



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1568

Introduced 2/22/2007, by Rep. Wyvetter H. Younge

SYNOPSIS AS INTRODUCED:

730 ILCS 5/5-5-3

from Ch. 38, par. 1005-5-3

Amends the Unified Code of Corrections. Provides that subject to appropriations, the court may order an offender convicted of prostitution or patronizing a prostitute to seek social service counseling, proper medical screening, and treatment in addition to other remedies that the court may impose. Provides that subject to appropriations, a person convicted of or placed on supervision for prostitution shall be referred to a community based behavioral health continuum or care facility for addiction evaluation and treatment.

LRB095 10405 RLC 30620 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT in relation to criminal law.

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

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

6 (730 ILCS 5/5-5-3) (from Ch. 38, par. 1005-5-3)
7 Sec. 5-5-3. Disposition.

8 (a) Except as provided in Section 11-501 of the Illinois
9 Vehicle Code, every person convicted of an offense shall be
10 sentenced as provided in this Section.

11 (b) The following options shall be appropriate
12 dispositions, alone or in combination, for all felonies and
13 misdemeanors other than those identified in subsection (c) of
14 this Section:

15 (1) A period of probation.

16 (2) A term of periodic imprisonment.

17 (3) A term of conditional discharge.

18 (4) A term of imprisonment.

19 (5) An order directing the offender to clean up and
20 repair the damage, if the offender was convicted under
21 paragraph (h) of Section 21-1 of the Criminal Code of 1961
22 (now repealed).

23 (6) A fine.

1 (7) An order directing the offender to make restitution
2 to the victim under Section 5-5-6 of this Code.

3 (8) A sentence of participation in a county impact
4 incarceration program under Section 5-8-1.2 of this Code.

5 (9) A term of imprisonment in combination with a term
6 of probation when the offender has been admitted into a
7 drug court program under Section 20 of the Drug Court
8 Treatment Act.

9 (10) Subject to appropriations, an order directing the
10 offender to seek social service counseling, proper medical
11 screening, and treatment in addition to other remedies set
12 forth in this Section, if the offender was convicted under
13 Section 11-14 or 11-18 of the Criminal Code of 1961.

14 Neither a fine nor restitution shall be the sole
15 disposition for a felony and either or both may be imposed only
16 in conjunction with another disposition.

17 (c) (1) When a defendant is found guilty of first degree
18 murder the State may either seek a sentence of imprisonment
19 under Section 5-8-1 of this Code, or where appropriate seek
20 a sentence of death under Section 9-1 of the Criminal Code
21 of 1961.

22 (2) A period of probation, a term of periodic
23 imprisonment or conditional discharge shall not be imposed
24 for the following offenses. The court shall sentence the
25 offender to not less than the minimum term of imprisonment
26 set forth in this Code for the following offenses, and may

1 order a fine or restitution or both in conjunction with
2 such term of imprisonment:

3 (A) First degree murder where the death penalty is
4 not imposed.

5 (B) Attempted first degree murder.

6 (C) A Class X felony.

7 (D) A violation of Section 401.1 or 407 of the
8 Illinois Controlled Substances Act, or a violation of
9 subdivision (c) (1) or (c) (2) of Section 401 of that Act
10 which relates to more than 5 grams of a substance
11 containing heroin or cocaine or an analog thereof.

12 (E) A violation of Section 5.1 or 9 of the Cannabis
13 Control Act.

14 (F) A Class 2 or greater felony if the offender had
15 been convicted of a Class 2 or greater felony within 10
16 years of the date on which the offender committed the
17 offense for which he or she is being sentenced, except
18 as otherwise provided in Section 40-10 of the
19 Alcoholism and Other Drug Abuse and Dependency Act.

20 (F-5) A violation of Section 24-1, 24-1.1, or
21 24-1.6 of the Criminal Code of 1961 for which
22 imprisonment is prescribed in those Sections.

23 (G) Residential burglary, except as otherwise
24 provided in Section 40-10 of the Alcoholism and Other
25 Drug Abuse and Dependency Act.

26 (H) Criminal sexual assault.

1 (I) Aggravated battery of a senior citizen.

2 (J) A forcible felony if the offense was related to
3 the activities of an organized gang.

4 Before July 1, 1994, for the purposes of this
5 paragraph, "organized gang" means an association of 5
6 or more persons, with an established hierarchy, that
7 encourages members of the association to perpetrate
8 crimes or provides support to the members of the
9 association who do commit crimes.

10 Beginning July 1, 1994, for the purposes of this
11 paragraph, "organized gang" has the meaning ascribed
12 to it in Section 10 of the Illinois Streetgang
13 Terrorism Omnibus Prevention Act.

14 (K) Vehicular hijacking.

15 (L) A second or subsequent conviction for the
16 offense of hate crime when the underlying offense upon
17 which the hate crime is based is felony aggravated
18 assault or felony mob action.

19 (M) A second or subsequent conviction for the
20 offense of institutional vandalism if the damage to the
21 property exceeds \$300.

22 (N) A Class 3 felony violation of paragraph (1) of
23 subsection (a) of Section 2 of the Firearm Owners
24 Identification Card Act.

25 (O) A violation of Section 12-6.1 of the Criminal
26 Code of 1961.

1 (P) A violation of paragraph (1), (2), (3), (4),
2 (5), or (7) of subsection (a) of Section 11-20.1 of the
3 Criminal Code of 1961.

4 (Q) A violation of Section 20-1.2 or 20-1.3 of the
5 Criminal Code of 1961.

6 (R) A violation of Section 24-3A of the Criminal
7 Code of 1961.

8 (S) (Blank).

9 (T) A second or subsequent violation of the
10 Methamphetamine Control and Community Protection Act.

11 (3) (Blank).

12 (4) A minimum term of imprisonment of not less than 10
13 consecutive days or 30 days of community service shall be
14 imposed for a violation of paragraph (c) of Section 6-303
15 of the Illinois Vehicle Code.

16 (4.1) (Blank).

17 (4.2) Except as provided in paragraph (4.3) of this
18 subsection (c), a minimum of 100 hours of community service
19 shall be imposed for a second violation of Section 6-303 of
20 the Illinois Vehicle Code.

21 (4.3) A minimum term of imprisonment of 30 days or 300
22 hours of community service, as determined by the court,
23 shall be imposed for a second violation of subsection (c)
24 of Section 6-303 of the Illinois Vehicle Code.

25 (4.4) Except as provided in paragraph (4.5) and
26 paragraph (4.6) of this subsection (c), a minimum term of

1 imprisonment of 30 days or 300 hours of community service,
2 as determined by the court, shall be imposed for a third or
3 subsequent violation of Section 6-303 of the Illinois
4 Vehicle Code.

5 (4.5) A minimum term of imprisonment of 30 days shall
6 be imposed for a third violation of subsection (c) of
7 Section 6-303 of the Illinois Vehicle Code.

8 (4.6) A minimum term of imprisonment of 180 days shall
9 be imposed for a fourth or subsequent violation of
10 subsection (c) of Section 6-303 of the Illinois Vehicle
11 Code.

12 (5) The court may sentence an offender convicted of a
13 business offense or a petty offense or a corporation or
14 unincorporated association convicted of any offense to:

15 (A) a period of conditional discharge;

16 (B) a fine;

17 (C) make restitution to the victim under Section
18 5-5-6 of this Code.

19 (5.1) In addition to any penalties imposed under
20 paragraph (5) of this subsection (c), and except as
21 provided in paragraph (5.2) or (5.3), a person convicted of
22 violating subsection (c) of Section 11-907 of the Illinois
23 Vehicle Code shall have his or her driver's license,
24 permit, or privileges suspended for at least 90 days but
25 not more than one year, if the violation resulted in damage
26 to the property of another person.

1 (5.2) In addition to any penalties imposed under
2 paragraph (5) of this subsection (c), and except as
3 provided in paragraph (5.3), a person convicted of
4 violating subsection (c) of Section 11-907 of the Illinois
5 Vehicle Code shall have his or her driver's license,
6 permit, or privileges suspended for at least 180 days but
7 not more than 2 years, if the violation resulted in injury
8 to another person.

9 (5.3) In addition to any penalties imposed under
10 paragraph (5) of this subsection (c), a person convicted of
11 violating subsection (c) of Section 11-907 of the Illinois
12 Vehicle Code shall have his or her driver's license,
13 permit, or privileges suspended for 2 years, if the
14 violation resulted in the death of another person.

15 (5.4) In addition to any penalties imposed under
16 paragraph (5) of this subsection (c), a person convicted of
17 violating Section 3-707 of the Illinois Vehicle Code shall
18 have his or her driver's license, permit, or privileges
19 suspended for 3 months and until he or she has paid a
20 reinstatement fee of \$100.

21 (5.5) In addition to any penalties imposed under
22 paragraph (5) of this subsection (c), a person convicted of
23 violating Section 3-707 of the Illinois Vehicle Code during
24 a period in which his or her driver's license, permit, or
25 privileges were suspended for a previous violation of that
26 Section shall have his or her driver's license, permit, or

1 privileges suspended for an additional 6 months after the
2 expiration of the original 3-month suspension and until he
3 or she has paid a reinstatement fee of \$100.

4 (6) In no case shall an offender be eligible for a
5 disposition of probation or conditional discharge for a
6 Class 1 felony committed while he was serving a term of
7 probation or conditional discharge for a felony.

8 (7) When a defendant is adjudged a habitual criminal
9 under Article 33B of the Criminal Code of 1961, the court
10 shall sentence the defendant to a term of natural life
11 imprisonment.

12 (8) When a defendant, over the age of 21 years, is
13 convicted of a Class 1 or Class 2 felony, after having
14 twice been convicted in any state or federal court of an
15 offense that contains the same elements as an offense now
16 classified in Illinois as a Class 2 or greater Class felony
17 and such charges are separately brought and tried and arise
18 out of different series of acts, such defendant shall be
19 sentenced as a Class X offender. This paragraph shall not
20 apply unless (1) the first felony was committed after the
21 effective date of this amendatory Act of 1977; and (2) the
22 second felony was committed after conviction on the first;
23 and (3) the third felony was committed after conviction on
24 the second. A person sentenced as a Class X offender under
25 this paragraph is not eligible to apply for treatment as a
26 condition of probation as provided by Section 40-10 of the

1 Alcoholism and Other Drug Abuse and Dependency Act.

2 (9) A defendant convicted of a second or subsequent
3 offense of ritualized abuse of a child may be sentenced to
4 a term of natural life imprisonment.

5 (10) (Blank).

6 (11) The court shall impose a minimum fine of \$1,000
7 for a first offense and \$2,000 for a second or subsequent
8 offense upon a person convicted of or placed on supervision
9 for battery when the individual harmed was a sports
10 official or coach at any level of competition and the act
11 causing harm to the sports official or coach occurred
12 within an athletic facility or within the immediate
13 vicinity of the athletic facility at which the sports
14 official or coach was an active participant of the athletic
15 contest held at the athletic facility. For the purposes of
16 this paragraph (11), "sports official" means a person at an
17 athletic contest who enforces the rules of the contest,
18 such as an umpire or referee; "athletic facility" means an
19 indoor or outdoor playing field or recreational area where
20 sports activities are conducted; and "coach" means a person
21 recognized as a coach by the sanctioning authority that
22 conducted the sporting event.

23 (12) A person may not receive a disposition of court
24 supervision for a violation of Section 5-16 of the Boat
25 Registration and Safety Act if that person has previously
26 received a disposition of court supervision for a violation

1 of that Section.

2 (d) In any case in which a sentence originally imposed is
3 vacated, the case shall be remanded to the trial court. The
4 trial court shall hold a hearing under Section 5-4-1 of the
5 Unified Code of Corrections which may include evidence of the
6 defendant's life, moral character and occupation during the
7 time since the original sentence was passed. The trial court
8 shall then impose sentence upon the defendant. The trial court
9 may impose any sentence which could have been imposed at the
10 original trial subject to Section 5-5-4 of the Unified Code of
11 Corrections. If a sentence is vacated on appeal or on
12 collateral attack due to the failure of the trier of fact at
13 trial to determine beyond a reasonable doubt the existence of a
14 fact (other than a prior conviction) necessary to increase the
15 punishment for the offense beyond the statutory maximum
16 otherwise applicable, either the defendant may be re-sentenced
17 to a term within the range otherwise provided or, if the State
18 files notice of its intention to again seek the extended
19 sentence, the defendant shall be afforded a new trial.

20 (e) In cases where prosecution for aggravated criminal
21 sexual abuse under Section 12-16 of the Criminal Code of 1961
22 results in conviction of a defendant who was a family member of
23 the victim at the time of the commission of the offense, the
24 court shall consider the safety and welfare of the victim and
25 may impose a sentence of probation only where:

26 (1) the court finds (A) or (B) or both are appropriate:

1 (A) the defendant is willing to undergo a court
2 approved counseling program for a minimum duration of 2
3 years; or

4 (B) the defendant is willing to participate in a
5 court approved plan including but not limited to the
6 defendant's:

7 (i) removal from the household;

8 (ii) restricted contact with the victim;

9 (iii) continued financial support of the
10 family;

11 (iv) restitution for harm done to the victim;

12 and

13 (v) compliance with any other measures that
14 the court may deem appropriate; and

15 (2) the court orders the defendant to pay for the
16 victim's counseling services, to the extent that the court
17 finds, after considering the defendant's income and
18 assets, that the defendant is financially capable of paying
19 for such services, if the victim was under 18 years of age
20 at the time the offense was committed and requires
21 counseling as a result of the offense.

22 Probation may be revoked or modified pursuant to Section
23 5-6-4; except where the court determines at the hearing that
24 the defendant violated a condition of his or her probation
25 restricting contact with the victim or other family members or
26 commits another offense with the victim or other family

1 members, the court shall revoke the defendant's probation and
2 impose a term of imprisonment.

3 For the purposes of this Section, "family member" and
4 "victim" shall have the meanings ascribed to them in Section
5 12-12 of the Criminal Code of 1961.

6 (f) This Article shall not deprive a court in other
7 proceedings to order a forfeiture of property, to suspend or
8 cancel a license, to remove a person from office, or to impose
9 any other civil penalty.

10 (f-5) Subject to appropriations, a person convicted of
11 prostitution under Section 11-14 of the Criminal Code of 1961
12 shall be referred to a community based behavioral health
13 continuum or care facility for addiction evaluation and
14 treatment which may include, but is not limited to, clinical
15 mentally ill substance abuse screening, stress management,
16 psychosocial rehabilitation, parenting classes, employment
17 skills training, and family reunification activities.

18 (g) Whenever a defendant is convicted of an offense under
19 Sections 11-14, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-18.1,
20 11-19, 11-19.1, 11-19.2, 12-13, 12-14, 12-14.1, 12-15 or 12-16
21 of the Criminal Code of 1961, the defendant shall undergo
22 medical testing to determine whether the defendant has any
23 sexually transmissible disease, including a test for infection
24 with human immunodeficiency virus (HIV) or any other identified
25 causative agent of acquired immunodeficiency syndrome (AIDS).
26 Any such medical test shall be performed only by appropriately

1 licensed medical practitioners and may include an analysis of
2 any bodily fluids as well as an examination of the defendant's
3 person. Except as otherwise provided by law, the results of
4 such test shall be kept strictly confidential by all medical
5 personnel involved in the testing and must be personally
6 delivered in a sealed envelope to the judge of the court in
7 which the conviction was entered for the judge's inspection in
8 camera. Acting in accordance with the best interests of the
9 victim and the public, the judge shall have the discretion to
10 determine to whom, if anyone, the results of the testing may be
11 revealed. The court shall notify the defendant of the test
12 results. The court shall also notify the victim if requested by
13 the victim, and if the victim is under the age of 15 and if
14 requested by the victim's parents or legal guardian, the court
15 shall notify the victim's parents or legal guardian of the test
16 results. The court shall provide information on the
17 availability of HIV testing and counseling at Department of
18 Public Health facilities to all parties to whom the results of
19 the testing are revealed and shall direct the State's Attorney
20 to provide the information to the victim when possible. A
21 State's Attorney may petition the court to obtain the results
22 of any HIV test administered under this Section, and the court
23 shall grant the disclosure if the State's Attorney shows it is
24 relevant in order to prosecute a charge of criminal
25 transmission of HIV under Section 12-16.2 of the Criminal Code
26 of 1961 against the defendant. The court shall order that the

1 cost of any such test shall be paid by the county and may be
2 taxed as costs against the convicted defendant.

3 (g-5) When an inmate is tested for an airborne communicable
4 disease, as determined by the Illinois Department of Public
5 Health including but not limited to tuberculosis, the results
6 of the test shall be personally delivered by the warden or his
7 or her designee in a sealed envelope to the judge of the court
8 in which the inmate must appear for the judge's inspection in
9 camera if requested by the judge. Acting in accordance with the
10 best interests of those in the courtroom, the judge shall have
11 the discretion to determine what if any precautions need to be
12 taken to prevent transmission of the disease in the courtroom.

13 (h) Whenever a defendant is convicted of an offense under
14 Section 1 or 2 of the Hypodermic Syringes and Needles Act, the
15 defendant shall undergo medical testing to determine whether
16 the defendant has been exposed to human immunodeficiency virus
17 (HIV) or any other identified causative agent of acquired
18 immunodeficiency syndrome (AIDS). Except as otherwise provided
19 by law, the results of such test shall be kept strictly
20 confidential by all medical personnel involved in the testing
21 and must be personally delivered in a sealed envelope to the
22 judge of the court in which the conviction was entered for the
23 judge's inspection in camera. Acting in accordance with the
24 best interests of the public, the judge shall have the
25 discretion to determine to whom, if anyone, the results of the
26 testing may be revealed. The court shall notify the defendant

1 of a positive test showing an infection with the human
2 immunodeficiency virus (HIV). The court shall provide
3 information on the availability of HIV testing and counseling
4 at Department of Public Health facilities to all parties to
5 whom the results of the testing are revealed and shall direct
6 the State's Attorney to provide the information to the victim
7 when possible. A State's Attorney may petition the court to
8 obtain the results of any HIV test administered under this
9 Section, and the court shall grant the disclosure if the
10 State's Attorney shows it is relevant in order to prosecute a
11 charge of criminal transmission of HIV under Section 12-16.2 of
12 the Criminal Code of 1961 against the defendant. The court
13 shall order that the cost of any such test shall be paid by the
14 county and may be taxed as costs against the convicted
15 defendant.

16 (i) All fines and penalties imposed under this Section for
17 any violation of Chapters 3, 4, 6, and 11 of the Illinois
18 Vehicle Code, or a similar provision of a local ordinance, and
19 any violation of the Child Passenger Protection Act, or a
20 similar provision of a local ordinance, shall be collected and
21 disbursed by the circuit clerk as provided under Section 27.5
22 of the Clerks of Courts Act.

23 (j) In cases when prosecution for any violation of Section
24 11-6, 11-8, 11-9, 11-11, 11-14, 11-15, 11-15.1, 11-16, 11-17,
25 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20.1,
26 11-21, 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal

1 Code of 1961, any violation of the Illinois Controlled
2 Substances Act, any violation of the Cannabis Control Act, or
3 any violation of the Methamphetamine Control and Community
4 Protection Act results in conviction, a disposition of court
5 supervision, or an order of probation granted under Section 10
6 of the Cannabis Control Act, Section 410 of the Illinois
7 Controlled Substance Act, or Section 70 of the Methamphetamine
8 Control and Community Protection Act of a defendant, the court
9 shall determine whether the defendant is employed by a facility
10 or center as defined under the Child Care Act of 1969, a public
11 or private elementary or secondary school, or otherwise works
12 with children under 18 years of age on a daily basis. When a
13 defendant is so employed, the court shall order the Clerk of
14 the Court to send a copy of the judgment of conviction or order
15 of supervision or probation to the defendant's employer by
16 certified mail. If the employer of the defendant is a school,
17 the Clerk of the Court shall direct the mailing of a copy of
18 the judgment of conviction or order of supervision or probation
19 to the appropriate regional superintendent of schools. The
20 regional superintendent of schools shall notify the State Board
21 of Education of any notification under this subsection.

22 (j-5) A defendant at least 17 years of age who is convicted
23 of a felony and who has not been previously convicted of a
24 misdemeanor or felony and who is sentenced to a term of
25 imprisonment in the Illinois Department of Corrections shall as
26 a condition of his or her sentence be required by the court to

1 attend educational courses designed to prepare the defendant
2 for a high school diploma and to work toward a high school
3 diploma or to work toward passing the high school level Test of
4 General Educational Development (GED) or to work toward
5 completing a vocational training program offered by the
6 Department of Corrections. If a defendant fails to complete the
7 educational training required by his or her sentence during the
8 term of incarceration, the Prisoner Review Board shall, as a
9 condition of mandatory supervised release, require the
10 defendant, at his or her own expense, to pursue a course of
11 study toward a high school diploma or passage of the GED test.
12 The Prisoner Review Board shall revoke the mandatory supervised
13 release of a defendant who wilfully fails to comply with this
14 subsection (j-5) upon his or her release from confinement in a
15 penal institution while serving a mandatory supervised release
16 term; however, the inability of the defendant after making a
17 good faith effort to obtain financial aid or pay for the
18 educational training shall not be deemed a wilful failure to
19 comply. The Prisoner Review Board shall recommit the defendant
20 whose mandatory supervised release term has been revoked under
21 this subsection (j-5) as provided in Section 3-3-9. This
22 subsection (j-5) does not apply to a defendant who has a high
23 school diploma or has successfully passed the GED test. This
24 subsection (j-5) does not apply to a defendant who is
25 determined by the court to be developmentally disabled or
26 otherwise mentally incapable of completing the educational or

1 vocational program.

2 (k) A court may not impose a sentence or disposition for a
3 felony or misdemeanor that requires the defendant to be
4 implanted or injected with or to use any form of birth control.

5 (l) (A) Except as provided in paragraph (C) of subsection
6 (l), whenever a defendant, who is an alien as defined by
7 the Immigration and Nationality Act, is convicted of any
8 felony or misdemeanor offense, the court after sentencing
9 the defendant may, upon motion of the State's Attorney,
10 hold sentence in abeyance and remand the defendant to the
11 custody of the Attorney General of the United States or his
12 or her designated agent to be deported when:

13 (1) a final order of deportation has been issued
14 against the defendant pursuant to proceedings under
15 the Immigration and Nationality Act, and

16 (2) the deportation of the defendant would not
17 deprecate the seriousness of the defendant's conduct
18 and would not be inconsistent with the ends of justice.

19 Otherwise, the defendant shall be sentenced as
20 provided in this Chapter V.

21 (B) If the defendant has already been sentenced for a
22 felony or misdemeanor offense, or has been placed on
23 probation under Section 10 of the Cannabis Control Act,
24 Section 410 of the Illinois Controlled Substances Act, or
25 Section 70 of the Methamphetamine Control and Community
26 Protection Act, the court may, upon motion of the State's

1 Attorney to suspend the sentence imposed, commit the
2 defendant to the custody of the Attorney General of the
3 United States or his or her designated agent when:

4 (1) a final order of deportation has been issued
5 against the defendant pursuant to proceedings under
6 the Immigration and Nationality Act, and

7 (2) the deportation of the defendant would not
8 deprecate the seriousness of the defendant's conduct
9 and would not be inconsistent with the ends of justice.

10 (C) This subsection (1) does not apply to offenders who
11 are subject to the provisions of paragraph (2) of
12 subsection (a) of Section 3-6-3.

13 (D) Upon motion of the State's Attorney, if a defendant
14 sentenced under this Section returns to the jurisdiction of
15 the United States, the defendant shall be recommitted to
16 the custody of the county from which he or she was
17 sentenced. Thereafter, the defendant shall be brought
18 before the sentencing court, which may impose any sentence
19 that was available under Section 5-5-3 at the time of
20 initial sentencing. In addition, the defendant shall not be
21 eligible for additional good conduct credit for
22 meritorious service as provided under Section 3-6-6.

23 (m) A person convicted of criminal defacement of property
24 under Section 21-1.3 of the Criminal Code of 1961, in which the
25 property damage exceeds \$300 and the property damaged is a
26 school building, shall be ordered to perform community service

1 that may include cleanup, removal, or painting over the
2 defacement.

3 (n) The court may sentence a person convicted of a
4 violation of Section 12-19, 12-21, or 16-1.3 of the Criminal
5 Code of 1961 (i) to an impact incarceration program if the
6 person is otherwise eligible for that program under Section
7 5-8-1.1, (ii) to community service, or (iii) if the person is
8 an addict or alcoholic, as defined in the Alcoholism and Other
9 Drug Abuse and Dependency Act, to a substance or alcohol abuse
10 program licensed under that Act.

11 (o) Whenever a person is convicted of a sex offense as
12 defined in Section 2 of the Sex Offender Registration Act, the
13 defendant's driver's license or permit shall be subject to
14 renewal on an annual basis in accordance with the provisions of
15 license renewal established by the Secretary of State.

16 (Source: P.A. 93-44, eff. 7-1-03; 93-156, eff. 1-1-04; 93-169,
17 eff. 7-10-03; 93-301, eff. 1-1-04; 93-419, eff. 1-1-04; 93-546,
18 eff. 1-1-04; 93-694, eff. 7-9-04; 93-782, eff. 1-1-05; 93-800,
19 eff. 1-1-05; 93-1014, eff. 1-1-05; 94-72, eff. 1-1-06; 94-556,
20 eff. 9-11-05; 94-993, eff. 1-1-07; 94-1035, eff. 7-1-07;
21 revised 8-28-06.)