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09300HB4790ham001

LRB093 18814 RLC 48476 a

1 AMENDMENT TO HOUSE BILL 4790

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4790 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Unified Code of Corrections is amended by  
5 changing Section 5-8-2 as follows:

6 (730 ILCS 5/5-8-2) (from Ch. 38, par. 1005-8-2)

7 Sec. 5-8-2. Extended Term.

8 (a) A judge shall not sentence an offender to a term of  
9 imprisonment in excess of the maximum sentence authorized by  
10 Section 5-8-1 for the class of the most serious offense of  
11 which the offender was convicted unless the factors in  
12 aggravation set forth in paragraph (b) of Section 5-5-3.2 or  
13 clause (a) (1) (b) of Section 5-8-1 were found to be present. If  
14 the pre-trial and trial proceedings were conducted in  
15 compliance with subsection (c-5) of Section 111-3 of the Code  
16 of Criminal Procedure of 1963, the judge may sentence an  
17 offender to the following:

18 (1) for first degree murder, a term shall be not less  
19 than 60 years and not more than 100 years;

20 (2) for a Class X felony, a term shall be not less than  
21 30 years and not more than 60 years;

22 (3) for a Class 1 felony, a term shall be not less than  
23 15 years and not more than 30 years;

24 (4) for a Class 2 felony, a term shall be not less than

1           7 years and not more than 14 years;

2           (5) for a Class 3 felony, a term shall not be less than  
3           5 years and not more than 10 years;

4           (6) for a Class 4 felony, a term shall be not less than  
5           3 years and not more than 6 years.

6           (b) If the conviction was by plea, it shall appear on the  
7           record that the plea was entered with the defendant's knowledge  
8           that a sentence under this Section was a possibility. If it  
9           does not so appear on the record, the defendant shall not be  
10          subject to such a sentence unless he is first given an  
11          opportunity to withdraw his plea without prejudice.

12          (Source: P.A. 91-953, eff. 2-23-01; 92-591, eff. 6-27-02.)".