse programs, correctional
2 industry assignments, educational programs, behavior
3 modification programs, life skills courses, or re-entry
4 planning provided by the Department under paragraph (4)
5 and satisfactorily completed the assigned program as
6 determined by the standards of the Department during the
7 committed person's ~~inmate's~~ current term of incarceration.

8 (C) If the committed person ~~inmate~~ can provide
9 documentation that he or she is entitled to sentence credit
10 under subparagraph (B) in excess of 45 days of participation
11 in those programs, the committed person ~~inmate~~ shall receive
12 90 days of sentence credit. If the committed person ~~inmate~~
13 cannot provide documentation of more than 45 days of
14 participation in those programs, the committed person ~~inmate~~
15 shall receive 45 days of sentence credit. In the event of a
16 disagreement between the Department and the committed person
17 ~~inmate~~ as to the amount of credit accumulated under
18 subparagraph (B), if the Department provides documented proof
19 of a lesser amount of days of participation in those programs,
20 that proof shall control. If the Department provides no
21 documentary proof, the committed person's ~~inmate's~~ proof as
22 set forth in clause (ii) of subparagraph (B) shall control as
23 to the amount of sentence credit provided.

24 (D) If the committed person ~~inmate~~ has been convicted of a
25 sex offense as defined in Section 2 of the Sex Offender
26 Registration Act, sentencing credits under subparagraph (B) of

1 this paragraph (4) shall be awarded by the Department only if
2 the conditions set forth in paragraph (4.6) of subsection (a)
3 are satisfied. No committed person ~~inmate~~ serving a term of
4 natural life imprisonment shall receive sentence credit under
5 subparagraph (B) of this paragraph (4).

6 (E) The rules and regulations shall provide for the
7 recalculation of program credits awarded pursuant to this
8 paragraph (4) prior to July 1, 2021 (the effective date of
9 Public Act 101-652) at the rate set for such credits on and
10 after July 1, 2021.

11 Educational, vocational, substance abuse, behavior
12 modification programs, life skills courses, re-entry planning,
13 and correctional industry programs under which sentence credit
14 may be earned under this paragraph (4) and paragraph (4.1) of
15 this subsection (a) shall be evaluated by the Department on
16 the basis of documented standards. The Department shall report
17 the results of these evaluations to the Governor and the
18 General Assembly by September 30th of each year. The reports
19 shall include data relating to the recidivism rate among
20 program participants.

21 Availability of these programs shall be subject to the
22 limits of fiscal resources appropriated by the General
23 Assembly for these purposes. Eligible committed persons
24 ~~inmates~~ who are denied immediate admission shall be placed on
25 a waiting list under criteria established by the Department.
26 The rules and regulations shall provide that a committed

1 person ~~prisoner~~ who has been placed on a waiting list but is
2 transferred for non-disciplinary reasons before beginning a
3 program shall receive priority placement on the waitlist for
4 appropriate programs at the new facility. The inability of any
5 committed person ~~inmate~~ to become engaged in any such programs
6 by reason of insufficient program resources or for any other
7 reason established under the rules and regulations of the
8 Department shall not be deemed a cause of action under which
9 the Department or any employee or agent of the Department
10 shall be liable for damages to the committed person ~~inmate~~.
11 The rules and regulations shall provide that a committed
12 person ~~prisoner~~ who begins an educational, vocational,
13 substance abuse, work-release programs or activities in
14 accordance with Article 13 of Chapter III of this Code,
15 behavior modification program, life skills course, re-entry
16 planning, or correctional industry programs but is unable to
17 complete the program due to illness, disability, transfer,
18 lockdown, or another reason outside of the committed person's
19 ~~prisoner's~~ control shall receive prorated sentence credits for
20 the days in which the committed person ~~prisoner~~ did
21 participate.

22 (F) The Department shall award sentence credit under this
23 paragraph (4) accumulated prior to the effective date of this
24 amendatory Act of the 104th General Assembly in an amount
25 specified in subparagraph (F) of this paragraph (4) to a
26 committed person serving a sentence for an offense committed

1 after June 19, 1998, if the Department determines that the
2 committed person is entitled to this sentence credit, based
3 upon:

4 (i) documentation provided by the Department that the
5 committed person engaged in any full-time substance abuse
6 programs, correctional industry assignments, educational
7 programs, behavior modification programs, life skills
8 courses, or re-entry planning provided by the Department
9 under this paragraph (4) and satisfactorily completed the
10 assigned program as determined by the standards of the
11 Department during the committed person's current term of
12 incarceration; or

13 (ii) the committed person's own testimony in the form
14 of an affidavit or documentation, or a third party's
15 documentation or testimony in the form of an affidavit
16 that the committed person likely engaged in any full-time
17 substance abuse programs, correctional industry
18 assignments, educational programs, behavior modification
19 programs, life skills courses, or re-entry planning
20 provided by the Department under paragraph (4) and
21 satisfactorily completed the assigned program as
22 determined by the standards of the Department during the
23 committed person's current term of incarceration.

24 (G) If the committed person can provide documentation that
25 he or she is entitled to sentence credit under subparagraph
26 (E), the committed person shall receive such sentence credit.

1 If the committed person cannot provide documentation of
2 participation in those programs, the committed person shall
3 receive up to 0.5 days of sentence credit for each day of
4 participation in such a program. In the event of a
5 disagreement between the Department and the committed person
6 as to the amount of credit accumulated under subparagraph (E),
7 if the Department provides documented proof of a lesser amount
8 of days of participation in those programs, that proof shall
9 control. If the Department provides no documentary proof, the
10 committed person's proof as set forth in clause (ii) of
11 subparagraph (E) shall control as to the amount of sentence
12 credit provided.

13 (4.1) Except as provided in paragraph (4.7) of this
14 subsection (a), the rules and regulations shall also provide
15 that an additional 90 days of sentence credit shall be awarded
16 to any committed person ~~prisoner~~ who passes high school
17 equivalency testing while the committed person ~~prisoner~~ is
18 committed to the Department of Corrections. The sentence
19 credit awarded under this paragraph (4.1) shall be in addition
20 to, and shall not affect, the award of sentence credit under
21 any other paragraph of this Section, but shall also be
22 pursuant to the guidelines and restrictions set forth in
23 paragraph (4) of subsection (a) of this Section. The sentence
24 credit provided for in this paragraph shall be available only
25 to those committed persons ~~prisoners~~ who have not previously
26 earned a high school diploma or a State of Illinois High School

1 Diploma. If, after an award of the high school equivalency
2 testing sentence credit has been made, the Department
3 determines that the committed person ~~prisoner~~ was not
4 eligible, then the award shall be revoked. The Department may
5 also award 90 days of sentence credit to any committed person
6 who passed high school equivalency testing while he or she was
7 held in pre-trial detention prior to the current commitment to
8 the Department of Corrections. Except as provided in paragraph
9 (4.7) of this subsection (a), the rules and regulations shall
10 provide that an additional 120 days of sentence credit shall
11 be awarded to any committed person ~~prisoner~~ who obtains an
12 associate degree while the committed person ~~prisoner~~ is
13 committed to the Department of Corrections, regardless of the
14 date that the associate degree was obtained, including if
15 prior to July 1, 2021 (the effective date of Public Act
16 101-652). The sentence credit awarded under this paragraph
17 (4.1) shall be in addition to, and shall not affect, the award
18 of sentence credit under any other paragraph of this Section,
19 but shall also be under the guidelines and restrictions set
20 forth in paragraph (4) of subsection (a) of this Section. The
21 sentence credit provided for in this paragraph (4.1) shall be
22 available only to those committed persons ~~prisoners~~ who have
23 not previously earned an associate degree prior to the current
24 commitment to the Department of Corrections. If, after an
25 award of the associate degree sentence credit has been made
26 and the Department determines that the committed person

1 ~~prisoner~~ was not eligible, then the award shall be revoked.
2 The Department may also award 120 days of sentence credit to
3 any committed person who earned an associate degree while he
4 or she was held in pre-trial detention prior to the current
5 commitment to the Department of Corrections.

6 Except as provided in paragraph (4.7) of this subsection
7 (a), the rules and regulations shall provide that an
8 additional 180 days of sentence credit shall be awarded to any
9 committed person ~~prisoner~~ who obtains a bachelor's degree
10 while the committed person ~~prisoner~~ is committed to the
11 Department of Corrections. The sentence credit awarded under
12 this paragraph (4.1) shall be in addition to, and shall not
13 affect, the award of sentence credit under any other paragraph
14 of this Section, but shall also be under the guidelines and
15 restrictions set forth in paragraph (4) of this subsection
16 (a). The sentence credit provided for in this paragraph shall
17 be available only to those committed persons ~~prisoners~~ who
18 have not earned a bachelor's degree prior to the current
19 commitment to the Department of Corrections. If, after an
20 award of the bachelor's degree sentence credit has been made,
21 the Department determines that the committed person ~~prisoner~~
22 was not eligible, then the award shall be revoked. The
23 Department may also award 180 days of sentence credit to any
24 committed person who earned a bachelor's degree while he or
25 she was held in pre-trial detention prior to the current
26 commitment to the Department of Corrections.

1 Except as provided in paragraph (4.7) of this subsection
2 (a), the rules and regulations shall provide that an
3 additional 180 days of sentence credit shall be awarded to any
4 committed person ~~prisoner~~ who obtains a master's or
5 professional degree while the committed person ~~prisoner~~ is
6 committed to the Department of Corrections. The sentence
7 credit awarded under this paragraph (4.1) shall be in addition
8 to, and shall not affect, the award of sentence credit under
9 any other paragraph of this Section, but shall also be under
10 the guidelines and restrictions set forth in paragraph (4) of
11 this subsection (a). The sentence credit provided for in this
12 paragraph shall be available only to those committed persons
13 ~~prisoners~~ who have not previously earned a master's or
14 professional degree prior to the current commitment to the
15 Department of Corrections. If, after an award of the master's
16 or professional degree sentence credit has been made, the
17 Department determines that the committed person ~~prisoner~~ was
18 not eligible, then the award shall be revoked. The Department
19 may also award 180 days of sentence credit to any committed
20 person who earned a master's or professional degree while he
21 or she was held in pre-trial detention prior to the current
22 commitment to the Department of Corrections.

23 (4.2) (A) The rules and regulations shall also provide that
24 any committed person ~~prisoner~~ engaged in self-improvement
25 programs, volunteer work, or work assignments that are not
26 otherwise eligible activities under paragraph (4), shall

1 receive up to 0.5 days of sentence credit for each day in which
2 the committed person ~~prisoner~~ is engaged in activities
3 described in this paragraph.

4 (B) The rules and regulations shall provide for the award
5 of sentence credit under this paragraph (4.2) for qualifying
6 days of engagement in eligible activities occurring prior to
7 July 1, 2021 (the effective date of Public Act 101-652).

8 (4.5) The rules and regulations on sentence credit shall
9 also provide that when the court's sentencing order recommends
10 a committed person ~~prisoner~~ for substance abuse treatment and
11 the crime was committed on or after September 1, 2003 (the
12 effective date of Public Act 93-354), the committed person
13 ~~prisoner~~ shall receive no sentence credit awarded under clause
14 (3) of this subsection (a) unless he or she participates in and
15 completes a substance abuse treatment program. The Director of
16 Corrections may waive the requirement to participate in or
17 complete a substance abuse treatment program in specific
18 instances if the committed person ~~prisoner~~ is not a good
19 candidate for a substance abuse treatment program for medical,
20 programming, or operational reasons. Availability of substance
21 abuse treatment shall be subject to the limits of fiscal
22 resources appropriated by the General Assembly for these
23 purposes. If treatment is not available and the requirement to
24 participate and complete the treatment has not been waived by
25 the Director, the committed person ~~prisoner~~ shall be placed on
26 a waiting list under criteria established by the Department.

1 The Director may allow a committed person ~~prisoner~~ placed on a
2 waiting list to participate in and complete a substance abuse
3 education class or attend substance abuse self-help meetings
4 in lieu of a substance abuse treatment program. A committed
5 person ~~prisoner~~ on a waiting list who is not placed in a
6 substance abuse program prior to release may be eligible for a
7 waiver and receive sentence credit under clause (3) of this
8 subsection (a) at the discretion of the Director.

9 (4.6) The rules and regulations on sentence credit shall
10 also provide that a committed person ~~prisoner~~ who has been
11 convicted of a sex offense as defined in Section 2 of the Sex
12 Offender Registration Act shall receive no sentence credit
13 unless he or she either has successfully completed or is
14 participating in sex offender treatment as defined by the Sex
15 Offender Management Board. However, committed persons
16 ~~prisoners~~ who are waiting to receive treatment, but who are
17 unable to do so due solely to the lack of resources on the part
18 of the Department, may, at either Director's sole discretion,
19 be awarded sentence credit at a rate as the Director shall
20 determine.

21 (4.7) On or after January 1, 2018 (the effective date of
22 Public Act 100-3), sentence credit under paragraph (3), (4),
23 or (4.1) of this subsection (a) may be awarded to a committed
24 person ~~prisoner~~ who is serving a sentence, whenever that
25 credit was earned ~~for an offense described in paragraph (2),~~
26 ~~(2.3), (2.4), (2.5), or (2.6) for credit earned on or after~~

1 ~~January 1, 2018 (the effective date of Public Act 100-3);~~
2 ~~provided, the award of the credits under this paragraph (4.7)~~
3 ~~shall not reduce the sentence of the prisoner to less than the~~
4 ~~following amounts:~~

5 ~~(i) 85% of his or her sentence if the prisoner is~~
6 ~~required to serve 85% of his or her sentence; or~~

7 ~~(ii) 60% of his or her sentence if the prisoner is~~
8 ~~required to serve 75% of his or her sentence, except if the~~
9 ~~prisoner is serving a sentence for gunrunning his or her~~
10 ~~sentence shall not be reduced to less than 75%.~~

11 ~~(iii) 100% of his or her sentence if the prisoner is~~
12 ~~required to serve 100% of his or her sentence.~~

13 (5) Whenever the Department is to release any committed
14 person inmate earlier than it otherwise would because of a
15 grant of earned sentence credit under paragraph (3) of
16 subsection (a) of this Section given at any time during the
17 term, the Department shall give reasonable notice of the
18 impending release not less than 14 days prior to the date of
19 the release to the State's Attorney of the county where the
20 prosecution of the committed person inmate took place, and if
21 applicable, the State's Attorney of the county into which the
22 committed person inmate will be released. The Department must
23 also make identification information and a recent photo of the
24 committed person inmate being released accessible on the
25 Internet by means of a hyperlink labeled "Community
26 Notification of Committed Person Inmate Early Release" on the

1 Department's World Wide Web homepage. The identification
2 information shall include the committed person's ~~inmate's~~:
3 name, any known alias, date of birth, physical
4 characteristics, commitment offense, and county where
5 conviction was imposed. The identification information shall
6 be placed on the website within 3 days of the committed
7 person's ~~inmate's~~ release and the information may not be
8 removed until either: completion of the first year of
9 mandatory supervised release or return of the committed person
10 ~~inmate~~ to custody of the Department.

11 (b) Whenever a person is or has been committed under
12 several convictions, with separate sentences, the sentences
13 shall be construed under Section 5-8-4 in granting and
14 forfeiting of sentence credit.

15 (c) (1) The Department shall prescribe rules and
16 regulations for revoking sentence credit, including revoking
17 sentence credit awarded under paragraph (3) of subsection (a)
18 of this Section. The Department shall prescribe rules and
19 regulations establishing and requiring the use of a sanctions
20 matrix for revoking sentence credit. The Department shall
21 prescribe rules and regulations for suspending or reducing the
22 rate of accumulation of sentence credit for specific rule
23 violations, during imprisonment. These rules and regulations
24 shall provide that no committed person ~~inmate~~ may be penalized
25 more than one year of sentence credit for any one infraction.

26 (2) When the Department seeks to revoke, suspend, or

1 reduce the rate of accumulation of any sentence credits for an
2 alleged infraction of its rules, it shall bring charges
3 therefor against the committed person ~~prisoner~~ sought to be so
4 deprived of sentence credits before the Prisoner Review Board
5 as provided in subparagraph (a)(4) of Section 3-3-2 of this
6 Code, if the amount of credit at issue exceeds 30 days, whether
7 from one infraction or cumulatively from multiple infractions
8 arising out of a single event, or when, during any 12-month
9 period, the cumulative amount of credit revoked exceeds 30
10 days except where the infraction is committed or discovered
11 within 60 days of scheduled release. In those cases, the
12 Department of Corrections may revoke up to 30 days of sentence
13 credit. The Board may subsequently approve the revocation of
14 additional sentence credit, if the Department seeks to revoke
15 sentence credit in excess of 30 days. However, the Board shall
16 not be empowered to review the Department's decision with
17 respect to the loss of 30 days of sentence credit within any
18 calendar year for any committed person ~~prisoner~~ or to increase
19 any penalty beyond the length requested by the Department.

20 (3) The Director of Corrections or the Director of
21 Juvenile Justice, in appropriate cases, may restore sentence
22 credits which have been revoked, suspended, or reduced. The
23 Department shall prescribe rules and regulations governing the
24 restoration of sentence credits. These rules and regulations
25 shall provide for the automatic restoration of sentence
26 credits following a period in which the committed person

1 ~~prisoner~~ maintains a record without a disciplinary violation.

2 Nothing contained in this Section shall prohibit the
3 Prisoner Review Board from ordering, pursuant to Section
4 3-3-9(a)(3)(i)(B), that a committed person ~~prisoner~~ serve up
5 to one year of the sentence imposed by the court that was not
6 served due to the accumulation of sentence credit.

7 (d) If a lawsuit is filed by a committed person ~~prisoner~~ in
8 an Illinois or federal court against the State, the Department
9 of Corrections, or the Prisoner Review Board, or against any
10 of their officers or employees, and the court makes a specific
11 finding that a pleading, motion, or other paper filed by the
12 committed person ~~prisoner~~ is frivolous, the Department of
13 Corrections shall conduct a hearing to revoke up to 180 days of
14 sentence credit by bringing charges against the committed
15 person ~~prisoner~~ sought to be deprived of the sentence credits
16 before the Prisoner Review Board as provided in subparagraph
17 (a)(8) of Section 3-3-2 of this Code. If the committed person
18 ~~prisoner~~ has not accumulated 180 days of sentence credit at
19 the time of the finding, then the Prisoner Review Board may
20 revoke all sentence credit accumulated by the committed person
21 ~~prisoner~~.

22 For purposes of this subsection (d):

23 (1) "Frivolous" means that a pleading, motion, or
24 other filing which purports to be a legal document filed
25 by a committed person ~~prisoner~~ in his or her lawsuit meets
26 any or all of the following criteria:

1 (A) it lacks an arguable basis either in law or in
2 fact;

3 (B) it is being presented for any improper
4 purpose, such as to harass or to cause unnecessary
5 delay or needless increase in the cost of litigation;

6 (C) the claims, defenses, and other legal
7 contentions therein are not warranted by existing law
8 or by a nonfrivolous argument for the extension,
9 modification, or reversal of existing law or the
10 establishment of new law;

11 (D) the allegations and other factual contentions
12 do not have evidentiary support or, if specifically so
13 identified, are not likely to have evidentiary support
14 after a reasonable opportunity for further
15 investigation or discovery; or

16 (E) the denials of factual contentions are not
17 warranted on the evidence, or if specifically so
18 identified, are not reasonably based on a lack of
19 information or belief.

20 (2) "Lawsuit" means a motion pursuant to Section 116-3
21 of the Code of Criminal Procedure of 1963, a habeas corpus
22 action under Article X of the Code of Civil Procedure or
23 under federal law (28 U.S.C. 2254), a petition for claim
24 under the Court of Claims Act, an action under the federal
25 Civil Rights Act (42 U.S.C. 1983), or a second or
26 subsequent petition for post-conviction relief under

1 Article 122 of the Code of Criminal Procedure of 1963
2 whether filed with or without leave of court or a second or
3 subsequent petition for relief from judgment under Section
4 2-1401 of the Code of Civil Procedure.

5 (e) Nothing in Public Act 90-592 or 90-593 affects the
6 validity of Public Act 89-404.

7 (f) Whenever the Department is to release any committed
8 person ~~inmate~~ who has been convicted of a violation of an order
9 of protection under Section 12-3.4 or 12-30 of the Criminal
10 Code of 1961 or the Criminal Code of 2012, earlier than it
11 otherwise would because of a grant of sentence credit, the
12 Department, as a condition of release, shall require that the
13 person, upon release, be placed under electronic surveillance
14 as provided in Section 5-8A-7 of this Code.

15 (Source: P.A. 102-28, eff. 6-25-21; 102-558, eff. 8-20-21;
16 102-784, eff. 5-13-22; 102-1100, eff. 1-1-23; 103-51, eff.
17 1-1-24; 103-154, eff. 6-30-23; 103-330, eff. 1-1-24; 103-605,
18 eff. 7-1-24; 103-822, eff. 1-1-25.)

19 Section 99. Effective date. This Act takes effect July 1,
20 2026.