

SB3074



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3074

Introduced 2/7/2014, by Sen. John G. Mulroe

SYNOPSIS AS INTRODUCED:

730 ILCS 5/5-6-2

from Ch. 38, par. 1005-6-2

Amends the Unified Code of Corrections. Provides that the court may extend a term of probation or conditional discharge that was concurrent to, consecutive to, or otherwise interrupted by a term of imprisonment for the purpose of providing additional time to complete an order of restitution.

LRB098 19777 RLC 54992 b

A BILL FOR

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 Unified Code of Corrections is amended by
5 changing Section 5-6-2 as follows:

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

7 Sec. 5-6-2. Incidents of Probation and of Conditional
8 Discharge.

9 (a) When an offender is sentenced to probation or
10 conditional discharge, the court shall impose a period as
11 provided in Article 4.5 of Chapter V, and shall specify the
12 conditions under Section 5-6-3.

13 (b) Multiple terms of probation imposed at the same time
14 shall run concurrently.

15 (c) The court may at any time terminate probation or
16 conditional discharge if warranted by the conduct of the
17 offender and the ends of justice, as provided in Section 5-6-4.

18 (d) Upon the expiration or termination of the period of
19 probation or of conditional discharge, the court shall enter an
20 order discharging the offender.

21 (e) The court may extend any period of probation or
22 conditional discharge beyond the limits set forth in Article
23 4.5 of Chapter V upon a violation of a condition of the

1 probation or conditional discharge, for the payment of an
2 assessment required by Section 10.3 of the Cannabis Control
3 Act, Section 411.2 of the Illinois Controlled Substances Act,
4 or Section 80 of the Methamphetamine Control and Community
5 Protection Act, or for the payment of restitution as provided
6 by an order of restitution under Section 5-5-6 of this Code.

7 (f) The court may impose a term of probation that is
8 concurrent or consecutive to a term of imprisonment so long as
9 the maximum term imposed does not exceed the maximum term
10 provided under Article 4.5 of Chapter V or Article 8 of this
11 Chapter. The court may provide that probation may commence
12 while an offender is on mandatory supervised release,
13 participating in a day release program, or being monitored by
14 an electronic monitoring device.

15 (g) The court may extend a term of probation or conditional
16 discharge that was concurrent to, consecutive to, or otherwise
17 interrupted by a term of imprisonment for the purpose of
18 providing additional time to complete an order of restitution.

19 (Source: P.A. 94-556, eff. 9-11-05; 95-1052, eff. 7-1-09.)