



Sen. Scott M. Bennett

Filed: 5/1/2019

10100HB3584sam001

LRB101 08458 RLC 59918 a

1 AMENDMENT TO HOUSE BILL 3584

2 AMENDMENT NO. _____. Amend House Bill 3584 on page 20, by
3 replacing line 8 with the following:

4 "(d) Procedures after the imposition of sentence.

5 (1) The Prisoner Review Board shall inform a victim
6 or"; and

7 on page 22, by replacing lines 4 through 21 with the following:

8 "(4) The victim of the crime for which the prisoner has
9 been sentenced has the right to register with the Prisoner
10 Review Board's victim registry. Victims registered with the
11 Board shall receive reasonable written notice not less than 30
12 days prior to the parole hearing or target aftercare release
13 date. The victim has the right to submit a victim statement for
14 consideration by the Prisoner Review Board or the Department of
15 Juvenile Justice in writing, on film, videotape, or other
16 electronic means, or in the form of a recording prior to the
17 parole hearing or target aftercare release date, or in person

1 at the parole hearing or aftercare release protest hearing, or
2 by calling the toll-free number established in subsection (f)
3 of this Section. ~~and may submit, in writing, on film, videotape~~
4 ~~or other electronic means or in the form of a recording prior~~
5 ~~to the parole hearing or target aftercare release date or in~~
6 ~~person at the parole hearing or aftercare release protest~~
7 ~~hearing or if a victim of a violent crime, by calling the~~
8 ~~toll free number established in subsection (f) of this Section,~~
9 ~~information for consideration by the Prisoner Review Board or~~
10 ~~Department of Juvenile Justice.~~ The victim shall be notified
11 within 7 days after the prisoner has been granted parole or
12 aftercare release and shall be informed of the right to inspect
13 the registry of parole decisions, established under subsection
14 (g) of Section 3-3-5 of the Unified Code of Corrections. The
15 provisions of this paragraph (4) are subject to the Open Parole
16 Hearings Act. Victim statements provided to the Board shall be
17 confidential and privileged, including any statements received
18 prior to the effective date of this amendatory Act of the 101st
19 General Assembly, except if the statement was an oral statement
20 made by the victim at a hearing open to the public.

21 (4-1) The crime victim has the right to submit a victim
22 statement for consideration by the Prisoner Review Board or the
23 Department of Juvenile Justice prior to or at a hearing to
24 determine the conditions of mandatory supervised release of a
25 person sentenced to a determinate sentence or at a hearing on
26 revocation of mandatory supervised release of a person

1 sentenced to a determinate sentence. A victim statement may be
2 submitted in writing, on film, videotape, or other electronic
3 means, or in the form of a recording, or orally at a hearing,
4 or by calling the toll-free number established in subsection
5 (f) of this Section. Victim statements provided to the Board
6 shall be confidential and privileged, including any statements
7 received prior to the effective date of this amendatory Act of
8 the 101st General Assembly, except if the statement was an oral
9 statement made by the victim at a hearing open to the public.

10 (4-2) The crime victim has the right to submit a victim
11 statement to the Prisoner Review Board for consideration at an
12 executive clemency hearing as provided in Section 3-3-13 of the
13 Unified Code of Corrections. A victim statement may be
14 submitted in writing, on film, videotape, or other electronic
15 means, or in the form of a recording prior to a hearing, or
16 orally at a hearing, or by calling the toll-free number
17 established in subsection (f) of this Section. Victim
18 statements provided to the Board shall be confidential and
19 privileged, including any statements received prior to the
20 effective date of this amendatory Act of the 101st General
21 Assembly, except if the statement was an oral statement made by
22 the victim at a hearing open to the public."; and

23 on page 24, by replacing lines 12 through 23 with the
24 following:

25 "(f) The Prisoner Review To permit a crime victim of a

1 ~~violent crime to provide information to the Prisoner Review~~
2 ~~Board or the Department of Juvenile Justice for consideration~~
3 ~~by the Board or Department at a parole hearing or before an~~
4 ~~aftercare release decision of a person who committed the crime~~
5 ~~against the victim in accordance with clause (d)(4) of this~~
6 ~~Section or at a proceeding to determine the conditions of~~
7 ~~mandatory supervised release of a person sentenced to a~~
8 ~~determinate sentence or at a hearing on revocation of mandatory~~
9 ~~supervised release of a person sentenced to a determinate~~
10 ~~sentence, the Board shall establish a toll-free number that may~~
11 ~~be accessed by the crime victim ~~of a violent crime~~ to present a~~
12 ~~victim statement ~~that information~~ to the Board in accordance~~
13 ~~with paragraphs (4), (4-1), and (4-2) of subsection (d)."; and~~

14 by replacing line 26 on page 27 through line 7 on page 28 with
15 the following:

16 "(b-5) The crime victim has the right to register with the
17 Prisoner Review Board's victim registry. The crime victim has
18 the right to submit a victim statement to the Board for
19 consideration at hearings as provided in Section 4.5. Victim
20 statements provided to the Board shall be confidential and
21 privileged, including any statements received prior to the
22 effective date of this amendatory Act of the 101st General
23 Assembly, except if the statement was an oral statement made by
24 the victim at a hearing open to the public."; and

1 on page 28, by replacing line 20 with the following:
2 "changing Sections 3-3-1, 3-3-2, 3-3-4, 3-3-9, 3-3-13,
3 5-4.5-20, 5-4.5-25, 5-4.5-30, and 5-8-1 and by renumbering and
4 changing Section 5-4.5-10 as added by Public Act 100-1182 as
5 follows:

6 (730 ILCS 5/3-3-1) (from Ch. 38, par. 1003-3-1)
7 (Text of Section before amendment by P.A. 100-1182)
8 Sec. 3-3-1. Establishment and appointment of Prisoner
9 Review Board.

10 (a) There shall be a Prisoner Review Board independent of
11 the Department which shall be:

12 (1) the paroling authority for persons sentenced under
13 the law in effect prior to the effective date of this
14 amendatory Act of 1977;

15 (1.5) (blank);

16 (2) the board of review for cases involving the
17 revocation of sentence credits or a suspension or reduction
18 in the rate of accumulating the credit;

19 (3) the board of review and recommendation for the
20 exercise of executive clemency by the Governor;

21 (4) the authority for establishing release dates for
22 certain prisoners sentenced under the law in existence
23 prior to the effective date of this amendatory Act of 1977,
24 in accordance with Section 3-3-2.1 of this Code;

25 (5) the authority for setting conditions for parole and

1 mandatory supervised release under Section 5-8-1(a) of
2 this Code, and determining whether a violation of those
3 conditions warrant revocation of parole or mandatory
4 supervised release or the imposition of other sanctions;
5 and

6 (6) the authority for determining whether a violation
7 of aftercare release conditions warrant revocation of
8 aftercare release.

9 (b) The Board shall consist of 15 persons appointed by the
10 Governor by and with the advice and consent of the Senate. One
11 member of the Board shall be designated by the Governor to be
12 Chairman and shall serve as Chairman at the pleasure of the
13 Governor. The members of the Board shall have had at least 5
14 years of actual experience in the fields of penology,
15 corrections work, law enforcement, sociology, law, education,
16 social work, medicine, psychology, other behavioral sciences,
17 or a combination thereof. At least 6 members so appointed must
18 have had at least 3 years experience in the field of juvenile
19 matters. No more than 8 Board members may be members of the
20 same political party.

21 Each member of the Board shall serve on a full-time basis
22 and shall not hold any other salaried public office, whether
23 elective or appointive, nor any other office or position of
24 profit, nor engage in any other business, employment, or
25 vocation. The Chairman of the Board shall receive \$35,000 a
26 year, or an amount set by the Compensation Review Board,

1 whichever is greater, and each other member \$30,000, or an
2 amount set by the Compensation Review Board, whichever is
3 greater.

4 (c) Notwithstanding any other provision of this Section,
5 the term of each member of the Board who was appointed by the
6 Governor and is in office on June 30, 2003 shall terminate at
7 the close of business on that date or when all of the successor
8 members to be appointed pursuant to this amendatory Act of the
9 93rd General Assembly have been appointed by the Governor,
10 whichever occurs later. As soon as possible, the Governor shall
11 appoint persons to fill the vacancies created by this
12 amendatory Act.

13 Of the initial members appointed under this amendatory Act
14 of the 93rd General Assembly, the Governor shall appoint 5
15 members whose terms shall expire on the third Monday in January
16 2005, 5 members whose terms shall expire on the third Monday in
17 January 2007, and 5 members whose terms shall expire on the
18 third Monday in January 2009. Their respective successors shall
19 be appointed for terms of 6 years from the third Monday in
20 January of the year of appointment. Each member shall serve
21 until his or her successor is appointed and qualified.

22 Any member may be removed by the Governor for incompetence,
23 neglect of duty, malfeasance or inability to serve.

24 (d) The Chairman of the Board shall be its chief executive
25 and administrative officer. The Board may have an Executive
26 Director; if so, the Executive Director shall be appointed by

1 the Governor with the advice and consent of the Senate. The
2 salary and duties of the Executive Director shall be fixed by
3 the Board.

4 (Source: P.A. 98-558, eff. 1-1-14; 99-628, eff. 1-1-17.)

5 (Text of Section after amendment by P.A. 100-1182)

6 Sec. 3-3-1. Establishment and appointment of Prisoner
7 Review Board.

8 (a) There shall be a Prisoner Review Board independent of
9 the Department which shall be:

10 (1) the paroling authority for persons sentenced under
11 the law in effect prior to the effective date of this
12 amendatory Act of 1977;

13 (1.2) the paroling authority for persons eligible for
14 parole review under Section 5-4.5-115 ~~5-4.5-110~~;

15 (1.5) (blank);

16 (2) the board of review for cases involving the
17 revocation of sentence credits or a suspension or reduction
18 in the rate of accumulating the credit;

19 (3) the board of review and recommendation for the
20 exercise of executive clemency by the Governor;

21 (4) the authority for establishing release dates for
22 certain prisoners sentenced under the law in existence
23 prior to the effective date of this amendatory Act of 1977,
24 in accordance with Section 3-3-2.1 of this Code;

25 (5) the authority for setting conditions for parole and

1 mandatory supervised release under Section 5-8-1(a) of
2 this Code, and determining whether a violation of those
3 conditions warrant revocation of parole or mandatory
4 supervised release or the imposition of other sanctions;
5 and

6 (6) the authority for determining whether a violation
7 of aftercare release conditions warrant revocation of
8 aftercare release.

9 (b) The Board shall consist of 15 persons appointed by the
10 Governor by and with the advice and consent of the Senate. One
11 member of the Board shall be designated by the Governor to be
12 Chairman and shall serve as Chairman at the pleasure of the
13 Governor. The members of the Board shall have had at least 5
14 years of actual experience in the fields of penology,
15 corrections work, law enforcement, sociology, law, education,
16 social work, medicine, psychology, other behavioral sciences,
17 or a combination thereof. At least 6 members so appointed must
18 have at least 3 years experience in the field of juvenile
19 matters. No more than 8 Board members may be members of the
20 same political party.

21 Each member of the Board shall serve on a full-time basis
22 and shall not hold any other salaried public office, whether
23 elective or appointive, nor any other office or position of
24 profit, nor engage in any other business, employment, or
25 vocation. The Chairman of the Board shall receive \$35,000 a
26 year, or an amount set by the Compensation Review Board,

1 whichever is greater, and each other member \$30,000, or an
2 amount set by the Compensation Review Board, whichever is
3 greater.

4 (c) Notwithstanding any other provision of this Section,
5 the term of each member of the Board who was appointed by the
6 Governor and is in office on June 30, 2003 shall terminate at
7 the close of business on that date or when all of the successor
8 members to be appointed pursuant to this amendatory Act of the
9 93rd General Assembly have been appointed by the Governor,
10 whichever occurs later. As soon as possible, the Governor shall
11 appoint persons to fill the vacancies created by this
12 amendatory Act.

13 Of the initial members appointed under this amendatory Act
14 of the 93rd General Assembly, the Governor shall appoint 5
15 members whose terms shall expire on the third Monday in January
16 2005, 5 members whose terms shall expire on the third Monday in
17 January 2007, and 5 members whose terms shall expire on the
18 third Monday in January 2009. Their respective successors shall
19 be appointed for terms of 6 years from the third Monday in
20 January of the year of appointment. Each member shall serve
21 until his or her successor is appointed and qualified.

22 Any member may be removed by the Governor for incompetence,
23 neglect of duty, malfeasance or inability to serve.

24 (d) The Chairman of the Board shall be its chief executive
25 and administrative officer. The Board may have an Executive
26 Director; if so, the Executive Director shall be appointed by

1 the Governor with the advice and consent of the Senate. The
2 salary and duties of the Executive Director shall be fixed by
3 the Board.

4 (Source: P.A. 99-628, eff. 1-1-17; 100-1182, eff. 6-1-19;
5 revised 4-3-19.)

6 (730 ILCS 5/3-3-2) (from Ch. 38, par. 1003-3-2)

7 (Text of Section before amendment by P.A. 100-1182)

8 Sec. 3-3-2. Powers and duties.

9 (a) The Parole and Pardon Board is abolished and the term
10 "Parole and Pardon Board" as used in any law of Illinois, shall
11 read "Prisoner Review Board." After the effective date of this
12 amendatory Act of 1977, the Prisoner Review Board shall provide
13 by rule for the orderly transition of all files, records, and
14 documents of the Parole and Pardon Board and for such other
15 steps as may be necessary to effect an orderly transition and
16 shall:

17 (1) hear by at least one member and through a panel of
18 at least 3 members decide, cases of prisoners who were
19 sentenced under the law in effect prior to the effective
20 date of this amendatory Act of 1977, and who are eligible
21 for parole;

22 (2) hear by at least one member and through a panel of
23 at least 3 members decide, the conditions of parole and the
24 time of discharge from parole, impose sanctions for
25 violations of parole, and revoke parole for those sentenced

1 under the law in effect prior to this amendatory Act of
2 1977; provided that the decision to parole and the
3 conditions of parole for all prisoners who were sentenced
4 for first degree murder or who received a minimum sentence
5 of 20 years or more under the law in effect prior to
6 February 1, 1978 shall be determined by a majority vote of
7 the Prisoner Review Board. One representative supporting
8 parole and one representative opposing parole will be
9 allowed to speak. Their comments shall be limited to making
10 corrections and filling in omissions to the Board's
11 presentation and discussion;

12 (3) hear by at least one member and through a panel of
13 at least 3 members decide, the conditions of mandatory
14 supervised release and the time of discharge from mandatory
15 supervised release, impose sanctions for violations of
16 mandatory supervised release, and revoke mandatory
17 supervised release for those sentenced under the law in
18 effect after the effective date of this amendatory Act of
19 1977;

20 (3.5) hear by at least one member and through a panel
21 of at least 3 members decide, the conditions of mandatory
22 supervised release and the time of discharge from mandatory
23 supervised release, to impose sanctions for violations of
24 mandatory supervised release and revoke mandatory
25 supervised release for those serving extended supervised
26 release terms pursuant to paragraph (4) of subsection (d)

1 of Section 5-8-1;

2 (3.6) hear by at least one member and through a panel
3 of at least 3 members decide whether to revoke aftercare
4 release for those committed to the Department of Juvenile
5 Justice under the Juvenile Court Act of 1987;

6 (4) hear by at least one member and through a panel of
7 at least 3 members, decide cases brought by the Department
8 of Corrections against a prisoner in the custody of the
9 Department for alleged violation of Department rules with
10 respect to sentence credits under Section 3-6-3 of this
11 Code in which the Department seeks to revoke sentence
12 credits, if the amount of time at issue exceeds 30 days or
13 when, during any 12 month period, the cumulative amount of
14 credit revoked exceeds 30 days except where the infraction
15 is committed or discovered within 60 days of scheduled
16 release. In such cases, the Department of Corrections may
17 revoke up to 30 days of sentence credit. The Board may
18 subsequently approve the revocation of additional sentence
19 credit, if the Department seeks to revoke sentence credit
20 in excess of thirty days. However, the Board shall not be
21 empowered to review the Department's decision with respect
22 to the loss of 30 days of sentence credit for any prisoner
23 or to increase any penalty beyond the length requested by
24 the Department;

25 (5) hear by at least one member and through a panel of
26 at least 3 members decide, the release dates for certain

1 prisoners sentenced under the law in existence prior to the
2 effective date of this amendatory Act of 1977, in
3 accordance with Section 3-3-2.1 of this Code;

4 (6) hear by at least one member and through a panel of
5 at least 3 members decide, all requests for pardon,
6 reprieve or commutation, and make confidential
7 recommendations to the Governor;

8 (7) comply with the requirements of the Open Parole
9 Hearings Act;

10 (8) hear by at least one member and, through a panel of
11 at least 3 members, decide cases brought by the Department
12 of Corrections against a prisoner in the custody of the
13 Department for court dismissal of a frivolous lawsuit
14 pursuant to Section 3-6-3(d) of this Code in which the
15 Department seeks to revoke up to 180 days of sentence
16 credit, and if the prisoner has not accumulated 180 days of
17 sentence credit at the time of the dismissal, then all
18 sentence credit accumulated by the prisoner shall be
19 revoked;

20 (9) hear by at least 3 members, and, through a panel of
21 at least 3 members, decide whether to grant certificates of
22 relief from disabilities or certificates of good conduct as
23 provided in Article 5.5 of Chapter V;

24 (10) upon a petition by a person who has been convicted
25 of a Class 3 or Class 4 felony and who meets the
26 requirements of this paragraph, hear by at least 3 members

1 and, with the unanimous vote of a panel of 3 members, issue
2 a certificate of eligibility for sealing recommending that
3 the court order the sealing of all official records of the
4 arresting authority, the circuit court clerk, and the
5 Department of State Police concerning the arrest and
6 conviction for the Class 3 or 4 felony. A person may not
7 apply to the Board for a certificate of eligibility for
8 sealing:

9 (A) until 5 years have elapsed since the expiration
10 of his or her sentence;

11 (B) until 5 years have elapsed since any arrests or
12 detentions by a law enforcement officer for an alleged
13 violation of law, other than a petty offense, traffic
14 offense, conservation offense, or local ordinance
15 offense;

16 (C) if convicted of a violation of the Cannabis
17 Control Act, Illinois Controlled Substances Act, the
18 Methamphetamine Control and Community Protection Act,
19 the Methamphetamine Precursor Control Act, or the
20 Methamphetamine Precursor Tracking Act unless the
21 petitioner has completed a drug abuse program for the
22 offense on which sealing is sought and provides proof
23 that he or she has completed the program successfully;

24 (D) if convicted of:

25 (i) a sex offense described in Article 11 or
26 Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of

1 the Criminal Code of 1961 or the Criminal Code of
2 2012;

3 (ii) aggravated assault;

4 (iii) aggravated battery;

5 (iv) domestic battery;

6 (v) aggravated domestic battery;

7 (vi) violation of an order of protection;

8 (vii) an offense under the Criminal Code of
9 1961 or the Criminal Code of 2012 involving a
10 firearm;

11 (viii) driving while under the influence of
12 alcohol, other drug or drugs, intoxicating
13 compound or compounds or any combination thereof;

14 (ix) aggravated driving while under the
15 influence of alcohol, other drug or drugs,
16 intoxicating compound or compounds or any
17 combination thereof; or

18 (x) any crime defined as a crime of violence
19 under Section 2 of the Crime Victims Compensation
20 Act.

21 If a person has applied to the Board for a certificate
22 of eligibility for sealing and the Board denies the
23 certificate, the person must wait at least 4 years before
24 filing again or filing for pardon from the Governor unless
25 the Chairman of the Prisoner Review Board grants a waiver.

26 The decision to issue or refrain from issuing a

1 certificate of eligibility for sealing shall be at the
2 Board's sole discretion, and shall not give rise to any
3 cause of action against either the Board or its members.

4 The Board may only authorize the sealing of Class 3 and
5 4 felony convictions of the petitioner from one information
6 or indictment under this paragraph (10). A petitioner may
7 only receive one certificate of eligibility for sealing
8 under this provision for life; and

9 (11) upon a petition by a person who after having been
10 convicted of a Class 3 or Class 4 felony thereafter served
11 in the United States Armed Forces or National Guard of this
12 or any other state and had received an honorable discharge
13 from the United States Armed Forces or National Guard or
14 who at the time of filing the petition is enlisted in the
15 United States Armed Forces or National Guard of this or any
16 other state and served one tour of duty and who meets the
17 requirements of this paragraph, hear by at least 3 members
18 and, with the unanimous vote of a panel of 3 members, issue
19 a certificate of eligibility for expungement recommending
20 that the court order the expungement of all official
21 records of the arresting authority, the circuit court
22 clerk, and the Department of State Police concerning the
23 arrest and conviction for the Class 3 or 4 felony. A person
24 may not apply to the Board for a certificate of eligibility
25 for expungement:

26 (A) if convicted of:

1 (i) a sex offense described in Article 11 or
2 Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of
3 the Criminal Code of 1961 or Criminal Code of 2012;

4 (ii) an offense under the Criminal Code of 1961
5 or Criminal Code of 2012 involving a firearm; or

6 (iii) a crime of violence as defined in Section
7 2 of the Crime Victims Compensation Act; or

8 (B) if the person has not served in the United
9 States Armed Forces or National Guard of this or any
10 other state or has not received an honorable discharge
11 from the United States Armed Forces or National Guard
12 of this or any other state or who at the time of the
13 filing of the petition is serving in the United States
14 Armed Forces or National Guard of this or any other
15 state and has not completed one tour of duty.

16 If a person has applied to the Board for a certificate
17 of eligibility for expungement and the Board denies the
18 certificate, the person must wait at least 4 years before
19 filing again or filing for a pardon with authorization for
20 expungement from the Governor unless the Governor or
21 Chairman of the Prisoner Review Board grants a waiver.

22 (a-5) The Prisoner Review Board, with the cooperation of
23 and in coordination with the Department of Corrections and the
24 Department of Central Management Services, shall implement a
25 pilot project in 3 correctional institutions providing for the
26 conduct of hearings under paragraphs (1) and (4) of subsection

1 (a) of this Section through interactive video conferences. The
2 project shall be implemented within 6 months after the
3 effective date of this amendatory Act of 1996. Within 6 months
4 after the implementation of the pilot project, the Prisoner
5 Review Board, with the cooperation of and in coordination with
6 the Department of Corrections and the Department of Central
7 Management Services, shall report to the Governor and the
8 General Assembly regarding the use, costs, effectiveness, and
9 future viability of interactive video conferences for Prisoner
10 Review Board hearings.

11 (b) Upon recommendation of the Department the Board may
12 restore sentence credit previously revoked.

13 (c) The Board shall cooperate with the Department in
14 promoting an effective system of parole and mandatory
15 supervised release.

16 (d) The Board shall promulgate rules for the conduct of its
17 work, and the Chairman shall file a copy of such rules and any
18 amendments thereto with the Director and with the Secretary of
19 State.

20 (e) The Board shall keep records of all of its official
21 actions and shall make them accessible in accordance with law
22 and the rules of the Board.

23 (f) The Board or one who has allegedly violated the
24 conditions of his or her parole, aftercare release, or
25 mandatory supervised release may require by subpoena the
26 attendance and testimony of witnesses and the production of

1 documentary evidence relating to any matter under
2 investigation or hearing. The Chairman of the Board may sign
3 subpoenas which shall be served by any agent or public official
4 authorized by the Chairman of the Board, or by any person
5 lawfully authorized to serve a subpoena under the laws of the
6 State of Illinois. The attendance of witnesses, and the
7 production of documentary evidence, may be required from any
8 place in the State to a hearing location in the State before
9 the Chairman of the Board or his or her designated agent or
10 agents or any duly constituted Committee or Subcommittee of the
11 Board. Witnesses so summoned shall be paid the same fees and
12 mileage that are paid witnesses in the circuit courts of the
13 State, and witnesses whose depositions are taken and the
14 persons taking those depositions are each entitled to the same
15 fees as are paid for like services in actions in the circuit
16 courts of the State. Fees and mileage shall be vouchered for
17 payment when the witness is discharged from further attendance.

18 In case of disobedience to a subpoena, the Board may
19 petition any circuit court of the State for an order requiring
20 the attendance and testimony of witnesses or the production of
21 documentary evidence or both. A copy of such petition shall be
22 served by personal service or by registered or certified mail
23 upon the person who has failed to obey the subpoena, and such
24 person shall be advised in writing that a hearing upon the
25 petition will be requested in a court room to be designated in
26 such notice before the judge hearing motions or extraordinary

1 remedies at a specified time, on a specified date, not less
2 than 10 nor more than 15 days after the deposit of the copy of
3 the written notice and petition in the U.S. mails addressed to
4 the person at his last known address or after the personal
5 service of the copy of the notice and petition upon such
6 person. The court upon the filing of such a petition, may order
7 the person refusing to obey the subpoena to appear at an
8 investigation or hearing, or to there produce documentary
9 evidence, if so ordered, or to give evidence relative to the
10 subject matter of that investigation or hearing. Any failure to
11 obey such order of the circuit court may be punished by that
12 court as a contempt of court.

13 Each member of the Board and any hearing officer designated
14 by the Board shall have the power to administer oaths and to
15 take the testimony of persons under oath.

16 (g) Except under subsection (a) of this Section, a majority
17 of the members then appointed to the Prisoner Review Board
18 shall constitute a quorum for the transaction of all business
19 of the Board.

20 (h) The Prisoner Review Board shall annually transmit to
21 the Director a detailed report of its work for the preceding
22 calendar year. The annual report shall also be transmitted to
23 the Governor for submission to the Legislature.

24 (Source: P.A. 98-399, eff. 8-16-13; 98-558, eff. 1-1-14;
25 98-756, eff. 7-16-14; 99-628, eff. 1-1-17.)

1 (Text of Section after amendment by P.A. 100-1182)

2 Sec. 3-3-2. Powers and duties.

3 (a) The Parole and Pardon Board is abolished and the term
4 "Parole and Pardon Board" as used in any law of Illinois, shall
5 read "Prisoner Review Board." After the effective date of this
6 amendatory Act of 1977, the Prisoner Review Board shall provide
7 by rule for the orderly transition of all files, records, and
8 documents of the Parole and Pardon Board and for such other
9 steps as may be necessary to effect an orderly transition and
10 shall:

11 (1) hear by at least one member and through a panel of
12 at least 3 members decide, cases of prisoners who were
13 sentenced under the law in effect prior to the effective
14 date of this amendatory Act of 1977, and who are eligible
15 for parole;

16 (2) hear by at least one member and through a panel of
17 at least 3 members decide, the conditions of parole and the
18 time of discharge from parole, impose sanctions for
19 violations of parole, and revoke parole for those sentenced
20 under the law in effect prior to this amendatory Act of
21 1977; provided that the decision to parole and the
22 conditions of parole for all prisoners who were sentenced
23 for first degree murder or who received a minimum sentence
24 of 20 years or more under the law in effect prior to
25 February 1, 1978 shall be determined by a majority vote of
26 the Prisoner Review Board. One representative supporting

1 parole and one representative opposing parole will be
2 allowed to speak. Their comments shall be limited to making
3 corrections and filling in omissions to the Board's
4 presentation and discussion;

5 (3) hear by at least one member and through a panel of
6 at least 3 members decide, the conditions of mandatory
7 supervised release and the time of discharge from mandatory
8 supervised release, impose sanctions for violations of
9 mandatory supervised release, and revoke mandatory
10 supervised release for those sentenced under the law in
11 effect after the effective date of this amendatory Act of
12 1977;

13 (3.5) hear by at least one member and through a panel
14 of at least 3 members decide, the conditions of mandatory
15 supervised release and the time of discharge from mandatory
16 supervised release, to impose sanctions for violations of
17 mandatory supervised release and revoke mandatory
18 supervised release for those serving extended supervised
19 release terms pursuant to paragraph (4) of subsection (d)
20 of Section 5-8-1;

21 (3.6) hear by at least one member and through a panel
22 of at least 3 members decide whether to revoke aftercare
23 release for those committed to the Department of Juvenile
24 Justice under the Juvenile Court Act of 1987;

25 (4) hear by at least one member and through a panel of
26 at least 3 members, decide cases brought by the Department

1 of Corrections against a prisoner in the custody of the
2 Department for alleged violation of Department rules with
3 respect to sentence credits under Section 3-6-3 of this
4 Code in which the Department seeks to revoke sentence
5 credits, if the amount of time at issue exceeds 30 days or
6 when, during any 12 month period, the cumulative amount of
7 credit revoked exceeds 30 days except where the infraction
8 is committed or discovered within 60 days of scheduled
9 release. In such cases, the Department of Corrections may
10 revoke up to 30 days of sentence credit. The Board may
11 subsequently approve the revocation of additional sentence
12 credit, if the Department seeks to revoke sentence credit
13 in excess of thirty days. However, the Board shall not be
14 empowered to review the Department's decision with respect
15 to the loss of 30 days of sentence credit for any prisoner
16 or to increase any penalty beyond the length requested by
17 the Department;

18 (5) hear by at least one member and through a panel of
19 at least 3 members decide, the release dates for certain
20 prisoners sentenced under the law in existence prior to the
21 effective date of this amendatory Act of 1977, in
22 accordance with Section 3-3-2.1 of this Code;

23 (6) hear by at least one member and through a panel of
24 at least 3 members decide, all requests for pardon,
25 reprieve or commutation, and make confidential
26 recommendations to the Governor;

1 (6.5) hear by at least one member who is qualified in
2 the field of juvenile matters and through a panel of at
3 least 3 members, 2 of whom are qualified in the field of
4 juvenile matters, decide parole review cases in accordance
5 with Section 5-4.5-115 ~~5-4.5-110~~ of this Code and make
6 release determinations of persons under the age of 21 at
7 the time of the commission of an offense or offenses, other
8 than those persons serving sentences for first degree
9 murder or aggravated criminal sexual assault;

10 (6.6) hear by at least a quorum of the Prisoner Review
11 Board and decide by a majority of members present at the
12 hearing, in accordance with Section 5-4.5-115 ~~5-4.5-110~~ of
13 this Code, release determinations of persons under the age
14 of 21 at the time of the commission of an offense or
15 offenses of those persons serving sentences for first
16 degree murder or aggravated criminal sexual assault;

17 (7) comply with the requirements of the Open Parole
18 Hearings Act;

19 (8) hear by at least one member and, through a panel of
20 at least 3 members, decide cases brought by the Department
21 of Corrections against a prisoner in the custody of the
22 Department for court dismissal of a frivolous lawsuit
23 pursuant to Section 3-6-3(d) of this Code in which the
24 Department seeks to revoke up to 180 days of sentence
25 credit, and if the prisoner has not accumulated 180 days of
26 sentence credit at the time of the dismissal, then all

1 sentence credit accumulated by the prisoner shall be
2 revoked;

3 (9) hear by at least 3 members, and, through a panel of
4 at least 3 members, decide whether to grant certificates of
5 relief from disabilities or certificates of good conduct as
6 provided in Article 5.5 of Chapter V;

7 (10) upon a petition by a person who has been convicted
8 of a Class 3 or Class 4 felony and who meets the
9 requirements of this paragraph, hear by at least 3 members
10 and, with the unanimous vote of a panel of 3 members, issue
11 a certificate of eligibility for sealing recommending that
12 the court order the sealing of all official records of the
13 arresting authority, the circuit court clerk, and the
14 Department of State Police concerning the arrest and
15 conviction for the Class 3 or 4 felony. A person may not
16 apply to the Board for a certificate of eligibility for
17 sealing:

18 (A) until 5 years have elapsed since the expiration
19 of his or her sentence;

20 (B) until 5 years have elapsed since any arrests or
21 detentions by a law enforcement officer for an alleged
22 violation of law, other than a petty offense, traffic
23 offense, conservation offense, or local ordinance
24 offense;

25 (C) if convicted of a violation of the Cannabis
26 Control Act, Illinois Controlled Substances Act, the

1 Methamphetamine Control and Community Protection Act,
2 the Methamphetamine Precursor Control Act, or the
3 Methamphetamine Precursor Tracking Act unless the
4 petitioner has completed a drug abuse program for the
5 offense on which sealing is sought and provides proof
6 that he or she has completed the program successfully;

7 (D) if convicted of:

8 (i) a sex offense described in Article 11 or
9 Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of
10 the Criminal Code of 1961 or the Criminal Code of
11 2012;

12 (ii) aggravated assault;

13 (iii) aggravated battery;

14 (iv) domestic battery;

15 (v) aggravated domestic battery;

16 (vi) violation of an order of protection;

17 (vii) an offense under the Criminal Code of
18 1961 or the Criminal Code of 2012 involving a
19 firearm;

20 (viii) driving while under the influence of
21 alcohol, other drug or drugs, intoxicating
22 compound or compounds or any combination thereof;

23 (ix) aggravated driving while under the
24 influence of alcohol, other drug or drugs,
25 intoxicating compound or compounds or any
26 combination thereof; or

1 (x) any crime defined as a crime of violence
2 under Section 2 of the Crime Victims Compensation
3 Act.

4 If a person has applied to the Board for a certificate
5 of eligibility for sealing and the Board denies the
6 certificate, the person must wait at least 4 years before
7 filing again or filing for pardon from the Governor unless
8 the Chairman of the Prisoner Review Board grants a waiver.

9 The decision to issue or refrain from issuing a
10 certificate of eligibility for sealing shall be at the
11 Board's sole discretion, and shall not give rise to any
12 cause of action against either the Board or its members.

13 The Board may only authorize the sealing of Class 3 and
14 4 felony convictions of the petitioner from one information
15 or indictment under this paragraph (10). A petitioner may
16 only receive one certificate of eligibility for sealing
17 under this provision for life; and

18 (11) upon a petition by a person who after having been
19 convicted of a Class 3 or Class 4 felony thereafter served
20 in the United States Armed Forces or National Guard of this
21 or any other state and had received an honorable discharge
22 from the United States Armed Forces or National Guard or
23 who at the time of filing the petition is enlisted in the
24 United States Armed Forces or National Guard of this or any
25 other state and served one tour of duty and who meets the
26 requirements of this paragraph, hear by at least 3 members

1 and, with the unanimous vote of a panel of 3 members, issue
2 a certificate of eligibility for expungement recommending
3 that the court order the expungement of all official
4 records of the arresting authority, the circuit court
5 clerk, and the Department of State Police concerning the
6 arrest and conviction for the Class 3 or 4 felony. A person
7 may not apply to the Board for a certificate of eligibility
8 for expungement:

9 (A) if convicted of:

10 (i) a sex offense described in Article 11 or
11 Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of
12 the Criminal Code of 1961 or Criminal Code of 2012;

13 (ii) an offense under the Criminal Code of 1961
14 or Criminal Code of 2012 involving a firearm; or

15 (iii) a crime of violence as defined in Section
16 2 of the Crime Victims Compensation Act; or

17 (B) if the person has not served in the United
18 States Armed Forces or National Guard of this or any
19 other state or has not received an honorable discharge
20 from the United States Armed Forces or National Guard
21 of this or any other state or who at the time of the
22 filing of the petition is serving in the United States
23 Armed Forces or National Guard of this or any other
24 state and has not completed one tour of duty.

25 If a person has applied to the Board for a certificate
26 of eligibility for expungement and the Board denies the

1 certificate, the person must wait at least 4 years before
2 filing again or filing for a pardon with authorization for
3 expungement from the Governor unless the Governor or
4 Chairman of the Prisoner Review Board grants a waiver.

5 (a-5) The Prisoner Review Board, with the cooperation of
6 and in coordination with the Department of Corrections and the
7 Department of Central Management Services, shall implement a
8 pilot project in 3 correctional institutions providing for the
9 conduct of hearings under paragraphs (1) and (4) of subsection
10 (a) of this Section through interactive video conferences. The
11 project shall be implemented within 6 months after the
12 effective date of this amendatory Act of 1996. Within 6 months
13 after the implementation of the pilot project, the Prisoner
14 Review Board, with the cooperation of and in coordination with
15 the Department of Corrections and the Department of Central
16 Management Services, shall report to the Governor and the
17 General Assembly regarding the use, costs, effectiveness, and
18 future viability of interactive video conferences for Prisoner
19 Review Board hearings.

20 (b) Upon recommendation of the Department the Board may
21 restore sentence credit previously revoked.

22 (c) The Board shall cooperate with the Department in
23 promoting an effective system of parole and mandatory
24 supervised release.

25 (d) The Board shall promulgate rules for the conduct of its
26 work, and the Chairman shall file a copy of such rules and any

1 amendments thereto with the Director and with the Secretary of
2 State.

3 (e) The Board shall keep records of all of its official
4 actions and shall make them accessible in accordance with law
5 and the rules of the Board.

6 (f) The Board or one who has allegedly violated the
7 conditions of his or her parole, aftercare release, or
8 mandatory supervised release may require by subpoena the
9 attendance and testimony of witnesses and the production of
10 documentary evidence relating to any matter under
11 investigation or hearing. The Chairman of the Board may sign
12 subpoenas which shall be served by any agent or public official
13 authorized by the Chairman of the Board, or by any person
14 lawfully authorized to serve a subpoena under the laws of the
15 State of Illinois. The attendance of witnesses, and the
16 production of documentary evidence, may be required from any
17 place in the State to a hearing location in the State before
18 the Chairman of the Board or his or her designated agent or
19 agents or any duly constituted Committee or Subcommittee of the
20 Board. Witnesses so summoned shall be paid the same fees and
21 mileage that are paid witnesses in the circuit courts of the
22 State, and witnesses whose depositions are taken and the
23 persons taking those depositions are each entitled to the same
24 fees as are paid for like services in actions in the circuit
25 courts of the State. Fees and mileage shall be vouchered for
26 payment when the witness is discharged from further attendance.

1 In case of disobedience to a subpoena, the Board may
2 petition any circuit court of the State for an order requiring
3 the attendance and testimony of witnesses or the production of
4 documentary evidence or both. A copy of such petition shall be
5 served by personal service or by registered or certified mail
6 upon the person who has failed to obey the subpoena, and such
7 person shall be advised in writing that a hearing upon the
8 petition will be requested in a court room to be designated in
9 such notice before the judge hearing motions or extraordinary
10 remedies at a specified time, on a specified date, not less
11 than 10 nor more than 15 days after the deposit of the copy of
12 the written notice and petition in the U.S. mails addressed to
13 the person at his last known address or after the personal
14 service of the copy of the notice and petition upon such
15 person. The court upon the filing of such a petition, may order
16 the person refusing to obey the subpoena to appear at an
17 investigation or hearing, or to there produce documentary
18 evidence, if so ordered, or to give evidence relative to the
19 subject matter of that investigation or hearing. Any failure to
20 obey such order of the circuit court may be punished by that
21 court as a contempt of court.

22 Each member of the Board and any hearing officer designated
23 by the Board shall have the power to administer oaths and to
24 take the testimony of persons under oath.

25 (g) Except under subsection (a) of this Section, a majority
26 of the members then appointed to the Prisoner Review Board

1 shall constitute a quorum for the transaction of all business
2 of the Board.

3 (h) The Prisoner Review Board shall annually transmit to
4 the Director a detailed report of its work for the preceding
5 calendar year. The annual report shall also be transmitted to
6 the Governor for submission to the Legislature.

7 (Source: P.A. 99-628, eff. 1-1-17; 100-1182, eff. 6-1-19;
8 revised 4-3-19.)"; and

9 on page 32, by replacing lines 10 through 23 with the
10 following:

11 "(h) The Board shall not release any material to the
12 inmate, the inmate's attorney, any third party, or any other
13 person containing any information from a ~~the victim or from a~~
14 ~~person related to the victim by blood, adoption, or marriage~~
15 who has written objections, testified at any hearing, or
16 submitted audio or visual objections to the inmate's parole,
17 unless provided with a waiver from that victim ~~objecting party~~.
18 Victim statements provided to the Board shall be confidential
19 and privileged, including any statements received prior to the
20 effective date of this amendatory Act of the 101st General
21 Assembly, except if the statement was an oral statement made by
22 the victim at a hearing open to the public. The Board shall not
23 release the names or addresses of any person on its victim
24 registry to any other person except the victim, a law
25 enforcement agency, or other victim notification system.

1 (Source: P.A. 98-463, eff. 8-16-13; 98-558, eff. 1-1-14;
2 98-717, eff. 1-1-15; 99-628, eff. 1-1-17.)

3 (730 ILCS 5/3-3-9) (from Ch. 38, par. 1003-3-9)

4 (Text of Section before amendment by P.A. 100-1182)

5 Sec. 3-3-9. Violations; changes of conditions; preliminary
6 hearing; revocation of parole or mandatory supervised release;
7 revocation hearing.

8 (a) If prior to expiration or termination of the term of
9 parole or mandatory supervised release, a person violates a
10 condition set by the Prisoner Review Board or a condition of
11 parole or mandatory supervised release under Section 3-3-7 of
12 this Code to govern that term, the Board may:

13 (1) continue the existing term, with or without
14 modifying or enlarging the conditions; or

15 (2) parole or release the person to a half-way house;
16 or

17 (3) revoke the parole or mandatory supervised release
18 and reconfine the person for a term computed in the
19 following manner:

20 (i) (A) For those sentenced under the law in effect
21 prior to this amendatory Act of 1977, the recommitment
22 shall be for any portion of the imposed maximum term of
23 imprisonment or confinement which had not been served
24 at the time of parole and the parole term, less the
25 time elapsed between the parole of the person and the

1 commission of the violation for which parole was
2 revoked;

3 (B) Except as set forth in paragraph (C), for those
4 subject to mandatory supervised release under
5 paragraph (d) of Section 5-8-1 of this Code, the
6 recommitment shall be for the total mandatory
7 supervised release term, less the time elapsed between
8 the release of the person and the commission of the
9 violation for which mandatory supervised release is
10 revoked. The Board may also order that a prisoner serve
11 up to one year of the sentence imposed by the court
12 which was not served due to the accumulation of
13 sentence credit;

14 (C) For those subject to sex offender supervision
15 under clause (d) (4) of Section 5-8-1 of this Code, the
16 reconfinement period for violations of clauses (a) (3)
17 through (b-1) (15) of Section 3-3-7 shall not exceed 2
18 years from the date of reconfinement;

19 (ii) the person shall be given credit against
20 the term of reimprisonment or reconfinement for
21 time spent in custody since he or she was paroled
22 or released which has not been credited against
23 another sentence or period of confinement;

24 (iii) (blank);

25 (iv) this Section is subject to the release
26 under supervision and the reparole and rerelease

1 provisions of Section 3-3-10.

2 (b) The Board may revoke parole or mandatory supervised
3 release for violation of a condition for the duration of the
4 term and for any further period which is reasonably necessary
5 for the adjudication of matters arising before its expiration.
6 The issuance of a warrant of arrest for an alleged violation of
7 the conditions of parole or mandatory supervised release shall
8 toll the running of the term until the final determination of
9 the charge. When parole or mandatory supervised release is not
10 revoked that period shall be credited to the term, unless a
11 community-based sanction is imposed as an alternative to
12 revocation and reincarceration, including a diversion
13 established by the Illinois Department of Corrections Parole
14 Services Unit prior to the holding of a preliminary parole
15 revocation hearing. Parolees who are diverted to a
16 community-based sanction shall serve the entire term of parole
17 or mandatory supervised release, if otherwise appropriate.

18 (b-5) The Board shall revoke parole or mandatory supervised
19 release for violation of the conditions prescribed in paragraph
20 (7.6) of subsection (a) of Section 3-3-7.

21 (c) A person charged with violating a condition of parole
22 or mandatory supervised release shall have a preliminary
23 hearing before a hearing officer designated by the Board to
24 determine if there is cause to hold the person for a revocation
25 hearing. However, no preliminary hearing need be held when
26 revocation is based upon new criminal charges and a court finds

1 probable cause on the new criminal charges or when the
2 revocation is based upon a new criminal conviction and a
3 certified copy of that conviction is available.

4 (d) Parole or mandatory supervised release shall not be
5 revoked without written notice to the offender setting forth
6 the violation of parole or mandatory supervised release charged
7 against him or her.

8 (e) A hearing on revocation shall be conducted before at
9 least one member of the Prisoner Review Board. The Board may
10 meet and order its actions in panels of 3 or more members. The
11 action of a majority of the panel shall be the action of the
12 Board. A record of the hearing shall be made. At the hearing
13 the offender shall be permitted to:

14 (1) appear and answer the charge; and

15 (2) bring witnesses on his or her behalf.

16 (f) The Board shall either revoke parole or mandatory
17 supervised release or order the person's term continued with or
18 without modification or enlargement of the conditions.

19 (g) Parole or mandatory supervised release shall not be
20 revoked for failure to make payments under the conditions of
21 parole or release unless the Board determines that such failure
22 is due to the offender's willful refusal to pay.

23 (Source: P.A. 98-463, eff. 8-16-13; 98-558, eff. 1-1-14;
24 99-628, eff. 1-1-17.)

25 (Text of Section after amendment by P.A. 100-1182)

1 Sec. 3-3-9. Violations; changes of conditions; preliminary
2 hearing; revocation of parole or mandatory supervised release;
3 revocation hearing.

4 (a) If prior to expiration or termination of the term of
5 parole or mandatory supervised release, a person violates a
6 condition set by the Prisoner Review Board or a condition of
7 parole or mandatory supervised release under Section 3-3-7 of
8 this Code to govern that term, the Board may:

9 (1) continue the existing term, with or without
10 modifying or enlarging the conditions; or

11 (1.5) for those released as a result of youthful
12 offender parole as set forth in Section 5-4.5-115 ~~5-4.5-110~~
13 of this Code, order that the inmate be subsequently
14 rereleased to serve a specified mandatory supervised
15 release term not to exceed the full term permitted under
16 the provisions of Section 5-4.5-115 ~~5-4.5-110~~ and
17 subsection (d) of Section 5-8-1 of this Code and may modify
18 or enlarge the conditions of the release as the Board deems
19 proper; or

20 (2) parole or release the person to a half-way house;
21 or

22 (3) revoke the parole or mandatory supervised release
23 and reconfine the person for a term computed in the
24 following manner:

25 (i) (A) For those sentenced under the law in effect
26 prior to this amendatory Act of 1977, the recommitment

1 shall be for any portion of the imposed maximum term of
2 imprisonment or confinement which had not been served
3 at the time of parole and the parole term, less the
4 time elapsed between the parole of the person and the
5 commission of the violation for which parole was
6 revoked;

7 (B) Except as set forth in paragraphs (C) and (D),
8 for those subject to mandatory supervised release
9 under paragraph (d) of Section 5-8-1 of this Code, the
10 recommitment shall be for the total mandatory
11 supervised release term, less the time elapsed between
12 the release of the person and the commission of the
13 violation for which mandatory supervised release is
14 revoked. The Board may also order that a prisoner serve
15 up to one year of the sentence imposed by the court
16 which was not served due to the accumulation of
17 sentence credit;

18 (C) For those subject to sex offender supervision
19 under clause (d) (4) of Section 5-8-1 of this Code, the
20 reconfinement period for violations of clauses (a) (3)
21 through (b-1) (15) of Section 3-3-7 shall not exceed 2
22 years from the date of reconfinement;

23 (D) For those released as a result of youthful
24 offender parole as set forth in Section 5-4.5-115
25 ~~5-4.5-110~~ of this Code, the reconfinement period shall
26 be for the total mandatory supervised release term,

1 less the time elapsed between the release of the person
2 and the commission of the violation for which mandatory
3 supervised release is revoked. The Board may also order
4 that a prisoner serve up to one year of the mandatory
5 supervised release term previously earned. The Board
6 may also order that the inmate be subsequently
7 rereleased to serve a specified mandatory supervised
8 release term not to exceed the full term permitted
9 under the provisions of Section 5-4.5-115 ~~5-4.5-110~~
10 and subsection (d) of Section 5-8-1 of this Code and
11 may modify or enlarge the conditions of the release as
12 the Board deems proper;

13 (ii) the person shall be given credit against the
14 term of reimprisonment or reconfinement for time spent
15 in custody since he or she was paroled or released
16 which has not been credited against another sentence or
17 period of confinement;

18 (iii) (blank);

19 (iv) this Section is subject to the release under
20 supervision and the reparole and rerelease provisions
21 of Section 3-3-10.

22 (b) The Board may revoke parole or mandatory supervised
23 release for violation of a condition for the duration of the
24 term and for any further period which is reasonably necessary
25 for the adjudication of matters arising before its expiration.
26 The issuance of a warrant of arrest for an alleged violation of

1 the conditions of parole or mandatory supervised release shall
2 toll the running of the term until the final determination of
3 the charge. When parole or mandatory supervised release is not
4 revoked that period shall be credited to the term, unless a
5 community-based sanction is imposed as an alternative to
6 revocation and reincarceration, including a diversion
7 established by the Illinois Department of Corrections Parole
8 Services Unit prior to the holding of a preliminary parole
9 revocation hearing. Parolees who are diverted to a
10 community-based sanction shall serve the entire term of parole
11 or mandatory supervised release, if otherwise appropriate.

12 (b-5) The Board shall revoke parole or mandatory supervised
13 release for violation of the conditions prescribed in paragraph
14 (7.6) of subsection (a) of Section 3-3-7.

15 (c) A person charged with violating a condition of parole
16 or mandatory supervised release shall have a preliminary
17 hearing before a hearing officer designated by the Board to
18 determine if there is cause to hold the person for a revocation
19 hearing. However, no preliminary hearing need be held when
20 revocation is based upon new criminal charges and a court finds
21 probable cause on the new criminal charges or when the
22 revocation is based upon a new criminal conviction and a
23 certified copy of that conviction is available.

24 (d) Parole or mandatory supervised release shall not be
25 revoked without written notice to the offender setting forth
26 the violation of parole or mandatory supervised release charged

1 against him or her.

2 (e) A hearing on revocation shall be conducted before at
3 least one member of the Prisoner Review Board. The Board may
4 meet and order its actions in panels of 3 or more members. The
5 action of a majority of the panel shall be the action of the
6 Board. A record of the hearing shall be made. At the hearing
7 the offender shall be permitted to:

8 (1) appear and answer the charge; and

9 (2) bring witnesses on his or her behalf.

10 (f) The Board shall either revoke parole or mandatory
11 supervised release or order the person's term continued with or
12 without modification or enlargement of the conditions.

13 (g) Parole or mandatory supervised release shall not be
14 revoked for failure to make payments under the conditions of
15 parole or release unless the Board determines that such failure
16 is due to the offender's willful refusal to pay.

17 (Source: P.A. 99-628, eff. 1-1-17; 100-1182, eff. 6-1-19;
18 revised 4-3-19.)"; and

19 by replacing line 22 on page 33 through line 8 on page 34 with
20 the following:

21 "(b-5) Victims registered with the Board shall receive
22 reasonable written notice not less than 30 days prior to the
23 executive clemency hearing date. The victim has the right to
24 submit a victim statement to the Prisoner Review Board for
25 consideration at an executive clemency hearing as provided in

1 subsection (c) of this Section. Victim statements provided to
2 the Board shall be confidential and privileged, including any
3 statements received prior to the effective date of this
4 amendatory Act of the 101st General Assembly, except if the
5 statement was an oral statement made by the victim at a hearing
6 open to the public.

7 (c) The Board shall, ~~if requested and~~ upon due notice, give
8 a hearing to each application, allowing representation by
9 counsel, if desired, after which it shall confidentially advise
10 the Governor by a written report of its recommendations which
11 shall be determined by majority vote. The written report to the
12 Governor shall be confidential and privileged, including any
13 reports made prior to the effective date of this amendatory Act
14 of the 101st General Assembly. The Board shall meet to consider
15 such petitions no less than 4 times each year.

16 Application for executive clemency under this Section may
17 not be commenced on behalf of a person who has been sentenced
18 to death without the written consent of the defendant, unless
19 the defendant, because of a mental or physical condition, is
20 incapable of asserting his or her own claim."; and

21 by replacing line 1 on page 35 through line 7 on page 36 with
22 the following:

23 "(730 ILCS 5/5-4.5-115)

24 (This Section may contain text from a Public Act with a

1 delayed effective date)

2 Sec. 5-4.5-115 ~~5-4.5-110~~. Parole review of persons under
3 the age of 21 at the time of the commission of an offense.

4 (a) For purposes of this Section, "victim" means a victim
5 of a violent crime as defined in subsection (a) of Section 3 of
6 the Rights of Crime Victims and Witnesses Act including a
7 witness as defined in subsection (b) of Section 3 of the Rights
8 of Crime Victims and Witnesses Act; any person legally related
9 to the victim by blood, marriage, adoption, or guardianship;
10 any friend of the victim; or any concerned citizen.

11 (b) A person under 21 years of age at the time of the
12 commission of an offense or offenses, other than first degree
13 murder, and who is not serving a sentence for first degree
14 murder and who is sentenced on or after June 1, 2019 (the
15 effective date of Public Act 100-1182) ~~this amendatory Act of~~
16 ~~the 100th General Assembly~~ shall be eligible for parole review
17 by the Prisoner Review Board after serving 10 years or more of
18 his or her sentence or sentences, except for those serving a
19 sentence or sentences for: (1) aggravated criminal sexual
20 assault who shall be eligible for parole review by the Prisoner
21 Review Board after serving 20 years or more of his or her
22 sentence or sentences or (2) predatory criminal sexual assault
23 of a child who shall not be eligible for parole review by the
24 Prisoner Review Board under this Section. A person under 21
25 years of age at the time of the commission of first degree
26 murder who is sentenced on or after June 1, 2019 (the effective

1 date of Public Act 100-1182) ~~this amendatory Act of the 100th~~
2 ~~General Assembly~~ shall be eligible for parole review by the
3 Prisoner Review Board after serving 20 years or more of his or
4 her sentence or sentences, except for those subject to a term
5 of natural life imprisonment under Section 5-8-1 of this Code
6 or any person subject to sentencing under subsection (c) of
7 Section 5-4.5-105 of this Code.

8 (c) Three years prior to becoming eligible for parole
9 review, the eligible person may file his or her petition for
10 parole review with the Prisoner Review Board. The petition
11 shall include a copy of the order of commitment and sentence to
12 the Department of Corrections for the offense or offenses for
13 which review is sought. Within 30 days of receipt of this
14 petition, the Prisoner Review Board shall determine whether the
15 petition is appropriately filed, and if so, shall set a date
16 for parole review 3 years from receipt of the petition and
17 notify the Department of Corrections within 10 business days.
18 If the Prisoner Review Board determines that the petition is
19 not appropriately filed, it shall notify the petitioner in
20 writing, including a basis for its determination.

21 (d) Within 6 months of the Prisoner Review Board's
22 determination that the petition was appropriately filed, a
23 representative from the Department of Corrections shall meet
24 with the eligible person and provide the inmate information
25 about the parole hearing process and personalized
26 recommendations for the inmate regarding his or her work

1 assignments, rehabilitative programs, and institutional
2 behavior. Following this meeting, the eligible person has 7
3 calendar days to file a written request to the representative
4 from the Department of Corrections who met with the eligible
5 person of any additional programs and services which the
6 eligible person believes should be made available to prepare
7 the eligible person for return to the community.

8 (e) One year prior to the person being eligible for parole,
9 counsel shall be appointed by the Prisoner Review Board upon a
10 finding of indigency. The eligible person may waive appointed
11 counsel or retain his or her own counsel at his or her own
12 expense.

13 (f) Nine months prior to the hearing, the Prisoner Review
14 Board shall provide the eligible person, and his or her
15 counsel, any written documents or materials it will be
16 considering in making its decision unless the written documents
17 or materials are specifically found to: (1) include information
18 which, if disclosed, would damage the therapeutic relationship
19 between the inmate and a mental health professional; (2)
20 subject any person to the actual risk of physical harm; (3)
21 threaten the safety or security of the Department or an
22 institution. In accordance with Section 4.5(d)(4) of the Rights
23 of Crime Victims and Witnesses Act and Section 10 35 of the
24 Open Parole Hearings Act, victim ~~impact~~ statements provided to
25 the Board shall be confidential and privileged, including any
26 statements received prior to the effective date of this

1 amendatory Act of the 101st General Assembly, except if the
2 statement was an oral statement made by the victim at a hearing
3 open to the public. Victim statements ~~either oral, written,~~
4 ~~video taped, tape recorded or made by other electronic means~~
5 shall not be considered public documents under the provisions
6 of the Freedom of Information Act. The inmate or his or her
7 attorney shall not be given a copy of the statement, but shall
8 be informed of the existence of a victim ~~impact~~ statement and
9 the position taken by the victim on the inmate's request for
10 parole. This shall not be construed to permit disclosure to an
11 inmate of any information which might result in the risk of
12 threats or physical harm to a victim. The Prisoner Review Board
13 shall have an ongoing duty to provide the eligible person, and
14 his or her counsel, with any further documents or materials
15 that come into its possession prior to the hearing subject to
16 the limitations contained in this subsection.

17 (g) Not less than 12 months prior to the hearing, the
18 Prisoner Review Board shall provide notification to the State's
19 Attorney of the county from which the person was committed and
20 written notification to the victim or family of the victim of
21 the scheduled hearing place, date, and approximate time. The
22 written notification shall contain: (1) information about
23 their right to be present, appear in person at the parole
24 hearing, and their right to make an oral statement and submit
25 information in writing, by videotape, tape recording, or other
26 electronic means; (2) a toll-free number to call for further

1 information about the parole review process; and (3)
2 information regarding available resources, including
3 trauma-informed therapy, they may access. If the Board does not
4 have knowledge of the current address of the victim or family
5 of the victim, it shall notify the State's Attorney of the
6 county of commitment and request assistance in locating the
7 victim or family of the victim. Those victims or family of the
8 victims who advise the Board in writing that they no longer
9 wish to be notified shall not receive future notices. A victim
10 shall have the right to submit information by videotape, tape
11 recording, or other electronic means. The victim may submit
12 this material prior to or at the parole hearing. The victim
13 also has the right to be heard at the parole hearing.

14 (h) The hearing conducted by the Prisoner Review Board
15 shall be governed by Sections 15 and 20, subsection (f) of
16 Section 5, subsections ~~subsection~~ (a), (a-5), (b), (b-5), and
17 (c) of Section 10, and subsection (d) of Section 25, ~~and~~
18 ~~subsections (a), (b), and (c) of Section 35~~ of the Open Parole
19 Hearings Act and Part 1610 of Title 20 of the Illinois
20 Administrative Code. The eligible person has a right to be
21 present at the Prisoner Review Board hearing, unless the
22 Prisoner Review Board determines the eligible person's
23 presence is unduly burdensome when conducting a hearing under
24 paragraph (6.6) of subsection (a) of Section 3-3-2 of this
25 Code. If a psychological evaluation is submitted for the
26 Prisoner Review Board's consideration, it shall be prepared by

1 a person who has expertise in adolescent brain development and
2 behavior, and shall take into consideration the diminished
3 culpability of youthful offenders, the hallmark features of
4 youth, and any subsequent growth and increased maturity of the
5 person. At the hearing, the eligible person shall have the
6 right to make a statement on his or her own behalf.

7 (i) Only upon motion for good cause shall the date for the
8 Prisoner Review Board hearing, as set by subsection (b) of this
9 Section, be changed. No less than 15 days prior to the hearing,
10 the Prisoner Review Board shall notify the victim or victim
11 representative, the attorney, and the eligible person of the
12 exact date and time of the hearing. All hearings shall be open
13 to the public.

14 (j) The Prisoner Review Board shall not parole the eligible
15 person if it determines that:

16 (1) there is a substantial risk that the eligible
17 person will not conform to reasonable conditions of parole
18 or aftercare release; or

19 (2) the eligible person's release at that time would
20 deprecate the seriousness of his or her offense or promote
21 disrespect for the law; or

22 (3) the eligible person's release would have a
23 substantially adverse effect on institutional discipline.

24 In considering the factors affecting the release
25 determination under 20 Ill. Adm. Code 1610.50(b), the Prisoner
26 Review Board panel shall consider the diminished culpability of

1 youthful offenders, the hallmark features of youth, and any
2 subsequent growth and maturity of the youthful offender during
3 incarceration.

4 (k) Unless denied parole under subsection (j) of this
5 Section and subject to the provisions of Section 3-3-9 of this
6 Code: (1) the eligible person serving a sentence for any
7 non-first degree murder offense or offenses, shall be released
8 on parole which shall operate to discharge any remaining term
9 of years sentence imposed upon him or her, notwithstanding any
10 required mandatory supervised release period the eligible
11 person is required to serve; and (2) the eligible person
12 serving a sentence for any first degree murder offense, shall
13 be released on mandatory supervised release for a period of 10
14 years subject to Section 3-3-8, which shall operate to
15 discharge any remaining term of years sentence imposed upon him
16 or her, however in no event shall the eligible person serve a
17 period of mandatory supervised release greater than the
18 aggregate of the discharged underlying sentence and the
19 mandatory supervised release period as sent forth in Section
20 5-4.5-20.

21 (l) If the Prisoner Review Board denies parole after
22 conducting the hearing under subsection (j) of this Section, it
23 shall issue a written decision which states the rationale for
24 denial, including the primary factors considered. This
25 decision shall be provided to the eligible person and his or
26 her counsel within 30 days.

1 (m) A person denied parole under subsection (j) of this
2 Section, who is not serving a sentence for either first degree
3 murder or aggravated criminal sexual assault, shall be eligible
4 for a second parole review by the Prisoner Review Board 5 years
5 after the written decision under subsection (l) of this
6 Section; a person denied parole under subsection (j) of this
7 Section, who is serving a sentence or sentences for first
8 degree murder or aggravated criminal sexual assault shall be
9 eligible for a second and final parole review by the Prisoner
10 Review Board 10 years after the written decision under
11 subsection (k) of this Section. The procedures for a second
12 parole review shall be governed by subsections (c) through (k)
13 of this Section.

14 (n) A person denied parole under subsection (m) of this
15 Section, who is not serving a sentence for either first degree
16 murder or aggravated criminal sexual assault, shall be eligible
17 for a third and final parole review by the Prisoner Review
18 Board 5 years after the written decision under subsection (l)
19 of this Section. The procedures for the third and final parole
20 review shall be governed by subsections (c) through (k) of this
21 Section.

22 (o) Notwithstanding anything else to the contrary in this
23 Section, nothing in this Section shall be construed to delay
24 parole or mandatory supervised release consideration for
25 petitioners who are or will be eligible for release earlier
26 than this Section provides. Nothing in this Section shall be

1 construed as a limit, substitution, or bar on a person's right
2 to sentencing relief, or any other manner of relief, obtained
3 by order of a court in proceedings other than as provided in
4 this Section.

5 (Source: P.A. 100-1182, eff. 6-1-19; revised 4-2-19.)

6 (730 ILCS 5/5-4.5-20)

7 (Text of Section before amendment by P.A. 100-1182)

8 Sec. 5-4.5-20. FIRST DEGREE MURDER; SENTENCE. For first
9 degree murder:

10 (a) TERM. The defendant shall be sentenced to imprisonment
11 or, if appropriate, death under Section 9-1 of the Criminal
12 Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/9-1).
13 Imprisonment shall be for a determinate term of (1) not less
14 than 20 years and not more than 60 years; (2) not less than 60
15 years and not more than 100 years when an extended term is
16 imposed under Section 5-8-2 (730 ILCS 5/5-8-2); or (3) natural
17 life as provided in Section 5-8-1 (730 ILCS 5/5-8-1).

18 (b) PERIODIC IMPRISONMENT. A term of periodic imprisonment
19 shall not be imposed.

20 (c) IMPACT INCARCERATION. The impact incarceration program
21 or the county impact incarceration program is not an authorized
22 disposition.

23 (d) PROBATION; CONDITIONAL DISCHARGE. A period of
24 probation or conditional discharge shall not be imposed.

25 (e) FINE. Fines may be imposed as provided in Section

1 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

2 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)
3 concerning restitution.

4 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall
5 be concurrent or consecutive as provided in Section 5-8-4 (730
6 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

7 (h) DRUG COURT. Drug court is not an authorized
8 disposition.

9 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730
10 ILCS 5/5-4.5-100) concerning no credit for time spent in home
11 detention prior to judgment.

12 (j) SENTENCE CREDIT. See Section 3-6-3 (730 ILCS 5/3-6-3)
13 for rules and regulations for sentence credit.

14 (k) ELECTRONIC MONITORING AND HOME DETENTION. Electronic
15 monitoring and home detention are not authorized dispositions,
16 except in limited circumstances as provided in Section 5-8A-3
17 (730 ILCS 5/5-8A-3).

18 (l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as
19 provided in Section 3-3-8 (730 ILCS 5/3-3-8), the parole or
20 mandatory supervised release term shall be 3 years upon release
21 from imprisonment.

22 (Source: P.A. 100-431, eff. 8-25-17.)

23 (Text of Section after amendment by P.A. 100-1182)

24 Sec. 5-4.5-20. FIRST DEGREE MURDER; SENTENCE. For first
25 degree murder:

1 (a) TERM. The defendant shall be sentenced to imprisonment
2 or, if appropriate, death under Section 9-1 of the Criminal
3 Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/9-1).
4 Imprisonment shall be for a determinate term, subject to
5 Section 5-4.5-115 ~~5-4.5-110~~ of this Code, of (1) not less than
6 20 years and not more than 60 years; (2) not less than 60 years
7 and not more than 100 years when an extended term is imposed
8 under Section 5-8-2 (730 ILCS 5/5-8-2); or (3) natural life as
9 provided in Section 5-8-1 (730 ILCS 5/5-8-1).

10 (b) PERIODIC IMPRISONMENT. A term of periodic imprisonment
11 shall not be imposed.

12 (c) IMPACT INCARCERATION. The impact incarceration program
13 or the county impact incarceration program is not an authorized
14 disposition.

15 (d) PROBATION; CONDITIONAL DISCHARGE. A period of
16 probation or conditional discharge shall not be imposed.

17 (e) FINE. Fines may be imposed as provided in Section
18 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

19 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)
20 concerning restitution.

21 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall
22 be concurrent or consecutive as provided in Section 5-8-4 (730
23 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

24 (h) DRUG COURT. Drug court is not an authorized
25 disposition.

26 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730

1 ILCS 5/5-4.5-100) concerning no credit for time spent in home
2 detention prior to judgment.

3 (j) SENTENCE CREDIT. See Section 3-6-3 (730 ILCS 5/3-6-3)
4 for rules and regulations for sentence credit.

5 (k) ELECTRONIC MONITORING AND HOME DETENTION. Electronic
6 monitoring and home detention are not authorized dispositions,
7 except in limited circumstances as provided in Section 5-8A-3
8 (730 ILCS 5/5-8A-3).

9 (l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as
10 provided in Section 3-3-8 (730 ILCS 5/3-3-8), the parole or
11 mandatory supervised release term shall be 3 years upon release
12 from imprisonment.

13 (Source: P.A. 100-431, eff. 8-25-17; 100-1182, eff. 6-1-19;
14 revised 4-3-19.)

15 (730 ILCS 5/5-4.5-25)

16 (Text of Section before amendment by P.A. 100-1182)

17 Sec. 5-4.5-25. CLASS X FELONIES; SENTENCE. For a Class X
18 felony:

19 (a) TERM. The sentence of imprisonment shall be a
20 determinate sentence of not less than 6 years and not more than
21 30 years. The sentence of imprisonment for an extended term
22 Class X felony, as provided in Section 5-8-2 (730 ILCS
23 5/5-8-2), shall be not less than 30 years and not more than 60
24 years.

25 (b) PERIODIC IMPRISONMENT. A term of periodic imprisonment

1 shall not be imposed.

2 (c) IMPACT INCARCERATION. The impact incarceration program
3 or the county impact incarceration program is not an authorized
4 disposition.

5 (d) PROBATION; CONDITIONAL DISCHARGE. A period of
6 probation or conditional discharge shall not be imposed.

7 (e) FINE. Fines may be imposed as provided in Section
8 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

9 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)
10 concerning restitution.

11 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall
12 be concurrent or consecutive as provided in Section 5-8-4 (730
13 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

14 (h) DRUG COURT. See Section 20 of the Drug Court Treatment
15 Act (730 ILCS 166/20) concerning eligibility for a drug court
16 program.

17 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730
18 ILCS 5/5-4.5-100) concerning no credit for time spent in home
19 detention prior to judgment.

20 (j) SENTENCE CREDIT. See Section 3-6-3 (730 ILCS 5/3-6-3)
21 for rules and regulations for sentence credit.

22 (k) ELECTRONIC MONITORING AND HOME DETENTION. See Section
23 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for
24 electronic monitoring and home detention.

25 (l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as
26 provided in Section 3-3-8 or 5-8-1 (730 ILCS 5/3-3-8 or

1 5/5-8-1), the parole or mandatory supervised release term shall
2 be 3 years upon release from imprisonment.

3 (Source: P.A. 100-431, eff. 8-25-17.)

4 (Text of Section after amendment by P.A. 100-1182)

5 Sec. 5-4.5-25. CLASS X FELONIES; SENTENCE. For a Class X
6 felony:

7 (a) TERM. The sentence of imprisonment shall be a
8 determinate sentence, subject to Section 5-4.5-115 ~~5-4.5-110~~
9 of this Code, of not less than 6 years and not more than 30
10 years. The sentence of imprisonment for an extended term Class
11 X felony, as provided in Section 5-8-2 (730 ILCS 5/5-8-2),
12 subject to Section 5-4.5-115 ~~5-4.5-110~~ of this Code, shall be
13 not less than 30 years and not more than 60 years.

14 (b) PERIODIC IMPRISONMENT. A term of periodic imprisonment
15 shall not be imposed.

16 (c) IMPACT INCARCERATION. The impact incarceration program
17 or the county impact incarceration program is not an authorized
18 disposition.

19 (d) PROBATION; CONDITIONAL DISCHARGE. A period of
20 probation or conditional discharge shall not be imposed.

21 (e) FINE. Fines may be imposed as provided in Section
22 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

23 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)
24 concerning restitution.

25 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall

1 be concurrent or consecutive as provided in Section 5-8-4 (730
2 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

3 (h) DRUG COURT. See Section 20 of the Drug Court Treatment
4 Act (730 ILCS 166/20) concerning eligibility for a drug court
5 program.

6 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730
7 ILCS 5/5-4.5-100) concerning no credit for time spent in home
8 detention prior to judgment.

9 (j) SENTENCE CREDIT. See Section 3-6-3 (730 ILCS 5/3-6-3)
10 for rules and regulations for sentence credit.

11 (k) ELECTRONIC MONITORING AND HOME DETENTION. See Section
12 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for
13 electronic monitoring and home detention.

14 (l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as
15 provided in Section 3-3-8 or 5-8-1 (730 ILCS 5/3-3-8 or
16 5/5-8-1), the parole or mandatory supervised release term shall
17 be 3 years upon release from imprisonment.

18 (Source: P.A. 100-431, eff. 8-25-17; 100-1182, eff. 6-1-19;
19 revised 4-3-19.)

20 (730 ILCS 5/5-4.5-30)

21 (Text of Section before amendment by P.A. 100-1182)

22 Sec. 5-4.5-30. CLASS 1 FELONIES; SENTENCE. For a Class 1
23 felony:

24 (a) TERM. The sentence of imprisonment, other than for
25 second degree murder, shall be a determinate sentence of not

1 less than 4 years and not more than 15 years. The sentence of
2 imprisonment for second degree murder shall be a determinate
3 sentence of not less than 4 years and not more than 20 years.
4 The sentence of imprisonment for an extended term Class 1
5 felony, as provided in Section 5-8-2 (730 ILCS 5/5-8-2), shall
6 be a term not less than 15 years and not more than 30 years.

7 (b) PERIODIC IMPRISONMENT. A sentence of periodic
8 imprisonment shall be for a definite term of from 3 to 4 years,
9 except as otherwise provided in Section 5-5-3 or 5-7-1 (730
10 ILCS 5/5-5-3 or 5/5-7-1).

11 (c) IMPACT INCARCERATION. See Sections 5-8-1.1 and 5-8-1.2
12 (730 ILCS 5/5-8-1.1 and 5/5-8-1.2) concerning eligibility for
13 the impact incarceration program or the county impact
14 incarceration program.

15 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided
16 in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the
17 period of probation or conditional discharge shall not exceed 4
18 years. The court shall specify the conditions of probation or
19 conditional discharge as set forth in Section 5-6-3 (730 ILCS
20 5/5-6-3). In no case shall an offender be eligible for a
21 disposition of probation or conditional discharge for a Class 1
22 felony committed while he or she was serving a term of
23 probation or conditional discharge for a felony.

24 (e) FINE. Fines may be imposed as provided in Section
25 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

26 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)

1 concerning restitution.

2 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall
3 be concurrent or consecutive as provided in Section 5-8-4 (730
4 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

5 (h) DRUG COURT. See Section 20 of the Drug Court Treatment
6 Act (730 ILCS 166/20) concerning eligibility for a drug court
7 program.

8 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730
9 ILCS 5/5-4.5-100) concerning credit for time spent in home
10 detention prior to judgment.

11 (j) SENTENCE CREDIT. See Section 3-6-3 of this Code (730
12 ILCS 5/3-6-3) or the County Jail Good Behavior Allowance Act
13 (730 ILCS 130/) for rules and regulations for sentence credit.

14 (k) ELECTRONIC MONITORING AND HOME DETENTION. See Section
15 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for
16 electronic monitoring and home detention.

17 (l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as
18 provided in Section 3-3-8 or 5-8-1 (730 ILCS 5/3-3-8 or
19 5/5-8-1), the parole or mandatory supervised release term shall
20 be 2 years upon release from imprisonment.

21 (Source: P.A. 100-431, eff. 8-25-17.)

22 (Text of Section after amendment by P.A. 100-1182)

23 Sec. 5-4.5-30. CLASS 1 FELONIES; SENTENCE. For a Class 1
24 felony:

25 (a) TERM. The sentence of imprisonment, other than for

1 second degree murder, shall be a determinate sentence of not
2 less than 4 years and not more than 15 years, subject to
3 Section 5-4.5-115 ~~5-4.5-110~~ of this Code. The sentence of
4 imprisonment for second degree murder shall be a determinate
5 sentence of not less than 4 years and not more than 20 years,
6 subject to Section 5-4.5-115 ~~5-4.5-110~~ of this Code. The
7 sentence of imprisonment for an extended term Class 1 felony,
8 as provided in Section 5-8-2 (730 ILCS 5/5-8-2), subject to
9 Section 5-4.5-115 ~~5-4.5-110~~ of this Code, shall be a term not
10 less than 15 years and not more than 30 years.

11 (b) PERIODIC IMPRISONMENT. A sentence of periodic
12 imprisonment shall be for a definite term of from 3 to 4 years,
13 except as otherwise provided in Section 5-5-3 or 5-7-1 (730
14 ILCS 5/5-5-3 or 5/5-7-1).

15 (c) IMPACT INCARCERATION. See Sections 5-8-1.1 and 5-8-1.2
16 (730 ILCS 5/5-8-1.1 and 5/5-8-1.2) concerning eligibility for
17 the impact incarceration program or the county impact
18 incarceration program.

19 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided
20 in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the
21 period of probation or conditional discharge shall not exceed 4
22 years. The court shall specify the conditions of probation or
23 conditional discharge as set forth in Section 5-6-3 (730 ILCS
24 5/5-6-3). In no case shall an offender be eligible for a
25 disposition of probation or conditional discharge for a Class 1
26 felony committed while he or she was serving a term of

1 probation or conditional discharge for a felony.

2 (e) FINE. Fines may be imposed as provided in Section
3 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

4 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)
5 concerning restitution.

6 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall
7 be concurrent or consecutive as provided in Section 5-8-4 (730
8 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

9 (h) DRUG COURT. See Section 20 of the Drug Court Treatment
10 Act (730 ILCS 166/20) concerning eligibility for a drug court
11 program.

12 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730
13 ILCS 5/5-4.5-100) concerning credit for time spent in home
14 detention prior to judgment.

15 (j) SENTENCE CREDIT. See Section 3-6-3 of this Code (730
16 ILCS 5/3-6-3) or the County Jail Good Behavior Allowance Act
17 (730 ILCS 130/) for rules and regulations for sentence credit.

18 (k) ELECTRONIC MONITORING AND HOME DETENTION. See Section
19 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for
20 electronic monitoring and home detention.

21 (l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as
22 provided in Section 3-3-8 or 5-8-1 (730 ILCS 5/3-3-8 or
23 5/5-8-1), the parole or mandatory supervised release term shall
24 be 2 years upon release from imprisonment.

25 (Source: P.A. 100-431, eff. 8-25-17; 100-1182, eff. 6-1-19;
26 revised 4-3-19.)

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

2 (Text of Section before amendment by P.A. 100-1182)

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

5 (a) Except as otherwise provided in the statute defining
6 the offense or in Article 4.5 of Chapter V, a sentence of
7 imprisonment for a felony shall be a determinate sentence set
8 by the court under this Section, according to the following
9 limitations:

10 (1) for first degree murder,

11 (a) (blank),

12 (b) if a trier of fact finds beyond a reasonable
13 doubt that the murder was accompanied by exceptionally
14 brutal or heinous behavior indicative of wanton
15 cruelty or, except as set forth in subsection (a) (1) (c)
16 of this Section, that any of the aggravating factors
17 listed in subsection (b) or (b-5) of Section 9-1 of the
18 Criminal Code of 1961 or the Criminal Code of 2012 are
19 present, the court may sentence the defendant, subject
20 to Section 5-4.5-105, to a term of natural life
21 imprisonment, or

22 (c) the court shall sentence the defendant to a
23 term of natural life imprisonment if the defendant, at
24 the time of the commission of the murder, had attained
25 the age of 18, and

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

3 (ii) is found guilty of murdering more than one
4 victim, or

5 (iii) is found guilty of murdering a peace
6 officer, fireman, or emergency management worker
7 when the peace officer, fireman, or emergency
8 management worker was killed in the course of
9 performing his official duties, or to prevent the
10 peace officer or fireman from performing his
11 official duties, or in retaliation for the peace
12 officer, fireman, or emergency management worker
13 from performing his official duties, and the
14 defendant knew or should have known that the
15 murdered individual was a peace officer, fireman,
16 or emergency management worker, or

17 (iv) is found guilty of murdering an employee
18 of an institution or facility of the Department of
19 Corrections, or any similar local correctional
20 agency, when the employee was killed in the course
21 of performing his official duties, or to prevent
22 the employee from performing his official duties,
23 or in retaliation for the employee performing his
24 official duties, or

25 (v) is found guilty of murdering an emergency
26 medical technician - ambulance, emergency medical

1 technician - intermediate, emergency medical
2 technician - paramedic, ambulance driver or other
3 medical assistance or first aid person while
4 employed by a municipality or other governmental
5 unit when the person was killed in the course of
6 performing official duties or to prevent the
7 person from performing official duties or in
8 retaliation for performing official duties and the
9 defendant knew or should have known that the
10 murdered individual was an emergency medical
11 technician - ambulance, emergency medical
12 technician - intermediate, emergency medical
13 technician - paramedic, ambulance driver, or other
14 medical assistant or first aid personnel, or

15 (vi) (blank), or

16 (vii) is found guilty of first degree murder
17 and the murder was committed by reason of any
18 person's activity as a community policing
19 volunteer or to prevent any person from engaging in
20 activity as a community policing volunteer. For
21 the purpose of this Section, "community policing
22 volunteer" has the meaning ascribed to it in
23 Section 2-3.5 of the Criminal Code of 2012.

24 For purposes of clause (v), "emergency medical
25 technician - ambulance", "emergency medical technician
26 - intermediate", "emergency medical technician -

1 paramedic", have the meanings ascribed to them in the
2 Emergency Medical Services (EMS) Systems Act.

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

6 (ii) if, during the commission of the offense,
7 the person personally discharged a firearm, 20
8 years shall be added to the term of imprisonment
9 imposed by the court;

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

17 (2) (blank);

18 (2.5) for a person who has attained the age of 18 years
19 at the time of the commission of the offense and who is
20 convicted under the circumstances described in subdivision
21 (b) (1) (B) of Section 11-1.20 or paragraph (3) of subsection
22 (b) of Section 12-13, subdivision (d) (2) of Section 11-1.30
23 or paragraph (2) of subsection (d) of Section 12-14,
24 subdivision (b) (1.2) of Section 11-1.40 or paragraph (1.2)
25 of subsection (b) of Section 12-14.1, subdivision (b) (2) of
26 Section 11-1.40 or paragraph (2) of subsection (b) of

1 Section 12-14.1 of the Criminal Code of 1961 or the
2 Criminal Code of 2012, the sentence shall be a term of
3 natural life imprisonment.

4 (b) (Blank).

5 (c) (Blank).

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

9 (1) for first degree murder or a Class X felony except
10 for the offenses of predatory criminal sexual assault of a
11 child, aggravated criminal sexual assault, and criminal
12 sexual assault if committed on or after the effective date
13 of this amendatory Act of the 94th General Assembly and
14 except for the offense of aggravated child pornography
15 under Section 11-20.1B, 11-20.3, or 11-20.1 with
16 sentencing under subsection (c-5) of Section 11-20.1 of the
17 Criminal Code of 1961 or the Criminal Code of 2012, if
18 committed on or after January 1, 2009, 3 years;

19 (2) for a Class 1 felony or a Class 2 felony except for
20 the offense of criminal sexual assault if committed on or
21 after the effective date of this amendatory Act of the 94th
22 General Assembly and except for the offenses of manufacture
23 and dissemination of child pornography under clauses
24 (a) (1) and (a) (2) of Section 11-20.1 of the Criminal Code
25 of 1961 or the Criminal Code of 2012, if committed on or
26 after January 1, 2009, 2 years;

1 (3) for a Class 3 felony or a Class 4 felony, 1 year;

2 (4) for defendants who commit the offense of predatory
3 criminal sexual assault of a child, aggravated criminal
4 sexual assault, or criminal sexual assault, on or after the
5 effective date of this amendatory Act of the 94th General
6 Assembly, or who commit the offense of aggravated child
7 pornography under Section 11-20.1B, 11-20.3, or 11-20.1
8 with sentencing under subsection (c-5) of Section 11-20.1
9 of the Criminal Code of 1961 or the Criminal Code of 2012,
10 manufacture of child pornography, or dissemination of
11 child pornography after January 1, 2009, the term of
12 mandatory supervised release shall range from a minimum of
13 3 years to a maximum of the natural life of the defendant;

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

20 (6) for a felony domestic battery, aggravated domestic
21 battery, stalking, aggravated stalking, and a felony
22 violation of an order of protection, 4 years.

23 (e) (Blank).

24 (f) (Blank).

25 (Source: P.A. 99-69, eff. 1-1-16; 99-875, eff. 1-1-17; 100-431,
26 eff. 8-25-17.)

1 (Text of Section after amendment by P.A. 100-1182)

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

4 (a) Except as otherwise provided in the statute defining
5 the offense or in Article 4.5 of Chapter V, a sentence of
6 imprisonment for a felony shall be a determinate sentence set
7 by the court under this Section, subject to Section 5-4.5-115
8 ~~5-4.5-110~~ of this Code, according to the following limitations:

9 (1) for first degree murder,

10 (a) (blank),

11 (b) if a trier of fact finds beyond a reasonable
12 doubt that the murder was accompanied by exceptionally
13 brutal or heinous behavior indicative of wanton
14 cruelty or, except as set forth in subsection (a) (1) (c)
15 of this Section, that any of the aggravating factors
16 listed in subsection (b) or (b-5) of Section 9-1 of the
17 Criminal Code of 1961 or the Criminal Code of 2012 are
18 present, the court may sentence the defendant, subject
19 to Section 5-4.5-105, to a term of natural life
20 imprisonment, or

21 (c) the court shall sentence the defendant to a
22 term of natural life imprisonment if the defendant, at
23 the time of the commission of the murder, had attained
24 the age of 18, and

25 (i) has previously been convicted of first

1 degree murder under any state or federal law, or

2 (ii) is found guilty of murdering more than one
3 victim, or

4 (iii) is found guilty of murdering a peace
5 officer, fireman, or emergency management worker
6 when the peace officer, fireman, or emergency
7 management worker was killed in the course of
8 performing his official duties, or to prevent the
9 peace officer or fireman from performing his
10 official duties, or in retaliation for the peace
11 officer, fireman, or emergency management worker
12 from performing his official duties, and the
13 defendant knew or should have known that the
14 murdered individual was a peace officer, fireman,
15 or emergency management worker, or

16 (iv) is found guilty of murdering an employee
17 of an institution or facility of the Department of
18 Corrections, or any similar local correctional
19 agency, when the employee was killed in the course
20 of performing his official duties, or to prevent
21 the employee from performing his official duties,
22 or in retaliation for the employee performing his
23 official duties, or

24 (v) is found guilty of murdering an emergency
25 medical technician - ambulance, emergency medical
26 technician - intermediate, emergency medical

1 technician - paramedic, ambulance driver or other
2 medical assistance or first aid person while
3 employed by a municipality or other governmental
4 unit when the person was killed in the course of
5 performing official duties or to prevent the
6 person from performing official duties or in
7 retaliation for performing official duties and the
8 defendant knew or should have known that the
9 murdered individual was an emergency medical
10 technician - ambulance, emergency medical
11 technician - intermediate, emergency medical
12 technician - paramedic, ambulance driver, or other
13 medical assistant or first aid personnel, or

14 (vi) (blank), or

15 (vii) is found guilty of first degree murder
16 and the murder was committed by reason of any
17 person's activity as a community policing
18 volunteer or to prevent any person from engaging in
19 activity as a community policing volunteer. For
20 the purpose of this Section, "community policing
21 volunteer" has the meaning ascribed to it in
22 Section 2-3.5 of the Criminal Code of 2012.

23 For purposes of clause (v), "emergency medical
24 technician - ambulance", "emergency medical technician
25 - intermediate", "emergency medical technician -
26 paramedic", have the meanings ascribed to them in the

1 Emergency Medical Services (EMS) Systems Act.

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

5 (ii) if, during the commission of the offense,
6 the person personally discharged a firearm, 20
7 years shall be added to the term of imprisonment
8 imposed by the court;

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

16 (2) (blank);

17 (2.5) for a person who has attained the age of 18 years
18 at the time of the commission of the offense and who is
19 convicted under the circumstances described in subdivision
20 (b) (1) (B) of Section 11-1.20 or paragraph (3) of subsection
21 (b) of Section 12-13, subdivision (d) (2) of Section 11-1.30
22 or paragraph (2) of subsection (d) of Section 12-14,
23 subdivision (b) (1.2) of Section 11-1.40 or paragraph (1.2)
24 of subsection (b) of Section 12-14.1, subdivision (b) (2) of
25 Section 11-1.40 or paragraph (2) of subsection (b) of
26 Section 12-14.1 of the Criminal Code of 1961 or the

1 Criminal Code of 2012, the sentence shall be a term of
2 natural life imprisonment.

3 (b) (Blank).

4 (c) (Blank).

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

8 (1) for first degree murder or a Class X felony except
9 for the offenses of predatory criminal sexual assault of a
10 child, aggravated criminal sexual assault, and criminal
11 sexual assault if committed on or after the effective date
12 of this amendatory Act of the 94th General Assembly and
13 except for the offense of aggravated child pornography
14 under Section 11-20.1B, 11-20.3, or 11-20.1 with
15 sentencing under subsection (c-5) of Section 11-20.1 of the
16 Criminal Code of 1961 or the Criminal Code of 2012, if
17 committed on or after January 1, 2009, 3 years;

18 (2) for a Class 1 felony or a Class 2 felony except for
19 the offense of criminal sexual assault if committed on or
20 after the effective date of this amendatory Act of the 94th
21 General Assembly and except for the offenses of manufacture
22 and dissemination of child pornography under clauses
23 (a)(1) and (a)(2) of Section 11-20.1 of the Criminal Code
24 of 1961 or the Criminal Code of 2012, if committed on or
25 after January 1, 2009, 2 years;

26 (3) for a Class 3 felony or a Class 4 felony, 1 year;

1 (4) for defendants who commit the offense of predatory
2 criminal sexual assault of a child, aggravated criminal
3 sexual assault, or criminal sexual assault, on or after the
4 effective date of this amendatory Act of the 94th General
5 Assembly, or who commit the offense of aggravated child
6 pornography under Section 11-20.1B, 11-20.3, or 11-20.1
7 with sentencing under subsection (c-5) of Section 11-20.1
8 of the Criminal Code of 1961 or the Criminal Code of 2012,
9 manufacture of child pornography, or dissemination of
10 child pornography after January 1, 2009, the term of
11 mandatory supervised release shall range from a minimum of
12 3 years to a maximum of the natural life of the defendant;

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

19 (6) for a felony domestic battery, aggravated domestic
20 battery, stalking, aggravated stalking, and a felony
21 violation of an order of protection, 4 years.

22 (e) (Blank).

23 (f) (Blank).

24 (Source: P.A. 99-69, eff. 1-1-16; 99-875, eff. 1-1-17; 100-431,
25 eff. 8-25-17; 100-1182, eff. 6-1-19; revised 4-3-19.)

1 Section 15. The Open Parole Hearings Act is amended by
2 changing Sections 10 and 25 as follows:

3 (730 ILCS 105/10) (from Ch. 38, par. 1660)

4 Sec. 10. Victim ~~Victim's~~ statements.

5 (a) The Board shall receive and consider victim statements.

6 (a-5) Pursuant to paragraph (19) of subsection (b) of
7 Section 4.5 of the Rights of Crime Victims and Witnesses Act
8 ~~Upon request of the victim,~~ the State's Attorney shall forward
9 a copy of any statement presented at the time of trial to the
10 Prisoner Review Board to be considered at the time of a parole
11 hearing.

12 (b) The victim has the right to submit a victim statement
13 for consideration by the Prisoner Review Board in writing, on
14 film, videotape, or other electronic means, or in the form of a
15 recording prior to the parole hearing, or orally at the parole
16 hearing, or by calling the toll-free number established in
17 subsection (f) of Section 4.5 of the Rights of Crime Victims
18 and Witnesses Act. Victim statements shall not be considered
19 public documents under provisions of the Freedom of Information
20 Act.

21 (b-5) Other than as provided in subsection (c), the Board
22 shall not release any material to the inmate, the inmate's
23 attorney, any third party, or any other person that contains
24 any information from a victim who has provided a victim
25 statement to the Board, unless provided with a waiver from that

1 victim. The Board shall not release the names or addresses of
2 any person on its victim registry to any other person except
3 the victim, a law enforcement agency, or other victim
4 notification system. Victim statements provided to the Board
5 shall be confidential and privileged, including any statements
6 received prior to the effective date of this amendatory Act of
7 the 101st General Assembly, except if the statement was an oral
8 statement made by the victim at a hearing open to the public.

9 (c) The inmate or his or her attorney shall be informed of
10 the existence of a victim statement and its contents under
11 provisions of Board rules. This shall not be construed to
12 permit disclosure to an inmate of any information which might
13 result in the risk of threats or physical harm to a victim or
14 complaining witness.

15 (d) The inmate shall be given the opportunity to answer a
16 victim statement, either orally or in writing.

17 (e) All victim statements, except if the statement was an
18 oral statement made by the victim at a hearing open to the
19 public, shall be part of the applicant's, releasee's, or
20 parolee's parole file. ~~The victim may enter a statement either~~
21 ~~oral, written, on video tape, or other electronic means in the~~
22 ~~form and manner described by the Prisoner Review Board to be~~
23 ~~considered at the time of a parole consideration hearing.~~

24 (Source: P.A. 98-558, eff. 1-1-14; 99-628, eff. 1-1-17.)

1 Sec. 25. Notification of future parole hearings.

2 (a) The Board shall notify the State's Attorney of the
3 committing county of the pending hearing and the victim of all
4 forthcoming parole hearings at least 15 days in advance.
5 Written notification shall contain:

6 (1) notification of the place of the hearing;

7 (2) the date and approximate time of the hearing;

8 (3) their right to enter a statement, to appear in
9 person, and to submit other information by video tape, tape
10 recording, or other electronic means in the form and manner
11 described by the Board or ~~if a victim of a violent crime as~~
12 ~~defined in subsection (c) of Section 3 of the Rights of~~
13 ~~Crime Victims and Witnesses Act,~~ by calling the toll-free
14 number established in subsection (f) of Section 4.5 of the
15 Rights of Crime Victims and Witnesses Act ~~subsection (f) of~~
16 ~~that Section.~~

17 Notification to the victims shall be at the last known
18 address of the victim. It shall be the responsibility of the
19 victim to notify the board of any changes in address and name.

20 (b) However, at any time the victim may request by a
21 written certified statement that the Prisoner Review Board stop
22 sending notice under this Section.

23 (c) (Blank).

24 (d) No later than 7 days after a parole hearing the Board
25 shall send notice of its decision to the State's Attorney and
26 victim. If parole is denied, the Board shall within a

1 reasonable period of time notify the victim of the month and
2 year of the next scheduled hearing.

3 (Source: P.A. 93-235, eff. 7-22-03.)

4 (730 ILCS 105/35 rep.)

5 Section 20. The Open Parole Hearings Act is amended by
6 repealing Section 35.

7 Section 95. No acceleration or delay. Where this Act makes
8 changes in a statute that is represented in this Act by text
9 that is not yet or no longer in effect (for example, a Section
10 represented by multiple versions), the use of that text does
11 not accelerate or delay the taking effect of (i) the changes
12 made by this Act or (ii) provisions derived from any other
13 Public Act.".