



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2867

Introduced 1/16/2026, by Sen. Mary Edly-Allen

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/8-4	from Ch. 38, par. 8-4
720 ILCS 5/9-1.2	from Ch. 38, par. 9-1.2
720 ILCS 5/10-2	from Ch. 38, par. 10-2
720 ILCS 5/11-1.30	was 720 ILCS 5/12-14
720 ILCS 5/11-1.40	was 720 ILCS 5/12-14.1
720 ILCS 5/12-3.05	was 720 ILCS 5/12-4
720 ILCS 5/18-2	from Ch. 38, par. 18-2
720 ILCS 5/18-4	
720 ILCS 5/19-6	was 720 ILCS 5/12-11
730 ILCS 5/5-8-1	from Ch. 38, par. 1005-8-1

Amends the Criminal Code of 2012 and the Unified Code of Corrections. Provides that the 15-year penalty enhancement for committing various offenses with a firearm, applies only if the person committed the offense while personally armed with the firearm.

LRB104 17338 RLC 30762 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 Criminal Code of 2012 is amended by  
5 changing Sections 8-4, 9-1.2, 10-2, 11-1.30, 11-1.40, 12-3.05,  
6 18-2, 18-4, and 19-6 as follows:

7 (720 ILCS 5/8-4) (from Ch. 38, par. 8-4)

8 Sec. 8-4. Attempt.

9 (a) Elements of the offense.

10 A person commits the offense of attempt when, with intent  
11 to commit a specific offense, he or she does any act that  
12 constitutes a substantial step toward the commission of that  
13 offense.

14 (b) Impossibility.

15 It is not a defense to a charge of attempt that because of  
16 a misapprehension of the circumstances it would have been  
17 impossible for the accused to commit the offense attempted.

18 (c) Sentence.

19 A person convicted of attempt may be fined or imprisoned  
20 or both not to exceed the maximum provided for the offense  
21 attempted but, except for an attempt to commit the offense  
22 defined in Section 33A-2 of this Code:

23 (1) the sentence for attempt to commit first degree

1 murder is the sentence for a Class X felony, except that

2 (A) an attempt to commit first degree murder when  
3 at least one of the aggravating factors specified in  
4 clauses (iii), (iv), and (v) of subsection (a)(1)(c)  
5 of Section 5-8-1 of the Unified Code of Corrections is  
6 present is a Class X felony for which the sentence  
7 shall be a term of imprisonment of not less than 20  
8 years and not more than 80 years;

9 (B) an attempt to commit first degree murder while  
10 armed with a firearm is a Class X felony for which 15  
11 years shall be added to the term of imprisonment  
12 imposed by the court, if the person committed the  
13 offense while personally armed with the firearm;

14 (C) an attempt to commit first degree murder  
15 during which the person personally discharged a  
16 firearm is a Class X felony for which 20 years shall be  
17 added to the term of imprisonment imposed by the  
18 court;

19 (D) an attempt to commit first degree murder  
20 during which the person personally discharged a  
21 firearm that proximately caused great bodily harm,  
22 permanent disability, permanent disfigurement, or  
23 death to another person is a Class X felony for which  
24 25 years or up to a term of natural life shall be added  
25 to the term of imprisonment imposed by the court; and

26 (E) if the defendant proves by a preponderance of

1 the evidence at sentencing that, at the time of the  
2 attempted murder, he or she was acting under a sudden  
3 and intense passion resulting from serious provocation  
4 by the individual whom the defendant endeavored to  
5 kill, or another, and, had the individual the  
6 defendant endeavored to kill died, the defendant would  
7 have negligently or accidentally caused that death,  
8 then the sentence for the attempted murder is the  
9 sentence for a Class 1 felony;

10 (2) the sentence for attempt to commit a Class X  
11 felony is the sentence for a Class 1 felony;

12 (3) the sentence for attempt to commit a Class 1  
13 felony is the sentence for a Class 2 felony;

14 (4) the sentence for attempt to commit a Class 2  
15 felony is the sentence for a Class 3 felony; and

16 (5) the sentence for attempt to commit any felony  
17 other than those specified in items (1), (2), (3), and (4)  
18 of this subsection (c) is the sentence for a Class A  
19 misdemeanor.

20 (Source: P.A. 103-51, eff. 1-1-24.)

21 (720 ILCS 5/9-1.2) (from Ch. 38, par. 9-1.2)

22 Sec. 9-1.2. Intentional homicide of an unborn child.

23 (a) A person commits the offense of intentional homicide  
24 of an unborn child if, in performing acts which cause the death  
25 of an unborn child, he without lawful justification:

1           (1) either intended to cause the death of or do great  
2           bodily harm to the pregnant individual or unborn child or  
3           knew that such acts would cause death or great bodily harm  
4           to the pregnant individual or unborn child; or

5           (2) knew that his acts created a strong probability of  
6           death or great bodily harm to the pregnant individual or  
7           unborn child; and

8           (3) knew that the individual was pregnant.

9           (b) For purposes of this Section, (1) "unborn child" shall  
10          mean any individual of the human species from the implantation  
11          of an embryo until birth, and (2) "person" shall not include  
12          the pregnant woman whose unborn child is killed.

13          (c) This Section shall not apply to acts which cause the  
14          death of an unborn child if those acts were committed during  
15          any abortion, as defined in Section 1-10 of the Reproductive  
16          Health Act, to which the pregnant individual has consented.  
17          This Section shall not apply to acts which were committed  
18          pursuant to usual and customary standards of medical practice  
19          during diagnostic testing or therapeutic treatment.

20          (d) Penalty. The sentence for intentional homicide of an  
21          unborn child shall be the same as for first degree murder,  
22          except that:

23                 (1) (blank);

24                 (2) if the person committed the offense while  
25                 personally armed with a firearm, 15 years shall be added  
26                 to the term of imprisonment imposed by the court;

1           (3) if, during the commission of the offense, the  
2 person personally discharged a firearm, 20 years shall be  
3 added to the term of imprisonment imposed by the court;

4           (4) if, during the commission of the offense, the  
5 person personally discharged a firearm that proximately  
6 caused great bodily harm, permanent disability, permanent  
7 disfigurement, or death to another person, 25 years or up  
8 to a term of natural life shall be added to the term of  
9 imprisonment imposed by the court.

10          (e) The provisions of this Act shall not be construed to  
11 prohibit the prosecution of any person under any other  
12 provision of law.

13          (Source: P.A. 103-51, eff. 1-1-24.)

14          (720 ILCS 5/10-2) (from Ch. 38, par. 10-2)

15          Sec. 10-2. Aggravated kidnaping.

16          (a) A person commits the offense of aggravated kidnaping  
17 when he or she commits kidnaping and:

18                 (1) kidnaps with the intent to obtain ransom from the  
19 person kidnaped or from any other person;

20                 (2) takes as his or her victim a child under the age of  
21 13 years, or a person with a severe or profound  
22 intellectual disability;

23                 (3) inflicts great bodily harm, other than by the  
24 discharge of a firearm, or commits another felony upon his  
25 or her victim;

1 (4) wears a hood, robe, or mask or conceals his or her  
2 identity;

3 (5) commits the offense of kidnaping while armed with  
4 a dangerous weapon, other than a firearm, as defined in  
5 Section 33A-1 of this Code;

6 (6) commits the offense of kidnaping while armed with  
7 a firearm;

8 (7) during the commission of the offense of kidnaping,  
9 personally discharges a firearm; or

10 (8) during the commission of the offense of kidnaping,  
11 personally discharges a firearm that proximately causes  
12 great bodily harm, permanent disability, permanent  
13 disfigurement, or death to another person.

14 As used in this Section, "ransom" includes money, benefit,  
15 or other valuable thing or concession.

16 (b) Sentence. Aggravated kidnaping in violation of  
17 paragraph (1), (2), (3), (4), or (5) of subsection (a) is a  
18 Class X felony. A violation of subsection (a)(6) is a Class X  
19 felony for which 15 years shall be added to the term of  
20 imprisonment imposed by the court, if the person committed the  
21 offense while personally armed with the firearm. A violation  
22 of subsection (a)(7) is a Class X felony for which 20 years  
23 shall be added to the term of imprisonment imposed by the  
24 court. A violation of subsection (a)(8) is a Class X felony for  
25 which 25 years or up to a term of natural life shall be added  
26 to the term of imprisonment imposed by the court. An offender

1 under the age of 18 years at the time of the commission of  
2 aggravated kidnaping in violation of paragraphs (1) through  
3 (8) of subsection (a) shall be sentenced under Section  
4 5-4.5-105 of the Unified Code of Corrections.

5 A person who has attained the age of 18 years at the time  
6 of the commission of the offense and who is convicted of a  
7 second or subsequent offense of aggravated kidnaping shall be  
8 sentenced to a term of natural life imprisonment; except that  
9 a sentence of natural life imprisonment shall not be imposed  
10 under this Section unless the second or subsequent offense was  
11 committed after conviction on the first offense. An offender  
12 under the age of 18 years at the time of the commission of the  
13 second or subsequent offense shall be sentenced under Section  
14 5-4.5-105 of the Unified Code of Corrections.

15 (Source: P.A. 99-69, eff. 1-1-16; 99-143, eff. 7-27-15;  
16 99-642, eff. 7-28-16.)

17 (720 ILCS 5/11-1.30) (was 720 ILCS 5/12-14)

18 Sec. 11-1.30. Aggravated Criminal Sexual Assault.

19 (a) A person commits aggravated criminal sexual assault if  
20 that person commits criminal sexual assault and any of the  
21 following aggravating circumstances exist during the  
22 commission of the offense or, for purposes of paragraph (7),  
23 occur as part of the same course of conduct as the commission  
24 of the offense:

25 (1) the person displays, threatens to use, or uses a

1 dangerous weapon, other than a firearm, or any other  
2 object fashioned or used in a manner that leads the  
3 victim, under the circumstances, reasonably to believe  
4 that the object is a dangerous weapon;

5 (2) the person causes bodily harm to the victim,  
6 except as provided in paragraph (10);

7 (3) the person acts in a manner that threatens or  
8 endangers the life of the victim or any other person;

9 (4) the person commits the criminal sexual assault  
10 during the course of committing or attempting to commit  
11 any other felony;

12 (5) the victim is 60 years of age or older;

13 (6) the victim is a person with a physical disability;

14 (7) the person delivers (by injection, inhalation,  
15 ingestion, transfer of possession, or any other means) any  
16 controlled substance to the victim without the victim's  
17 consent or by threat or deception for other than medical  
18 purposes;

19 (8) the person is armed with a firearm;

20 (9) the person personally discharges a firearm during  
21 the commission of the offense; or

22 (10) the person personally discharges a firearm during  
23 the commission of the offense, and that discharge  
24 proximately causes great bodily harm, permanent  
25 disability, permanent disfigurement, or death to another  
26 person.

1 (b) A person commits aggravated criminal sexual assault if  
2 that person is under 17 years of age and: (i) commits an act of  
3 sexual penetration with a victim who is under 9 years of age;  
4 or (ii) commits an act of sexual penetration with a victim who  
5 is at least 9 years of age but under 13 years of age and the  
6 person uses force or threat of force to commit the act.

7 (c) A person commits aggravated criminal sexual assault if  
8 that person commits an act of sexual penetration with a victim  
9 who is a person with a severe or profound intellectual  
10 disability.

11 (d) Sentence.

12 (1) Aggravated criminal sexual assault in violation of  
13 paragraph (2), (3), (4), (5), (6), or (7) of subsection  
14 (a) or in violation of subsection (b) or (c) is a Class X  
15 felony. A violation of subsection (a)(1) is a Class X  
16 felony for which 10 years shall be added to the term of  
17 imprisonment imposed by the court. A violation of  
18 subsection (a)(8) is a Class X felony for which 15 years  
19 shall be added to the term of imprisonment imposed by the  
20 court, if the person committed the offense while  
21 personally armed with the firearm. A violation of  
22 subsection (a)(9) is a Class X felony for which 20 years  
23 shall be added to the term of imprisonment imposed by the  
24 court. A violation of subsection (a)(10) is a Class X  
25 felony for which 25 years or up to a term of natural life  
26 imprisonment shall be added to the term of imprisonment

1 imposed by the court. An offender under the age of 18 years  
2 at the time of the commission of aggravated criminal  
3 sexual assault in violation of paragraphs (1) through (10)  
4 of subsection (a) shall be sentenced under Section  
5 5-4.5-105 of the Unified Code of Corrections.

6 (2) A person who has attained the age of 18 years at  
7 the time of the commission of the offense and who is  
8 convicted of a second or subsequent offense of aggravated  
9 criminal sexual assault, or who is convicted of the  
10 offense of aggravated criminal sexual assault after having  
11 previously been convicted of the offense of criminal  
12 sexual assault or the offense of predatory criminal sexual  
13 assault of a child, or who is convicted of the offense of  
14 aggravated criminal sexual assault after having previously  
15 been convicted under the laws of this or any other state of  
16 an offense that is substantially equivalent to the offense  
17 of criminal sexual assault, the offense of aggravated  
18 criminal sexual assault or the offense of predatory  
19 criminal sexual assault of a child, shall be sentenced to  
20 a term of natural life imprisonment. The commission of the  
21 second or subsequent offense is required to have been  
22 after the initial conviction for this paragraph (2) to  
23 apply. An offender under the age of 18 years at the time of  
24 the commission of the offense covered by this paragraph  
25 (2) shall be sentenced under Section 5-4.5-105 of the  
26 Unified Code of Corrections.

1 (Source: P.A. 99-69, eff. 1-1-16; 99-143, eff. 7-27-15;  
2 99-642, eff. 7-28-16.)

3 (720 ILCS 5/11-1.40) (was 720 ILCS 5/12-14.1)

4 Sec. 11-1.40. Predatory criminal sexual assault of a  
5 child.

6 (a) A person commits predatory criminal sexual assault of  
7 a child if that person is 17 years of age or older, and commits  
8 an act of contact, however slight, between the sex organ or  
9 anus of one person and the part of the body of another for the  
10 purpose of sexual gratification or arousal of the victim or  
11 the accused, or an act of sexual penetration, and:

12 (1) the victim is under 13 years of age; or

13 (2) the victim is under 13 years of age and that  
14 person:

15 (A) is armed with a firearm;

16 (B) personally discharges a firearm during the  
17 commission of the offense;

18 (C) causes great bodily harm to the victim that:

19 (i) results in permanent disability; or

20 (ii) is life threatening; or

21 (D) delivers (by injection, inhalation, ingestion,  
22 transfer of possession, or any other means) any  
23 controlled substance to the victim without the  
24 victim's consent or by threat or deception, for other  
25 than medical purposes.

1 (b) Sentence.

2 (1) A person convicted of a violation of subsection  
3 (a)(1) commits a Class X felony, for which the person  
4 shall be sentenced to a term of imprisonment of not less  
5 than 6 years and not more than 60 years. A person convicted  
6 of a violation of subsection (a)(2)(A) commits a Class X  
7 felony for which 15 years shall be added to the term of  
8 imprisonment imposed by the court, if the person committed  
9 the offense while personally armed with the firearm. A  
10 person convicted of a violation of subsection (a)(2)(B)  
11 commits a Class X felony for which 20 years shall be added  
12 to the term of imprisonment imposed by the court. A person  
13 who has attained the age of 18 years at the time of the  
14 commission of the offense and who is convicted of a  
15 violation of subsection (a)(2)(C) commits a Class X felony  
16 for which the person shall be sentenced to a term of  
17 imprisonment of not less than 50 years or up to a term of  
18 natural life imprisonment. An offender under the age of 18  
19 years at the time of the commission of predatory criminal  
20 sexual assault of a child in violation of subsections  
21 (a)(1), (a)(2)(A), (a)(2)(B), and (a)(2)(C) shall be  
22 sentenced under Section 5-4.5-105 of the Unified Code of  
23 Corrections.

24 (1.1) A person convicted of a violation of subsection  
25 (a)(2)(D) commits a Class X felony for which the person  
26 shall be sentenced to a term of imprisonment of not less

1 than 50 years and not more than 60 years. An offender under  
2 the age of 18 years at the time of the commission of  
3 predatory criminal sexual assault of a child in violation  
4 of subsection (a)(2)(D) shall be sentenced under Section  
5 5-4.5-105 of the Unified Code of Corrections.

6 (1.2) A person who has attained the age of 18 years at  
7 the time of the commission of the offense and convicted of  
8 predatory criminal sexual assault of a child committed  
9 against 2 or more persons regardless of whether the  
10 offenses occurred as the result of the same act or of  
11 several related or unrelated acts shall be sentenced to a  
12 term of natural life imprisonment and an offender under  
13 the age of 18 years at the time of the commission of the  
14 offense shall be sentenced under Section 5-4.5-105 of the  
15 Unified Code of Corrections.

16 (2) A person who has attained the age of 18 years at  
17 the time of the commission of the offense and who is  
18 convicted of a second or subsequent offense of predatory  
19 criminal sexual assault of a child, or who is convicted of  
20 the offense of predatory criminal sexual assault of a  
21 child after having previously been convicted of the  
22 offense of criminal sexual assault or the offense of  
23 aggravated criminal sexual assault, or who is convicted of  
24 the offense of predatory criminal sexual assault of a  
25 child after having previously been convicted under the  
26 laws of this State or any other state of an offense that is

1 substantially equivalent to the offense of predatory  
2 criminal sexual assault of a child, the offense of  
3 aggravated criminal sexual assault or the offense of  
4 criminal sexual assault, shall be sentenced to a term of  
5 natural life imprisonment. The commission of the second or  
6 subsequent offense is required to have been after the  
7 initial conviction for this paragraph (2) to apply. An  
8 offender under the age of 18 years at the time of the  
9 commission of the offense covered by this paragraph (2)  
10 shall be sentenced under Section 5-4.5-105 of the Unified  
11 Code of Corrections.

12 (Source: P.A. 98-370, eff. 1-1-14; 98-756, eff. 7-16-14;  
13 98-903, eff. 8-15-14; 99-69, eff. 1-1-16.)

14 (720 ILCS 5/12-3.05) (was 720 ILCS 5/12-4)

15 Sec. 12-3.05. Aggravated battery.

16 (a) Offense based on injury. A person commits aggravated  
17 battery when, in committing a battery, other than by the  
18 discharge of a firearm, he or she knowingly does any of the  
19 following:

20 (1) Causes great bodily harm or permanent disability  
21 or disfigurement.

22 (2) Causes severe and permanent disability, great  
23 bodily harm, or disfigurement by means of a caustic or  
24 flammable substance, a poisonous gas, a deadly biological  
25 or chemical contaminant or agent, a radioactive substance,

1 or a bomb or explosive compound.

2 (3) Causes great bodily harm or permanent disability  
3 or disfigurement to an individual whom the person knows to  
4 be a peace officer, community policing volunteer, fireman,  
5 private security officer, correctional institution  
6 employee, or Department of Human Services employee  
7 supervising or controlling sexually dangerous persons or  
8 sexually violent persons:

9 (i) performing his or her official duties;

10 (ii) battered to prevent performance of his or her  
11 official duties; or

12 (iii) battered in retaliation for performing his  
13 or her official duties.

14 (4) Causes great bodily harm or permanent disability  
15 or disfigurement to an individual 60 years of age or  
16 older.

17 (5) Strangles another individual.

18 (b) Offense based on injury to a child or person with an  
19 intellectual disability. A person who is at least 18 years of  
20 age commits aggravated battery when, in committing a battery,  
21 he or she knowingly and without legal justification by any  
22 means:

23 (1) causes great bodily harm or permanent disability  
24 or disfigurement to any child under the age of 13 years, or  
25 to any person with a severe or profound intellectual  
26 disability; or

1           (2) causes bodily harm or disability or disfigurement  
2           to any child under the age of 13 years or to any person  
3           with a severe or profound intellectual disability.

4           (c) Offense based on location of conduct. A person commits  
5           aggravated battery when, in committing a battery, other than  
6           by the discharge of a firearm, he or she is or the person  
7           battered is on or about a public way, public property, a public  
8           place of accommodation or amusement, a sports venue, or a  
9           domestic violence shelter, or in a church, synagogue, mosque,  
10          or other building, structure, or place used for religious  
11          worship.

12          (d) Offense based on status of victim. A person commits  
13          aggravated battery when, in committing a battery, other than  
14          by discharge of a firearm, he or she knows the individual  
15          battered to be any of the following:

16                 (1) A person 60 years of age or older.

17                 (2) A person who is pregnant or has a physical  
18                 disability.

19                 (3) A teacher or school employee upon school grounds  
20                 or grounds adjacent to a school or in any part of a  
21                 building used for school purposes.

22                 (4) A peace officer, community policing volunteer,  
23                 fireman, private security officer, correctional  
24                 institution employee, or Department of Human Services  
25                 employee supervising or controlling sexually dangerous  
26                 persons or sexually violent persons:

- 1 (i) performing his or her official duties;
- 2 (ii) battered to prevent performance of his or her  
3 official duties; or
- 4 (iii) battered in retaliation for performing his  
5 or her official duties.
- 6 (5) A judge, emergency management worker, emergency  
7 medical services personnel, or utility worker:
- 8 (i) performing his or her official duties;
- 9 (ii) battered to prevent performance of his or her  
10 official duties; or
- 11 (iii) battered in retaliation for performing his  
12 or her official duties.
- 13 (6) An officer or employee of the State of Illinois, a  
14 unit of local government, or a school district, while  
15 performing his or her official duties.
- 16 (7) A transit employee performing his or her official  
17 duties, or a transit passenger.
- 18 (8) A taxi driver on duty.
- 19 (9) A merchant who detains the person for an alleged  
20 commission of retail theft under Section 16-26 of this  
21 Code and the person without legal justification by any  
22 means causes bodily harm to the merchant.
- 23 (10) A person authorized to serve process under  
24 Section 2-202 of the Code of Civil Procedure or a special  
25 process server appointed by the circuit court while that  
26 individual is in the performance of his or her duties as a

1 process server.

2 (11) A nurse while in the performance of his or her  
3 duties as a nurse.

4 (12) A merchant: (i) while performing his or her  
5 duties, including, but not limited to, relaying directions  
6 for healthcare or safety from his or her supervisor or  
7 employer or relaying health or safety guidelines,  
8 recommendations, regulations, or rules from a federal,  
9 State, or local public health agency; and (ii) during a  
10 disaster declared by the Governor, or a state of emergency  
11 declared by the mayor of the municipality in which the  
12 merchant is located, due to a public health emergency and  
13 for a period of 6 months after such declaration.

14 (e) Offense based on use of a firearm. A person commits  
15 aggravated battery when, in committing a battery, he or she  
16 knowingly does any of the following:

17 (1) Discharges a firearm, other than a machine gun or  
18 a firearm equipped with a silencer, and causes any injury  
19 to another person.

20 (2) Discharges a firearm, other than a machine gun or  
21 a firearm equipped with a silencer, and causes any injury  
22 to a person he or she knows to be a peace officer,  
23 community policing volunteer, person summoned by a police  
24 officer, fireman, private security officer, correctional  
25 institution employee, or emergency management worker:

26 (i) performing his or her official duties;

1           (ii) battered to prevent performance of his or her  
2           official duties; or

3           (iii) battered in retaliation for performing his  
4           or her official duties.

5           (3) Discharges a firearm, other than a machine gun or  
6           a firearm equipped with a silencer, and causes any injury  
7           to a person he or she knows to be emergency medical  
8           services personnel:

9           (i) performing his or her official duties;

10           (ii) battered to prevent performance of his or her  
11           official duties; or

12           (iii) battered in retaliation for performing his  
13           or her official duties.

14           (4) Discharges a firearm and causes any injury to a  
15           person he or she knows to be a teacher, a student in a  
16           school, or a school employee, and the teacher, student, or  
17           employee is upon school grounds or grounds adjacent to a  
18           school or in any part of a building used for school  
19           purposes.

20           (5) Discharges a machine gun or a firearm equipped  
21           with a silencer, and causes any injury to another person.

22           (6) Discharges a machine gun or a firearm equipped  
23           with a silencer, and causes any injury to a person he or  
24           she knows to be a peace officer, community policing  
25           volunteer, person summoned by a police officer, fireman,  
26           private security officer, correctional institution

1 employee or emergency management worker:

2 (i) performing his or her official duties;

3 (ii) battered to prevent performance of his or her  
4 official duties; or

5 (iii) battered in retaliation for performing his  
6 or her official duties.

7 (7) Discharges a machine gun or a firearm equipped  
8 with a silencer, and causes any injury to a person he or  
9 she knows to be emergency medical services personnel:

10 (i) performing his or her official duties;

11 (ii) battered to prevent performance of his or her  
12 official duties; or

13 (iii) battered in retaliation for performing his  
14 or her official duties.

15 (8) Discharges a machine gun or a firearm equipped  
16 with a silencer, and causes any injury to a person he or  
17 she knows to be a teacher, or a student in a school, or a  
18 school employee, and the teacher, student, or employee is  
19 upon school grounds or grounds adjacent to a school or in  
20 any part of a building used for school purposes.

21 (f) Offense based on use of a weapon or device. A person  
22 commits aggravated battery when, in committing a battery, he  
23 or she does any of the following:

24 (1) Uses a deadly weapon other than by discharge of a  
25 firearm, or uses an air rifle as defined in Section  
26 24.8-0.1 of this Code.

1           (2) Wears a hood, robe, or mask to conceal his or her  
2 identity.

3           (3) Knowingly and without lawful justification shines  
4 or flashes a laser gunsight or other laser device attached  
5 to a firearm, or used in concert with a firearm, so that  
6 the laser beam strikes upon or against the person of  
7 another.

8           (4) Knowingly video or audio records the offense with  
9 the intent to disseminate the recording.

10          (g) Offense based on certain conduct. A person commits  
11 aggravated battery when, other than by discharge of a firearm,  
12 he or she does any of the following:

13           (1) Violates Section 401 of the Illinois Controlled  
14 Substances Act by unlawfully delivering a controlled  
15 substance to another and any user experiences great bodily  
16 harm or permanent disability as a result of the injection,  
17 inhalation, or ingestion of any amount of the controlled  
18 substance.

19           (2) Knowingly administers to an individual or causes  
20 him or her to take, without his or her consent or by threat  
21 or deception, and for other than medical purposes, any  
22 intoxicating,       poisonous,       stupefying,       narcotic,  
23 anesthetic, or controlled substance, or gives to another  
24 person any food containing any substance or object  
25 intended to cause physical injury if eaten.

26           (3) Knowingly causes or attempts to cause a

1           correctional institution employee or Department of Human  
2           Services employee to come into contact with blood, seminal  
3           fluid, urine, or feces by throwing, tossing, or expelling  
4           the fluid or material, and the person is an inmate of a  
5           penal institution or is a sexually dangerous person or  
6           sexually violent person in the custody of the Department  
7           of Human Services.

8           (h) Sentence. Unless otherwise provided, aggravated  
9           battery is a Class 3 felony.

10           Aggravated battery as defined in subdivision (a)(4),  
11           (d)(4), or (g)(3) is a Class 2 felony.

12           Aggravated battery as defined in subdivision (a)(3) or  
13           (g)(1) is a Class 1 felony.

14           Aggravated battery as defined in subdivision (a)(1) is a  
15           Class 1 felony when the aggravated battery was intentional and  
16           involved the infliction of torture, as defined in paragraph  
17           (10) of subsection (b-5) of Section 5-8-1 of the Unified Code  
18           of Corrections, as the infliction of or subjection to extreme  
19           physical pain, motivated by an intent to increase or prolong  
20           the pain, suffering, or agony of the victim.

21           Aggravated battery as defined in subdivision (a)(1) is a  
22           Class 2 felony when the person causes great bodily harm or  
23           permanent disability to an individual whom the person knows to  
24           be a member of a congregation engaged in prayer or other  
25           religious activities at a church, synagogue, mosque, or other  
26           building, structure, or place used for religious worship.

1           Aggravated battery under subdivision (a)(5) is a Class 1  
2 felony if:

3           (A) the person used or attempted to use a dangerous  
4 instrument while committing the offense;

5           (B) the person caused great bodily harm or permanent  
6 disability or disfigurement to the other person while  
7 committing the offense; or

8           (C) the person has been previously convicted of a  
9 violation of subdivision (a)(5) under the laws of this  
10 State or laws similar to subdivision (a)(5) of any other  
11 state.

12           Aggravated battery as defined in subdivision (e)(1) is a  
13 Class X felony.

14           Aggravated battery as defined in subdivision (a)(2) is a  
15 Class X felony for which a person shall be sentenced to a term  
16 of imprisonment of a minimum of 6 years and a maximum of 45  
17 years.

18           Aggravated battery as defined in subdivision (e)(5) is a  
19 Class X felony for which a person shall be sentenced to a term  
20 of imprisonment of a minimum of 12 years and a maximum of 45  
21 years.

22           Aggravated battery as defined in subdivision (e)(2),  
23 (e)(3), or (e)(4) is a Class X felony for which a person shall  
24 be sentenced to a term of imprisonment of a minimum of 15 years  
25 and a maximum of 60 years.

26           Aggravated battery as defined in subdivision (e)(6),

1 (e) (7), or (e) (8) is a Class X felony for which a person shall  
2 be sentenced to a term of imprisonment of a minimum of 20 years  
3 and a maximum of 60 years.

4 Aggravated battery as defined in subdivision (b) (1) is a  
5 Class X felony, except that:

6 (1) if the person committed the offense while  
7 personally armed with a firearm, 15 years shall be added  
8 to the term of imprisonment imposed by the court;

9 (2) if, during the commission of the offense, the  
10 person personally discharged a firearm, 20 years shall be  
11 added to the term of imprisonment imposed by the court;

12 (3) if, during the commission of the offense, the  
13 person personally discharged a firearm that proximately  
14 caused great bodily harm, permanent disability, permanent  
15 disfigurement, or death to another person, 25 years or up  
16 to a term of natural life shall be added to the term of  
17 imprisonment imposed by the court.

18 (i) Definitions. In this Section:

19 "Building or other structure used to provide shelter" has  
20 the meaning ascribed to "shelter" in Section 1 of the Domestic  
21 Violence Shelters Act.

22 "Domestic violence" has the meaning ascribed to it in  
23 Section 103 of the Illinois Domestic Violence Act of 1986.

24 "Domestic violence shelter" means any building or other  
25 structure used to provide shelter or other services to victims  
26 or to the dependent children of victims of domestic violence

1 pursuant to the Illinois Domestic Violence Act of 1986 or the  
2 Domestic Violence Shelters Act, or any place within 500 feet  
3 of such a building or other structure in the case of a person  
4 who is going to or from such a building or other structure.

5 "Firearm" has the meaning provided under Section 1.1 of  
6 the Firearm Owners Identification Card Act, and does not  
7 include an air rifle as defined by Section 24.8-0.1 of this  
8 Code.

9 "Machine gun" has the meaning ascribed to it in Section  
10 24-1 of this Code.

11 "Merchant" has the meaning ascribed to it in Section  
12 16-0.1 of this Code.

13 "Strangle" means intentionally impeding the normal  
14 breathing or circulation of the blood of an individual by  
15 applying pressure on the throat or neck of that individual or  
16 by blocking the nose or mouth of that individual.

17 (Source: P.A. 103-51, eff. 1-1-24.)

18 (720 ILCS 5/18-2) (from Ch. 38, par. 18-2)

19 Sec. 18-2. Armed robbery.

20 (a) A person commits armed robbery when he or she violates  
21 Section 18-1; and

22 (1) he or she carries on or about his or her person or  
23 is otherwise armed with a dangerous weapon other than a  
24 firearm; or

25 (2) he or she carries on or about his or her person or

1 is otherwise armed with a firearm; or

2 (3) he or she, during the commission of the offense,  
3 personally discharges a firearm; or

4 (4) he or she, during the commission of the offense,  
5 personally discharges a firearm that proximately causes  
6 great bodily harm, permanent disability, permanent  
7 disfigurement, or death to another person.

8 (b) Sentence.

9 Armed robbery in violation of subsection (a)(1) is a Class  
10 X felony. A violation of subsection (a)(2) is a Class X felony  
11 for which 15 years shall be added to the term of imprisonment  
12 imposed by the court, if the person committed the offense  
13 while personally armed with the firearm. A violation of  
14 subsection (a)(3) is a Class X felony for which 20 years shall  
15 be added to the term of imprisonment imposed by the court. A  
16 violation of subsection (a)(4) is a Class X felony for which 25  
17 years or up to a term of natural life shall be added to the  
18 term of imprisonment imposed by the court.

19 (Source: P.A. 91-404, eff. 1-1-00.)

20 (720 ILCS 5/18-4)

21 Sec. 18-4. Aggravated vehicular hijacking.

22 (a) A person commits aggravated vehicular hijacking when  
23 he or she violates Section 18-3; and

24 (1) the person from whose immediate presence the motor  
25 vehicle is taken is a person with a physical disability or

1 a person 60 years of age or over; or

2 (2) a person under 16 years of age is a passenger in  
3 the motor vehicle at the time of the offense; or

4 (3) he or she carries on or about his or her person, or  
5 is otherwise armed with a dangerous weapon, other than a  
6 firearm; or

7 (4) he or she carries on or about his or her person or  
8 is otherwise armed with a firearm; or

9 (5) he or she, during the commission of the offense,  
10 personally discharges a firearm; or

11 (6) he or she, during the commission of the offense,  
12 personally discharges a firearm that proximately causes  
13 great bodily harm, permanent disability, permanent  
14 disfigurement, or death to another person.

15 (b) Sentence. Aggravated vehicular hijacking in violation  
16 of subsections (a)(1) or (a)(2) is a Class X felony. A  
17 violation of subsection (a)(3) is a Class X felony for which a  
18 term of imprisonment of not less than 7 years shall be imposed.  
19 A violation of subsection (a)(4) is a Class X felony for which  
20 15 years shall be added to the term of imprisonment imposed by  
21 the court, if the person committed the offense while  
22 personally armed with the firearm. A violation of subsection  
23 (a)(5) is a Class X felony for which 20 years shall be added to  
24 the term of imprisonment imposed by the court. A violation of  
25 subsection (a)(6) is a Class X felony for which 25 years or up  
26 to a term of natural life shall be added to the term of

1 imprisonment imposed by the court.

2 (Source: P.A. 99-143, eff. 7-27-15.)

3 (720 ILCS 5/19-6) (was 720 ILCS 5/12-11)

4 Sec. 19-6. Home Invasion.

5 (a) A person who is not a peace officer acting in the line  
6 of duty commits home invasion when without authority he or she  
7 knowingly enters the dwelling place of another when he or she  
8 knows or has reason to know that one or more persons is present  
9 or he or she knowingly enters the dwelling place of another and  
10 remains in the dwelling place until he or she knows or has  
11 reason to know that one or more persons is present or who  
12 falsely represents himself or herself, including but not  
13 limited to, falsely representing himself or herself to be a  
14 representative of any unit of government or a construction,  
15 telecommunications, or utility company, for the purpose of  
16 gaining entry to the dwelling place of another when he or she  
17 knows or has reason to know that one or more persons are  
18 present and

19 (1) While armed with a dangerous weapon, other than a  
20 firearm, uses force or threatens the imminent use of force  
21 upon any person or persons within the dwelling place  
22 whether or not injury occurs, or

23 (2) Intentionally causes any injury, except as  
24 provided in subsection (a)(5), to any person or persons  
25 within the dwelling place, or

1           (3) While armed with a firearm uses force or threatens  
2 the imminent use of force upon any person or persons  
3 within the dwelling place whether or not injury occurs, or

4           (4) Uses force or threatens the imminent use of force  
5 upon any person or persons within the dwelling place  
6 whether or not injury occurs and during the commission of  
7 the offense personally discharges a firearm, or

8           (5) Personally discharges a firearm that proximately  
9 causes great bodily harm, permanent disability, permanent  
10 disfigurement, or death to another person within the  
11 dwelling place, or

12           (6) Commits, against any person or persons within that  
13 dwelling place, a violation of Section 11-1.20, 11-1.30,  
14 11-1.40, 11-1.50, or 11-1.60 of this Code.

15           (b) It is an affirmative defense to a charge of home  
16 invasion that the accused who knowingly enters the dwelling  
17 place of another and remains in the dwelling place until he or  
18 she knows or has reason to know that one or more persons is  
19 present either immediately leaves the premises or surrenders  
20 to the person or persons lawfully present therein without  
21 either attempting to cause or causing serious bodily injury to  
22 any person present therein.

23           (c) Sentence. Home invasion in violation of subsection  
24 (a) (1), (a) (2) or (a) (6) is a Class X felony. A violation of  
25 subsection (a) (3) is a Class X felony for which 15 years shall  
26 be added to the term of imprisonment imposed by the court, if

1 the person committed the offense while personally armed with  
2 the firearm. A violation of subsection (a)(4) is a Class X  
3 felony for which 20 years shall be added to the term of  
4 imprisonment imposed by the court. A violation of subsection  
5 (a)(5) is a Class X felony for which 25 years or up to a term  
6 of natural life shall be added to the term of imprisonment  
7 imposed by the court.

8 (d) For purposes of this Section, "dwelling place of  
9 another" includes a dwelling place where the defendant  
10 maintains a tenancy interest but from which the defendant has  
11 been barred by a divorce decree, judgment of dissolution of  
12 marriage, order of protection, or other court order.

13 (Source: P.A. 96-1113, eff. 1-1-11; 96-1551, eff. 7-1-11;  
14 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

15 Section 10. The Unified Code of Corrections is amended by  
16 changing Section 5-8-1 as follows:

17 (730 ILCS 5/5-8-1) (from Ch. 38, par. 1005-8-1)

18 Sec. 5-8-1. Natural life imprisonment; enhancements for  
19 use of a firearm; mandatory supervised release terms.

20 (a) Except as otherwise provided in the statute defining  
21 the offense or in Article 4.5 of Chapter V, a sentence of  
22 imprisonment for a felony shall be a determinate sentence set  
23 by the court under this Section, subject to Section 5-4.5-115  
24 of this Code, according to the following limitations:

1 (1) for first degree murder,  
2 (a) (blank),  
3 (b) if a trier of fact finds beyond a reasonable  
4 doubt that the murder was accompanied by exceptionally  
5 brutal or heinous behavior indicative of wanton  
6 cruelty or, except as set forth in subsection  
7 (a) (1) (c) of this Section, that any of the aggravating  
8 factors listed in subparagraph (b-5) are present, the  
9 court may sentence the defendant, subject to Section  
10 5-4.5-105, to a term of natural life imprisonment, or

11 (b-5) a defendant who at the time of the  
12 commission of the offense has attained the age of 18 or  
13 more and who has been found guilty of first degree  
14 murder may be sentenced to a term of natural life  
15 imprisonment if:

16 (1) the murdered individual was an inmate at  
17 an institution or facility of the Department of  
18 Corrections, or any similar local correctional  
19 agency and was killed on the grounds thereof, or  
20 the murdered individual was otherwise present in  
21 such institution or facility with the knowledge  
22 and approval of the chief administrative officer  
23 thereof;

24 (2) the murdered individual was killed as a  
25 result of the hijacking of an airplane, train,  
26 ship, bus, or other public conveyance;

1           (3) the defendant committed the murder  
2 pursuant to a contract, agreement, or  
3 understanding by which he or she was to receive  
4 money or anything of value in return for  
5 committing the murder or procured another to  
6 commit the murder for money or anything of value;

7           (4) the murdered individual was killed in the  
8 course of another felony if:

9           (A) the murdered individual:

10           (i) was actually killed by the  
11 defendant, or

12           (ii) received physical injuries  
13 personally inflicted by the defendant  
14 substantially contemporaneously with  
15 physical injuries caused by one or more  
16 persons for whose conduct the defendant is  
17 legally accountable under Section 5-2 of  
18 this Code, and the physical injuries  
19 inflicted by either the defendant or the  
20 other person or persons for whose conduct  
21 he is legally accountable caused the death  
22 of the murdered individual; and (B) in  
23 performing the acts which caused the death  
24 of the murdered individual or which  
25 resulted in physical injuries personally  
26 inflicted by the defendant on the murdered

1 individual under the circumstances of  
2 subdivision (ii) of clause (A) of this  
3 clause (4), the defendant acted with the  
4 intent to kill the murdered individual or  
5 with the knowledge that his or her acts  
6 created a strong probability of death or  
7 great bodily harm to the murdered  
8 individual or another; and

9 (B) in performing the acts which caused  
10 the death of the murdered individual or which  
11 resulted in physical injuries personally  
12 inflicted by the defendant on the murdered  
13 individual under the circumstances of  
14 subdivision (ii) of clause (A) of this clause  
15 (4), the defendant acted with the intent to  
16 kill the murdered individual or with the  
17 knowledge that his or her acts created a  
18 strong probability of death or great bodily  
19 harm to the murdered individual or another;  
20 and

21 (C) the other felony was an inherently  
22 violent crime or the attempt to commit an  
23 inherently violent crime. In this clause (C),  
24 "inherently violent crime" includes, but is  
25 not limited to, armed robbery, robbery,  
26 predatory criminal sexual assault of a child,

1           aggravated criminal sexual assault, aggravated  
2           kidnapping, aggravated vehicular hijacking,  
3           aggravated arson, aggravated stalking,  
4           residential burglary, and home invasion;

5           (5) the defendant committed the murder with  
6           intent to prevent the murdered individual from  
7           testifying or participating in any criminal  
8           investigation or prosecution or giving material  
9           assistance to the State in any investigation or  
10          prosecution, either against the defendant or  
11          another; or the defendant committed the murder  
12          because the murdered individual was a witness in  
13          any prosecution or gave material assistance to the  
14          State in any investigation or prosecution, either  
15          against the defendant or another; for purposes of  
16          this clause (5), "participating in any criminal  
17          investigation or prosecution" is intended to  
18          include those appearing in the proceedings in any  
19          capacity such as trial judges, prosecutors,  
20          defense attorneys, investigators, witnesses, or  
21          jurors;

22          (6) the defendant, while committing an offense  
23          punishable under Section 401, 401.1, 401.2, 405,  
24          405.2, 407, or 407.1 or subsection (b) of Section  
25          404 of the Illinois Controlled Substances Act, or  
26          while engaged in a conspiracy or solicitation to

1           commit such offense, intentionally killed an  
2           individual or counseled, commanded, induced,  
3           procured, or caused the intentional killing of the  
4           murdered individual;

5           (7) the defendant was incarcerated in an  
6           institution or facility of the Department of  
7           Corrections at the time of the murder, and while  
8           committing an offense punishable as a felony under  
9           Illinois law, or while engaged in a conspiracy or  
10          solicitation to commit such offense, intentionally  
11          killed an individual or counseled, commanded,  
12          induced, procured, or caused the intentional  
13          killing of the murdered individual;

14          (8) the murder was committed in a cold,  
15          calculated and premeditated manner pursuant to a  
16          preconceived plan, scheme, or design to take a  
17          human life by unlawful means, and the conduct of  
18          the defendant created a reasonable expectation  
19          that the death of a human being would result  
20          therefrom;

21          (9) the defendant was a principal  
22          administrator, organizer, or leader of a  
23          calculated criminal drug conspiracy consisting of  
24          a hierarchical position of authority superior to  
25          that of all other members of the conspiracy, and  
26          the defendant counseled, commanded, induced,

1           procured, or caused the intentional killing of the  
2           murdered person;

3           (10) the murder was intentional and involved  
4           the infliction of torture. For the purpose of this  
5           clause (10), torture means the infliction of or  
6           subjection to extreme physical pain, motivated by  
7           an intent to increase or prolong the pain,  
8           suffering, or agony of the victim;

9           (11) the murder was committed as a result of  
10          the intentional discharge of a firearm by the  
11          defendant from a motor vehicle and the victim was  
12          not present within the motor vehicle;

13          (12) the murdered individual was a person with  
14          a disability and the defendant knew or should have  
15          known that the murdered individual was a person  
16          with a disability. For purposes of this clause  
17          (12), "person with a disability" means a person  
18          who suffers from a permanent physical or mental  
19          impairment resulting from disease, an injury, a  
20          functional disorder, or a congenital condition  
21          that renders the person incapable of adequately  
22          providing for his or her own health or personal  
23          care;

24          (13) the murdered individual was subject to an  
25          order of protection and the murder was committed  
26          by a person against whom the same order of

1 protection was issued under the Illinois Domestic  
2 Violence Act of 1986;

3 (14) the murdered individual was known by the  
4 defendant to be a teacher or other person employed  
5 in any school and the teacher or other employee is  
6 upon the grounds of a school or grounds adjacent  
7 to a school, or is in any part of a building used  
8 for school purposes;

9 (15) the murder was committed by the defendant  
10 in connection with or as a result of the offense of  
11 terrorism as defined in Section 29D-14.9 of this  
12 Code;

13 (16) the murdered individual was a member of a  
14 congregation engaged in prayer or other religious  
15 activities at a church, synagogue, mosque, or  
16 other building, structure, or place used for  
17 religious worship; or

18 (17)(i) the murdered individual was a  
19 physician, physician assistant, psychologist,  
20 nurse, or advanced practice registered nurse;

21 (ii) the defendant knew or should have known  
22 that the murdered individual was a physician,  
23 physician assistant, psychologist, nurse, or  
24 advanced practice registered nurse; and

25 (iii) the murdered individual was killed in  
26 the course of acting in his or her capacity as a

1 physician, physician assistant, psychologist,  
2 nurse, or advanced practice registered nurse, or  
3 to prevent him or her from acting in that  
4 capacity, or in retaliation for his or her acting  
5 in that capacity.

6 (c) the court shall sentence the defendant to a  
7 term of natural life imprisonment if the defendant, at  
8 the time of the commission of the murder, had attained  
9 the age of 18, and:

10 (i) has previously been convicted of first  
11 degree murder under any state or federal law, or

12 (ii) is found guilty of murdering more than  
13 one victim, or

14 (iii) is found guilty of murdering a peace  
15 officer, fireman, or emergency management worker  
16 when the peace officer, fireman, or emergency  
17 management worker was killed in the course of  
18 performing his official duties, or to prevent the  
19 peace officer or fireman from performing his  
20 official duties, or in retaliation for the peace  
21 officer, fireman, or emergency management worker  
22 from performing his official duties, and the  
23 defendant knew or should have known that the  
24 murdered individual was a peace officer, fireman,  
25 or emergency management worker, or

26 (iv) is found guilty of murdering an employee

1 of an institution or facility of the Department of  
2 Corrections, or any similar local correctional  
3 agency, when the employee was killed in the course  
4 of performing his official duties, or to prevent  
5 the employee from performing his official duties,  
6 or in retaliation for the employee performing his  
7 official duties, or

8 (v) is found guilty of murdering an emergency  
9 medical technician - ambulance, emergency medical  
10 technician - intermediate, emergency medical  
11 technician - paramedic, ambulance driver, or other  
12 medical assistance or first aid person while  
13 employed by a municipality or other governmental  
14 unit when the person was killed in the course of  
15 performing official duties or to prevent the  
16 person from performing official duties or in  
17 retaliation for performing official duties and the  
18 defendant knew or should have known that the  
19 murdered individual was an emergency medical  
20 technician - ambulance, emergency medical  
21 technician - intermediate, emergency medical  
22 technician - paramedic, ambulance driver, or other  
23 medical assistant or first aid personnel, or

24 (vi) (blank), or

25 (vii) is found guilty of first degree murder  
26 and the murder was committed by reason of any

1 person's activity as a community policing  
2 volunteer or to prevent any person from engaging  
3 in activity as a community policing volunteer. For  
4 the purpose of this Section, "community policing  
5 volunteer" has the meaning ascribed to it in  
6 Section 2-3.5 of the Criminal Code of 2012.

7 For purposes of clause (v), "emergency medical  
8 technician - ambulance", "emergency medical technician  
9 - intermediate", and "emergency medical technician -  
10 paramedic" have the meanings ascribed to them in the  
11 Emergency Medical Services (EMS) Systems Act.

12 (d) (i) if the person committed the offense while  
13 personally armed with a firearm, 15 years shall be  
14 added to the term of imprisonment imposed by the  
15 court;

16 (ii) if, during the commission of the offense, the  
17 person personally discharged a firearm, 20 years shall  
18 be added to the term of imprisonment imposed by the  
19 court;

20 (iii) if, during the commission of the offense,  
21 the person personally discharged a firearm that  
22 proximately caused great bodily harm, permanent  
23 disability, permanent disfigurement, or death to  
24 another person, 25 years or up to a term of natural  
25 life shall be added to the term of imprisonment  
26 imposed by the court.

1 (2) (blank);

2 (2.5) for a person who has attained the age of 18 years  
3 at the time of the commission of the offense and who is  
4 convicted under the circumstances described in subdivision  
5 (b)(1)(B) of Section 11-1.20 or paragraph (3) of  
6 subsection (b) of Section 12-13, subdivision (d)(2) of  
7 Section 11-1.30 or paragraph (2) of subsection (d) of  
8 Section 12-14, subdivision (b)(1.2) of Section 11-1.40 or  
9 paragraph (1.2) of subsection (b) of Section 12-14.1,  
10 subdivision (b)(2) of Section 11-1.40 or paragraph (2) of  
11 subsection (b) of Section 12-14.1 of the Criminal Code of  
12 1961 or the Criminal Code of 2012, the sentence shall be a  
13 term of natural life imprisonment.

14 (b) (Blank).

15 (c) (Blank).

16 (d) Subject to earlier termination under Section 3-3-8,  
17 the parole or mandatory supervised release term shall be  
18 written as part of the sentencing order and shall be as  
19 follows:

20 (1) for first degree murder or for the offenses of  
21 predatory criminal sexual assault of a child, aggravated  
22 criminal sexual assault, and criminal sexual assault if  
23 committed on or before December 12, 2005, 3 years;

24 (1.5) except as provided in paragraph (7) of this  
25 subsection (d), for a Class X felony except for the  
26 offenses of predatory criminal sexual assault of a child,

1 aggravated criminal sexual assault, and criminal sexual  
2 assault if committed on or after December 13, 2005 (the  
3 effective date of Public Act 94-715) and except for the  
4 offense of aggravated child pornography under Section  
5 11-20.1B, 11-20.3, or 11-20.1 with sentencing under  
6 subsection (c-5) of Section 11-20.1 of the Criminal Code  
7 of 1961 or the Criminal Code of 2012, if committed on or  
8 after January 1, 2009, and except for the offense of  
9 obscene depiction of a purported child with sentencing  
10 under subsection (d) of Section 11-20.4 of the Criminal  
11 Code of 2012, 18 months;

12 (2) except as provided in paragraph (7) of this  
13 subsection (d), for a Class 1 felony or a Class 2 felony  
14 except for the offense of criminal sexual assault if  
15 committed on or after December 13, 2005 (the effective  
16 date of Public Act 94-715) and except for the offenses of  
17 manufacture and dissemination of child sexual abuse  
18 material under clauses (a)(1) and (a)(2) of Section  
19 11-20.1 of the Criminal Code of 1961 or the Criminal Code  
20 of 2012, if committed on or after January 1, 2009, and  
21 except for the offense of obscene depiction of a purported  
22 child under paragraph (2) of subsection (b) of Section  
23 11-20.4 of the Criminal Code of 2012, 12 months;

24 (3) except as provided in paragraph (4), (6), or (7)  
25 of this subsection (d), for a Class 3 felony or a Class 4  
26 felony, 6 months; no later than 45 days after the onset of

1 the term of mandatory supervised release, the Prisoner  
2 Review Board shall conduct a discretionary discharge  
3 review pursuant to the provisions of Section 3-3-8, which  
4 shall include the results of a standardized risk and needs  
5 assessment tool administered by the Department of  
6 Corrections; the changes to this paragraph (3) made by  
7 Public Act 102-1104 apply to all individuals released on  
8 mandatory supervised release on or after December 6, 2022  
9 (the effective date of Public Act 102-1104), including  
10 those individuals whose sentences were imposed prior to  
11 December 6, 2022 (the effective date of Public Act  
12 102-1104);

13 (4) for defendants who commit the offense of predatory  
14 criminal sexual assault of a child, aggravated criminal  
15 sexual assault, or criminal sexual assault, on or after  
16 December 13, 2005 (the effective date of Public Act  
17 94-715), or who commit the offense of aggravated child  
18 pornography under Section 11-20.1B, 11-20.3, or 11-20.1  
19 with sentencing under subsection (c-5) of Section 11-20.1  
20 of the Criminal Code of 1961 or the Criminal Code of 2012,  
21 manufacture of child sexual abuse material, or  
22 dissemination of child sexual abuse material after January  
23 1, 2009, or who commit the offense of obscene depiction of  
24 a purported child under paragraph (2) of subsection (b) of  
25 Section 11-20.4 of the Criminal Code of 2012 or who commit  
26 the offense of obscene depiction of a purported child with

1 sentencing under subsection (d) of Section 11-20.4 of the  
2 Criminal Code of 2012, the term of mandatory supervised  
3 release shall range from a minimum of 3 years to a maximum  
4 of the natural life of the defendant;

5 (5) if the victim is under 18 years of age, for a  
6 second or subsequent offense of aggravated criminal sexual  
7 abuse or felony criminal sexual abuse, 4 years, at least  
8 the first 2 years of which the defendant shall serve in an  
9 electronic monitoring or home detention program under  
10 Article 8A of Chapter V of this Code;

11 (6) for a felony domestic battery, aggravated domestic  
12 battery, stalking, aggravated stalking, and a felony  
13 violation of an order of protection, 4 years;

14 (7) for any felony described in paragraph (a)(2)(ii),  
15 (a)(2)(iii), (a)(2)(iv), (a)(2)(vi), (a)(2.1), (a)(2.3),  
16 (a)(2.4), (a)(2.5), or (a)(2.6) of Article 5, Section  
17 3-6-3 of the Unified Code of Corrections requiring an  
18 inmate to serve a minimum of 85% of their court-imposed  
19 sentence, except for the offenses of predatory criminal  
20 sexual assault of a child, aggravated criminal sexual  
21 assault, and criminal sexual assault if committed on or  
22 after December 13, 2005 (the effective date of Public Act  
23 94-715) and except for the offense of aggravated child  
24 pornography under Section 11-20.1B, 11-20.3, or 11-20.1  
25 with sentencing under subsection (c-5) of Section 11-20.1  
26 of the Criminal Code of 1961 or the Criminal Code of 2012,

1 if committed on or after January 1, 2009, and except for  
2 the offense of obscene depiction of a purported child with  
3 sentencing under subsection (d) of Section 11-20.4 of the  
4 Criminal Code of 2012, and except as provided in paragraph  
5 (4) or paragraph (6) of this subsection (d), the term of  
6 mandatory supervised release shall be as follows:

7 (A) Class X felony, 3 years;

8 (B) Class 1 or Class 2 felonies, 2 years;

9 (C) Class 3 or Class 4 felonies, 1 year.

10 (e) (Blank).

11 (f) (Blank).

12 (g) Notwithstanding any other provisions of this Act and  
13 of Public Act 101-652: (i) the provisions of paragraph (3) of  
14 subsection (d) are effective on July 1, 2022 and shall apply to  
15 all individuals convicted on or after the effective date of  
16 paragraph (3) of subsection (d); and (ii) the provisions of  
17 paragraphs (1.5) and (2) of subsection (d) are effective on  
18 July 1, 2021 and shall apply to all individuals convicted on or  
19 after the effective date of paragraphs (1.5) and (2) of  
20 subsection (d).

21 (Source: P.A. 103-51, eff. 1-1-24; 103-825, eff. 1-1-25;  
22 104-245, eff. 1-1-26; 104-417, eff. 8-15-25.)

23 Section 95. No acceleration or delay. Where this Act makes  
24 changes in a statute that is represented in this Act by text  
25 that is not yet or no longer in effect (for example, a Section

1 represented by multiple versions), the use of that text does  
2 not accelerate or delay the taking effect of (i) the changes  
3 made by this Act or (ii) provisions derived from any other  
4 Public Act.