

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) Every person convicted of an offense shall be
9 sentenced as provided in this Section.

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

14 (1) A period of probation.

15 (2) A term of periodic imprisonment.

16 (3) A term of conditional discharge.

17 (4) A term of imprisonment.

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

22 (6) A fine.

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

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

28 Whenever an individual is sentenced for an offense based
29 upon an arrest for a violation of Section 11-501 of the
30 Illinois Vehicle Code, or a similar provision of a local
31 ordinance, and the professional evaluation recommends

1 remedial or rehabilitative treatment or education, neither
2 the treatment nor the education shall be the sole disposition
3 and either or both may be imposed only in conjunction with
4 another disposition. The court shall monitor compliance with
5 any remedial education or treatment recommendations contained
6 in the professional evaluation. Programs conducting alcohol
7 or other drug evaluation or remedial education must be
8 licensed by the Department of Human Services. However, if
9 the individual is not a resident of Illinois, the court may
10 accept an alcohol or other drug evaluation or remedial
11 education program in the state of such individual's
12 residence. Programs providing treatment must be licensed
13 under existing applicable alcoholism and drug treatment
14 licensure standards.

15 In addition to any other fine or penalty required by law,
16 any individual convicted of a violation of Section 11-501 of
17 the Illinois Vehicle Code or a similar provision of local
18 ordinance, whose operation of a motor vehicle while in
19 violation of Section 11-501 or such ordinance proximately
20 caused an incident resulting in an appropriate emergency
21 response, shall be required to make restitution to a public
22 agency for the costs of that emergency response. Such
23 restitution shall not exceed \$500 per public agency for each
24 such emergency response. For the purpose of this paragraph,
25 emergency response shall mean any incident requiring a
26 response by: a police officer as defined under Section 1-162
27 of the Illinois Vehicle Code; a fireman carried on the rolls
28 of a regularly constituted fire department; and an ambulance
29 as defined under Section 3.85 4-05 of the Emergency Medical
30 Services (EMS) Systems Act.

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

34 (c) (1) When a defendant is found guilty of first degree

1 murder the State may either seek a sentence of
2 imprisonment under Section 5-8-1 of this Code, or where
3 appropriate seek a sentence of death under Section 9-1 of
4 the Criminal Code of 1961.

5 (2) A period of probation, a term of periodic
6 imprisonment or conditional discharge shall not be
7 imposed for the following offenses. The court shall
8 sentence the offender to not less than the minimum term
9 of imprisonment set forth in this Code for the following
10 offenses, and may order a fine or restitution or both in
11 conjunction with such term of imprisonment:

12 (A) First degree murder where the death
13 penalty is not imposed.

14 (B) Attempted first degree murder.

15 (C) A Class X felony.

16 (D) A violation of Section 401.1 or 407 of the
17 Illinois Controlled Substances Act, or a violation
18 of subdivision (c)(1) or (c)(2) of Section 401 of
19 that Act which relates to more than 5 grams of a
20 substance containing heroin or cocaine or an analog
21 thereof.

22 (E) A violation of Section 5.1 or 9 of the
23 Cannabis Control Act.

24 (F) A Class 2 or greater felony if the
25 offender had been convicted of a Class 2 or greater
26 felony within 10 years of the date on which the
27 offender committed the offense for which he or she
28 is being sentenced, except as otherwise provided in
29 Section 40-10 of the Alcoholism and Other Drug Abuse
30 and Dependency Act.

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

34 (H) Criminal sexual assault, ~~except as~~

1 otherwise--provided--in--subsection--(e)---of---this
2 Section.

3 (I) Aggravated battery of a senior citizen.

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

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

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

16 (K) Vehicular hijacking.

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

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

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

27 (O) A violation of Section 12-6.1 of the
28 Criminal Code of 1961.

29 (P) A violation of paragraph (1), (2), (3),
30 (4), (5), or (7) of subsection (a) of Section
31 11-20.1 of the Criminal Code of 1961.

32 (Q) A violation of Section 20-1.2 of the
33 Criminal Code of 1961.

34 (R) A violation of Section 24-3A of the

1 Criminal Code of 1961.

2 (S) A violation of Section 11-501(c-1)(3) of
3 the Illinois Vehicle Code.

4 (3) A minimum term of imprisonment of not less than
5 5 days or 30 days of community service as may be
6 determined by the court shall be imposed for a second
7 violation committed within 5 years of a previous
8 violation of Section 11-501 of the Illinois Vehicle Code
9 or a similar provision of a local ordinance. In the case
10 of a third or subsequent violation committed within 5
11 years of a previous violation of Section 11-501 of the
12 Illinois Vehicle Code or a similar provision of a local
13 ordinance, a minimum term of either 10 days of
14 imprisonment or 60 days of community service shall be
15 imposed.

16 (4) A minimum term of imprisonment of not less than
17 10 consecutive days or 30 days of community service shall
18 be imposed for a violation of paragraph (c) of Section
19 6-303 of the Illinois Vehicle Code.

20 (4.1) A minimum term of 30 consecutive days of
21 imprisonment, 40 days of 24 hour periodic imprisonment or
22 720 hours of community service, as may be determined by
23 the court, shall be imposed for a violation of Section
24 11-501 of the Illinois Vehicle Code during a period in
25 which the defendant's driving privileges are revoked or
26 suspended, where the revocation or suspension was for a
27 violation of Section 11-501 or Section 11-501.1 of that
28 Code.

29 (4.2) Except as provided in paragraph (4.3) of this
30 subsection (c), a minimum of 100 hours of community
31 service shall be imposed for a second violation of
32 Section 6-303 of the Illinois Vehicle Code.

33 (4.3) A minimum term of imprisonment of 30 days or
34 300 hours of community service, as determined by the

1 court, shall be imposed for a second violation of
2 subsection (c) of Section 6-303 of the Illinois Vehicle
3 Code.

4 (4.4) Except as provided in paragraph (4.5) and
5 paragraph (4.6) of this subsection (c), a minimum term of
6 imprisonment of 30 days or 300 hours of community
7 service, as determined by the court, shall be imposed for
8 a third or subsequent violation of Section 6-303 of the
9 Illinois Vehicle Code.

10 (4.5) A minimum term of imprisonment of 30 days
11 shall be imposed for a third violation of subsection (c)
12 of Section 6-303 of the Illinois Vehicle Code.

13 (4.6) A minimum term of imprisonment of 180 days
14 shall be imposed for a fourth or subsequent violation of
15 subsection (c) of Section 6-303 of the Illinois Vehicle
16 Code.

17 (5) The court may sentence an offender convicted of
18 a business offense or a petty offense or a corporation or
19 unincorporated association convicted of any offense to:

20 (A) a period of conditional discharge;

21 (B) a fine;

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

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

32 (5.2) In addition to any penalties imposed under
33 paragraph (5) of this subsection (c), and except as
34 provided in paragraph (5.3), a person convicted of

1 violating subsection (c) of Section 11-907 of the
2 Illinois Vehicle Code shall have his or her driver's
3 license, permit, or privileges suspended for at least 180
4 days but not more than 2 years, if the violation resulted
5 in injury to another person.

6 (5.3) In addition to any penalties imposed under
7 paragraph (5) of this subsection (c), a person convicted
8 of violating subsection (c) of Section 11-907 of the
9 Illinois Vehicle Code shall have his or her driver's
10 license, permit, or privileges suspended for 2 years, if
11 the violation resulted in the death of another person.

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

16 (7) When a defendant is adjudged a habitual
17 criminal under Article 33B of the Criminal Code of 1961,
18 the court shall sentence the defendant to a term of
19 natural life imprisonment.

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

1 provided by Section 40-10 of the Alcoholism and Other
2 Drug Abuse and Dependency Act.

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

6 (10) When a person is convicted of violating
7 Section 11-501 of the Illinois Vehicle Code or a similar
8 provision of a local ordinance, the following penalties
9 apply when his or her blood, breath, or urine was .16 or
10 more based on the definition of blood, breath, or urine
11 units in Section 11-501.2 or that person is convicted of
12 violating Section 11-501 of the Illinois Vehicle Code
13 while transporting a child under the age of 16:

14 (A) For a first violation of subsection (a) of
15 Section 11-501, in addition to any other penalty
16 that may be imposed under subsection (c) of Section
17 11-501: a mandatory minimum of 100 hours of
18 community service and a minimum fine of \$500.

19 (B) For a second violation of subsection (a)
20 of Section 11-501, in addition to any other penalty
21 that may be imposed under subsection (c) of Section
22 11-501 within 10 years: a mandatory minimum of 2
23 days of imprisonment and a minimum fine of \$1,250.

24 (C) For a third violation of subsection (a) of
25 Section 11-501, in addition to any other penalty
26 that may be imposed under subsection (c) of Section
27 11-501 within 20 years: a mandatory minimum of 90
28 days of imprisonment and a minimum fine of \$2,500.

29 (D) For a fourth or subsequent violation of
30 subsection (a) of Section 11-501: ineligibility for
31 a sentence of probation or conditional discharge and
32 a minimum fine of \$2,500.

33 (d) In any case in which a sentence originally imposed
34 is vacated, the case shall be remanded to the trial court.

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

18 (e) In cases where prosecution for ~~criminal--sexual~~
19 ~~assault--or~~ aggravated criminal sexual abuse under Section
20 ~~12-13--or~~ 12-16 of the Criminal Code of 1961 results in
21 conviction of a defendant who was a family member of the
22 victim at the time of the commission of the offense, the
23 court shall consider the safety and welfare of the victim and
24 may impose a sentence of probation only where:

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

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

30 (B) the defendant is willing to participate in
31 a court approved plan including but not limited to
32 the defendant's:

33 (i) removal from the household;

34 (ii) restricted contact with the victim;

1 (iii) continued financial support of the
2 family;

3 (iv) restitution for harm done to the
4 victim; and

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

7 (2) the court orders the defendant to pay for the
8 victim's counseling services, to the extent that the
9 court finds, after considering the defendant's income and
10 assets, that the defendant is financially capable of
11 paying for such services, if the victim was under 18
12 years of age at the time the offense was committed and
13 requires counseling as a result of the offense.

14 Probation may be revoked or modified pursuant to Section
15 5-6-4; except where the court determines at the hearing that
16 the defendant violated a condition of his or her probation
17 restricting contact with the victim or other family members
18 or commits another offense with the victim or other family
19 members, the court shall revoke the defendant's probation and
20 impose a term of imprisonment.

21 For the purposes of this Section, "family member" and
22 "victim" shall have the meanings ascribed to them in Section
23 12-12 of the Criminal Code of 1961.

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

28 (g) Whenever a defendant is convicted of an offense
29 under Sections 11-14, 11-15, 11-15.1, 11-16, 11-17, 11-18,
30 11-18.1, 11-19, 11-19.1, 11-19.2, 12-13, 12-14, 12-14.1,
31 12-15 or 12-16 of the Criminal Code of 1961, the defendant
32 shall undergo medical testing to determine whether the
33 defendant has any sexually transmissible disease, including a
34 test for infection with human immunodeficiency virus (HIV) or

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

33 (g-5) When an inmate is tested for an airborne
34 communicable disease, as determined by the Illinois

1 Department of Public Health including but not limited to
2 tuberculosis, the results of the test shall be personally
3 delivered by the warden or his or her designee in a sealed
4 envelope to the judge of the court in which the inmate must
5 appear for the judge's inspection in camera if requested by
6 the judge. Acting in accordance with the best interests of
7 those in the courtroom, the judge shall have the discretion
8 to determine what if any precautions need to be taken to
9 prevent transmission of the disease in the courtroom.

10 (h) Whenever a defendant is convicted of an offense
11 under Section 1 or 2 of the Hypodermic Syringes and Needles
12 Act, the defendant shall undergo medical testing to determine
13 whether the defendant has been exposed to human
14 immunodeficiency virus (HIV) or any other identified
15 causative agent of acquired immunodeficiency syndrome (AIDS).
16 Except as otherwise provided by law, the results of such test
17 shall be kept strictly confidential by all medical personnel
18 involved in the testing and must be personally delivered in a
19 sealed envelope to the judge of the court in which the
20 conviction was entered for the judge's inspection in camera.
21 Acting in accordance with the best interests of the public,
22 the judge shall have the discretion to determine to whom, if
23 anyone, the results of the testing may be revealed. The court
24 shall notify the defendant of a positive test showing an
25 infection with the human immunodeficiency virus (HIV). The
26 court shall provide information on the availability of HIV
27 testing and counseling at Department of Public Health
28 facilities to all parties to whom the results of the testing
29 are revealed and shall direct the State's Attorney to provide
30 the information to the victim when possible. A State's
31 Attorney may petition the court to obtain the results of any
32 HIV test administered under this Section, and the court
33 shall grant the disclosure if the State's Attorney shows it
34 is relevant in order to prosecute a charge of criminal

1 transmission of HIV under Section 12-16.2 of the Criminal
2 Code of 1961 against the defendant. The court shall order
3 that the cost of any such test shall be paid by the county
4 and may be taxed as costs against the convicted defendant.

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

12 (j) In cases when prosecution for any violation of
13 Section 11-6, 11-8, 11-9, 11-11, 11-14, 11-15, 11-15.1,
14 11-16, 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1,
15 11-19.2, 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15, or
16 12-16 of the Criminal Code of 1961, any violation of the
17 Illinois Controlled Substances Act, or any violation of the
18 Cannabis Control Act results in conviction, a disposition of
19 court supervision, or an order of probation granted under
20 Section 10 of the Cannabis Control Act or Section 410 of the
21 Illinois Controlled Substance Act of a defendant, the court
22 shall determine whether the defendant is employed by a
23 facility or center as defined under the Child Care Act of
24 1969, a public or private elementary or secondary school, or
25 otherwise works with children under 18 years of age on a
26 daily basis. When a defendant is so employed, the court
27 shall order the Clerk of the Court to send a copy of the
28 judgment of conviction or order of supervision or probation
29 to the defendant's employer by certified mail. If the
30 employer of the defendant is a school, the Clerk of the Court
31 shall direct the mailing of a copy of the judgment of
32 conviction or order of supervision or probation to the
33 appropriate regional superintendent of schools. The regional
34 superintendent of schools shall notify the State Board of

1 Education of any notification under this subsection.

2 (j-5) A defendant at least 17 years of age who is
3 convicted of a felony and who has not been previously
4 convicted of a misdemeanor or felony and who is sentenced to
5 a term of imprisonment in the Illinois Department of
6 Corrections shall as a condition of his or her sentence be
7 required by the court to attend educational courses designed
8 to prepare the defendant for a high school diploma and to
9 work toward a high school diploma or to work toward passing
10 the high school level Test of General Educational Development
11 (GED) or to work toward completing a vocational training
12 program offered by the Department of Corrections. If a
13 defendant fails to complete the educational training required
14 by his or her sentence during the term of incarceration, the
15 Prisoner Review Board shall, as a condition of mandatory
16 supervised release, require the defendant, at his or her own
17 expense, to pursue a course of study toward a high school
18 diploma or passage of the GED test. The Prisoner Review
19 Board shall revoke the mandatory supervised release of a
20 defendant who wilfully fails to comply with this subsection
21 (j-5) upon his or her release from confinement in a penal
22 institution while serving a mandatory supervised release
23 term; however, the inability of the defendant after making a
24 good faith effort to obtain financial aid or pay for the
25 educational training shall not be deemed a wilful failure to
26 comply. The Prisoner Review Board shall recommit the
27 defendant whose mandatory supervised release term has been
28 revoked under this subsection (j-5) as provided in Section
29 3-3-9. This subsection (j-5) does not apply to a defendant
30 who has a high school diploma or has successfully passed the
31 GED test. This subsection (j-5) does not apply to a defendant
32 who is determined by the court to be developmentally disabled
33 or otherwise mentally incapable of completing the educational
34 or vocational program.

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

5 (1) (A) Except as provided in paragraph (C) of
6 subsection (1), whenever a defendant, who is an alien as
7 defined by the Immigration and Nationality Act, is
8 convicted of any felony or misdemeanor offense, the court
9 after sentencing the defendant may, upon motion of the
10 State's Attorney, hold sentence in abeyance and remand
11 the defendant to the custody of the Attorney General of
12 the United States or his or her designated agent to be
13 deported when:

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

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

21 Otherwise, the defendant shall be sentenced as
22 provided in this Chapter V.

23 (B) If the defendant has already been sentenced for
24 a felony or misdemeanor offense, or has been placed on
25 probation under Section 10 of the Cannabis Control Act or
26 Section 410 of the Illinois Controlled Substances Act,
27 the court may, upon motion of the State's Attorney to
28 suspend the sentence imposed, commit the defendant to the
29 custody of the Attorney General of the United States or
30 his or her designated agent when:

31 (1) a final order of deportation has been
32 issued against the defendant pursuant to proceedings
33 under the Immigration and Nationality Act, and

34 (2) the deportation of the defendant would not

1 deprecate the seriousness of the defendant's conduct
2 and would not be inconsistent with the ends of
3 justice.

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

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

17 (m) A person convicted of criminal defacement of
18 property under Section 21-1.3 of the Criminal Code of 1961,
19 in which the property damage exceeds \$300 and the property
20 damaged is a school building, shall be ordered to perform
21 community service that may include cleanup, removal, or
22 painting over the defacement.

23 (Source: P.A. 91-357, eff. 7-29-99; 91-404, eff. 1-1-00;
24 91-663, eff. 12-22-99; 91-695, eff. 4-13-00; 91-953, eff.
25 2-23-01; 92-183, eff. 7-27-01; 92-248, eff. 8-3-01; 92-283,
26 eff. 1-1-02; 92-340, eff. 8-10-01; 92-418, eff. 8-17-01;
27 92-422, eff. 8-17-01; 92-651, eff. 7-11-02; 92-698, eff.
28 7-19-02; revised 2-17-03.)