



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4077

by Rep. Arthur Turner

SYNOPSIS AS INTRODUCED:

730 ILCS 130/3

from Ch. 75, par. 32

Amends the County Jail Good Behavior Allowance Act. Provides that a person who commences a sentence of confinement in a county jail for a fixed term of imprisonment after January 1, 1987 or who is sentenced to a term of probation or conditional discharge on or after January 1, 2018 is eligible for an additional sentence credit if the person successfully completed a full-time, 60-day or longer substance abuse program, educational program, behavior modification program, life skills course, or re-entry planning or who participates in a custodial job training program provided by the county department of corrections or county jail. Provides that this county program credit shall be calculated at sentencing and shall be included in the sentencing order. Provides that no inmate shall be eligible for the additional sentence credit under this provision while assigned to a boot camp or electronic detention.

LRB100 13021 RLC 27289 b

1 AN ACT concerning criminal law.

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

4 Section 5. The County Jail Good Behavior Allowance Act is
5 amended by changing Section 3 as follows:

6 (730 ILCS 130/3) (from Ch. 75, par. 32)

7 Sec. 3. Good behavior allowance; calculation.

8 (a) The good behavior of any person who commences a
9 sentence of confinement in a county jail for a fixed term of
10 imprisonment after January 1, 1987 or who is sentenced to a
11 term of probation or conditional discharge shall entitle such
12 person to a good behavior allowance, except that: (1) a person
13 who inflicted physical harm upon another person in committing
14 the offense for which he is confined shall receive no good
15 behavior allowance; and (2) a person sentenced for an offense
16 for which the law provides a mandatory minimum sentence shall
17 not receive any portion of a good behavior allowance that would
18 reduce the sentence below the mandatory minimum; and (3) a
19 person sentenced to a county impact incarceration program; and
20 (4) a person who is convicted of criminal sexual assault under
21 subdivision (a)(3) of Section 11-1.20 or paragraph (a)(3) of
22 Section 12-13 of the Criminal Code of 1961 or the Criminal Code
23 of 2012, criminal sexual abuse, or aggravated criminal sexual

1 abuse shall receive no good behavior allowance. The good
2 behavior allowance provided for in this Section shall not apply
3 to individuals sentenced for a felony to probation or
4 conditional discharge where a condition of such probation or
5 conditional discharge is that the individual serve a sentence
6 of periodic imprisonment or to individuals sentenced under an
7 order of court for civil contempt.

8 Such good behavior allowance shall be cumulative and
9 awarded as provided in this Section.

10 The good behavior allowance rate shall be cumulative and
11 awarded on the following basis:

12 The prisoner shall receive one day of good behavior
13 allowance for each day of service of sentence in the county
14 jail, and one day of good behavior allowance for each day of
15 incarceration in the county jail before sentencing for the
16 offense that he or she is currently serving sentence but was
17 unable to post bail before sentencing, except that a prisoner
18 serving a sentence of periodic imprisonment under Section 5-7-1
19 of the Unified Code of Corrections shall only be eligible to
20 receive good behavior allowance if authorized by the sentencing
21 judge. Each day of good behavior allowance shall reduce by one
22 day the prisoner's period of incarceration set by the court.
23 For the purpose of calculating a prisoner's good behavior
24 allowance, a fractional part of a day shall not be calculated
25 as a day of service of sentence in the county jail unless the
26 fractional part of the day is over 12 hours in which case a

1 whole day shall be credited on the good behavior allowance.

2 If consecutive sentences are served and the time served
3 amounts to a total of one year or more, the good behavior
4 allowance shall be calculated on a continuous basis throughout
5 the entire time served beginning on the first date of sentence
6 or incarceration, as the case may be.

7 (b) A person who commences a sentence of confinement in a
8 county jail for a fixed term of imprisonment after January 1,
9 1987 or who is sentenced to a term of probation or conditional
10 discharge on or after January 1, 2018 is eligible for an
11 additional sentence credit as provided in paragraph (4) of
12 subsection (a) of Section 3-6-3 of the Unified Code of
13 Corrections if the person successfully completed a full-time,
14 60-day or longer substance abuse program, educational program,
15 behavior modification program, life skills course, or re-entry
16 planning or who participates in a custodial job training
17 program provided by the county department of corrections or
18 county jail. This county program credit shall be calculated at
19 sentencing as provided in Section 5-4.5-100 of the Unified Code
20 of Corrections and shall be included in the sentencing order;
21 provided that no inmate shall be eligible for the additional
22 sentence credit under this subsection (b) while assigned to a
23 boot camp or electronic detention.

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