



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4285

Introduced 1/14/2026, by Rep. Kelly M. Cassidy

SYNOPSIS AS INTRODUCED:

720 ILCS 5/8-4	from Ch. 38, par. 8-4
720 ILCS 5/9-1.2	from Ch. 38, par. 9-1.2
720 ILCS 5/10-2	from Ch. 38, par. 10-2
720 ILCS 5/11-1.30	was 720 ILCS 5/12-14
720 ILCS 5/11-1.40	was 720 ILCS 5/12-14.1
720 ILCS 5/12-3.05	was 720 ILCS 5/12-4
720 ILCS 5/18-2	from Ch. 38, par. 18-2
720 ILCS 5/18-4	
720 ILCS 5/19-6	was 720 ILCS 5/12-11
730 ILCS 5/5-8-1	from Ch. 38, par. 1005-8-1

Amends the Criminal Code of 2012 and the Unified Code of Corrections. Provides that the 15-year penalty enhancement for committing various offenses with a firearm, applies only if the person committed the offense while personally armed with the firearm.

LRB104 17336 RLC 30760 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 Criminal Code of 2012 is amended by
5 changing Sections 8-4, 9-1.2, 10-2, 11-1.30, 11-1.40, 12-3.05,
6 18-2, 18-4, and 19-6 as follows:

7 (720 ILCS 5/8-4) (from Ch. 38, par. 8-4)

8 Sec. 8-4. Attempt.

9 (a) Elements of the offense.

10 A person commits the offense of attempt when, with intent
11 to commit a specific offense, he or she does any act that
12 constitutes a substantial step toward the commission of that
13 offense.

14 (b) Impossibility.

15 It is not a defense to a charge of attempt that because of
16 a misapprehension of the circumstances it would have been
17 impossible for the accused to commit the offense attempted.

18 (c) Sentence.

19 A person convicted of attempt may be fined or imprisoned
20 or both not to exceed the maximum provided for the offense
21 attempted but, except for an attempt to commit the offense
22 defined in Section 33A-2 of this Code:

23 (1) the sentence for attempt to commit first degree

1 murder is the sentence for a Class X felony, except that

2 (A) an attempt to commit first degree murder when
3 at least one of the aggravating factors specified in
4 clauses (iii), (iv), and (v) of subsection (a)(1)(c)
5 of Section 5-8-1 of the Unified Code of Corrections is
6 present is a Class X felony for which the sentence
7 shall be a term of imprisonment of not less than 20
8 years and not more than 80 years;

9 (B) an attempt to commit first degree murder while
10 armed with a firearm is a Class X felony for which 15
11 years shall be added to the term of imprisonment
12 imposed by the court, if the person committed the
13 offense while personally armed with the firearm;

14 (C) an attempt to commit first degree murder
15 during which the person personally discharged a
16 firearm is a Class X felony for which 20 years shall be
17 added to the term of imprisonment imposed by the
18 court;

19 (D) an attempt to commit first degree murder
20 during which the person personally discharged a
21 firearm that proximately caused great bodily harm,
22 permanent disability, permanent disfigurement, or
23 death to another person is a Class X felony for which
24 25 years or up to a term of natural life shall be added
25 to the term of imprisonment imposed by the court; and

26 (E) if the defendant proves by a preponderance of

1 the evidence at sentencing that, at the time of the
2 attempted murder, he or she was acting under a sudden
3 and intense passion resulting from serious provocation
4 by the individual whom the defendant endeavored to
5 kill, or another, and, had the individual the
6 defendant endeavored to kill died, the defendant would
7 have negligently or accidentally caused that death,
8 then the sentence for the attempted murder is the
9 sentence for a Class 1 felony;

10 (2) the sentence for attempt to commit a Class X
11 felony is the sentence for a Class 1 felony;

12 (3) the sentence for attempt to commit a Class 1
13 felony is the sentence for a Class 2 felony;

14 (4) the sentence for attempt to commit a Class 2
15 felony is the sentence for a Class 3 felony; and

16 (5) the sentence for attempt to commit any felony
17 other than those specified in items (1), (2), (3), and (4)
18 of this subsection (c) is the sentence for a Class A
19 misdemeanor.

20 (Source: P.A. 103-51, eff. 1-1-24.)

21 (720 ILCS 5/9-1.2) (from Ch. 38, par. 9-1.2)

22 Sec. 9-1.2. Intentional homicide of an unborn child.

23 (a) A person commits the offense of intentional homicide
24 of an unborn child if, in performing acts which cause the death
25 of an unborn child, he without lawful justification:

1 (1) either intended to cause the death of or do great
2 bodily harm to the pregnant individual or unborn child or
3 knew that such acts would cause death or great bodily harm
4 to the pregnant individual or unborn child; or

5 (2) knew that his acts created a strong probability of
6 death or great bodily harm to the pregnant individual or
7 unborn child; and

8 (3) knew that the individual was pregnant.

9 (b) For purposes of this Section, (1) "unborn child" shall
10 mean any individual of the human species from the implantation
11 of an embryo until birth, and (2) "person" shall not include
12 the pregnant woman whose unborn child is killed.

13 (c) This Section shall not apply to acts which cause the
14 death of an unborn child if those acts were committed during
15 any abortion, as defined in Section 1-10 of the Reproductive
16 Health Act, to which the pregnant individual has consented.
17 This Section shall not apply to acts which were committed
18 pursuant to usual and customary standards of medical practice
19 during diagnostic testing or therapeutic treatment.

20 (d) Penalty. The sentence for intentional homicide of an
21 unborn child shall be the same as for first degree murder,
22 except that:

23 (1) (blank);

24 (2) if the person committed the offense while
25 personally armed with a firearm, 15 years shall be added
26 to the term of imprisonment imposed by the court;

1 (3) if, during the commission of the offense, the
2 person personally discharged a firearm, 20 years shall be
3 added to the term of imprisonment imposed by the court;

4 (4) if, during the commission of the offense, the
5 person personally discharged a firearm that proximately
6 caused great bodily harm, permanent disability, permanent
7 disfigurement, or death to another person, 25 years or up
8 to a term of natural life shall be added to the term of
9 imprisonment imposed by the court.

10 (e) The provisions of this Act shall not be construed to
11 prohibit the prosecution of any person under any other
12 provision of law.

13 (Source: P.A. 103-51, eff. 1-1-24.)

14 (720 ILCS 5/10-2) (from Ch. 38, par. 10-2)

15 Sec. 10-2. Aggravated kidnaping.

16 (a) A person commits the offense of aggravated kidnaping
17 when he or she commits kidnapping and:

18 (1) kidnaps with the intent to obtain ransom from the
19 person kidnaped or from any other person;

20 (2) takes as his or her victim a child under the age of
21 13 years, or a person with a severe or profound
22 intellectual disability;

23 (3) inflicts great bodily harm, other than by the
24 discharge of a firearm, or commits another felony upon his
25 or her victim;

1 (4) wears a hood, robe, or mask or conceals his or her
2 identity;

3 (5) commits the offense of kidnaping while armed with
4 a dangerous weapon, other than a firearm, as defined in
5 Section 33A-1 of this Code;

6 (6) commits the offense of kidnaping while armed with
7 a firearm;

8 (7) during the commission of the offense of kidnaping,
9 personally discharges a firearm; or

10 (8) during the commission of the offense of kidnaping,
11 personally discharges a firearm that proximately causes
12 great bodily harm, permanent disability, permanent
13 disfigurement, or death to another person.

14 As used in this Section, "ransom" includes money, benefit,
15 or other valuable thing or concession.

16 (b) Sentence. Aggravated kidnaping in violation of
17 paragraph (1), (2), (3), (4), or (5) of subsection (a) is a
18 Class X felony. A violation of subsection (a)(6) is a Class X
19 felony for which 15 years shall be added to the term of
20 imprisonment imposed by the court, if the person committed the
21 offense while personally armed with the firearm. A violation
22 of subsection (a)(7) is a Class X felony for which 20 years
23 shall be added to the term of imprisonment imposed by the
24 court. A violation of subsection (a)(8) is a Class X felony for
25 which 25 years or up to a term of natural life shall be added
26 to the term of imprisonment imposed by the court. An offender

1 under the age of 18 years at the time of the commission of
2 aggravated kidnaping in violation of paragraphs (1) through
3 (8) of subsection (a) shall be sentenced under Section
4 5-4.5-105 of the Unified Code of Corrections.

5 A person who has attained the age of 18 years at the time
6 of the commission of the offense and who is convicted of a
7 second or subsequent offense of aggravated kidnaping shall be
8 sentenced to a term of natural life imprisonment; except that
9 a sentence of natural life imprisonment shall not be imposed
10 under this Section unless the second or subsequent offense was
11 committed after conviction on the first offense. An offender
12 under the age of 18 years at the time of the commission of the
13 second or subsequent offense shall be sentenced under Section
14 5-4.5-105 of the Unified Code of Corrections.

15 (Source: P.A. 99-69, eff. 1-1-16; 99-143, eff. 7-27-15;
16 99-642, eff. 7-28-16.)

17 (720 ILCS 5/11-1.30) (was 720 ILCS 5/12-14)

18 Sec. 11-1.30. Aggravated Criminal Sexual Assault.

19 (a) A person commits aggravated criminal sexual assault if
20 that person commits criminal sexual assault and any of the
21 following aggravating circumstances exist during the
22 commission of the offense or, for purposes of paragraph (7),
23 occur as part of the same course of conduct as the commission
24 of the offense:

25 (1) the person displays, threatens to use, or uses a

1 dangerous weapon, other than a firearm, or any other
2 object fashioned or used in a manner that leads the
3 victim, under the circumstances, reasonably to believe
4 that the object is a dangerous weapon;

5 (2) the person causes bodily harm to the victim,
6 except as provided in paragraph (10);

7 (3) the person acts in a manner that threatens or
8 endangers the life of the victim or any other person;

9 (4) the person commits the criminal sexual assault
10 during the course of committing or attempting to commit
11 any other felony;

12 (5) the victim is 60 years of age or older;

13 (6) the victim is a person with a physical disability;

14 (7) the person delivers (by injection, inhalation,
15 ingestion, transfer of possession, or any other means) any
16 controlled substance to the victim without the victim's
17 consent or by threat or deception for other than medical
18 purposes;

19 (8) the person is armed with a firearm;

20 (9) the person personally discharges a firearm during
21 the commission of the offense; or

22 (10) the person personally discharges a firearm during
23 the commission of the offense, and that discharge
24 proximately causes great bodily harm, permanent
25 disability, permanent disfigurement, or death to another
26 person.

1 (b) A person commits aggravated criminal sexual assault if
2 that person is under 17 years of age and: (i) commits an act of
3 sexual penetration with a victim who is under 9 years of age;
4 or (ii) commits an act of sexual penetration with a victim who
5 is at least 9 years of age but under 13 years of age and the
6 person uses force or threat of force to commit the act.

7 (c) A person commits aggravated criminal sexual assault if
8 that person commits an act of sexual penetration with a victim
9 who is a person with a severe or profound intellectual
10 disability.

11 (d) Sentence.

12 (1) Aggravated criminal sexual assault in violation of
13 paragraph (2), (3), (4), (5), (6), or (7) of subsection
14 (a) or in violation of subsection (b) or (c) is a Class X
15 felony. A violation of subsection (a)(1) is a Class X
16 felony for which 10 years shall be added to the term of
17 imprisonment imposed by the court. A violation of
18 subsection (a)(8) is a Class X felony for which 15 years
19 shall be added to the term of imprisonment imposed by the
20 court, if the person committed the offense while
21 personally armed with the firearm. A violation of
22 subsection (a)(9) is a Class X felony for which 20 years
23 shall be added to the term of imprisonment imposed by the
24 court. A violation of subsection (a)(10) is a Class X
25 felony for which 25 years or up to a term of natural life
26 imprisonment shall be added to the term of imprisonment

1 imposed by the court. An offender under the age of 18 years
2 at the time of the commission of aggravated criminal
3 sexual assault in violation of paragraphs (1) through (10)
4 of subsection (a) shall be sentenced under Section
5 5-4.5-105 of the Unified Code of Corrections.

6 (2) A person who has attained the age of 18 years at
7 the time of the commission of the offense and who is
8 convicted of a second or subsequent offense of aggravated
9 criminal sexual assault, or who is convicted of the
10 offense of aggravated criminal sexual assault after having
11 previously been convicted of the offense of criminal
12 sexual assault or the offense of predatory criminal sexual
13 assault of a child, or who is convicted of the offense of
14 aggravated criminal sexual assault after having previously
15 been convicted under the laws of this or any other state of
16 an offense that is substantially equivalent to the offense
17 of criminal sexual assault, the offense of aggravated
18 criminal sexual assault or the offense of predatory
19 criminal sexual assault of a child, shall be sentenced to
20 a term of natural life imprisonment. The commission of the
21 second or subsequent offense is required to have been
22 after the initial conviction for this paragraph (2) to
23 apply. An offender under the age of 18 years at the time of
24 the commission of the offense covered by this paragraph
25 (2) shall be sentenced under Section 5-4.5-105 of the
26 Unified Code of Corrections.

1 (Source: P.A. 99-69, eff. 1-1-16; 99-143, eff. 7-27-15;
2 99-642, eff. 7-28-16.)

3 (720 ILCS 5/11-1.40) (was 720 ILCS 5/12-14.1)

4 Sec. 11-1.40. Predatory criminal sexual assault of a
5 child.

6 (a) A person commits predatory criminal sexual assault of
7 a child if that person is 17 years of age or older, and commits
8 an act of contact, however slight, between the sex organ or
9 anus of one person and the part of the body of another for the
10 purpose of sexual gratification or arousal of the victim or
11 the accused, or an act of sexual penetration, and:

12 (1) the victim is under 13 years of age; or

13 (2) the victim is under 13 years of age and that
14 person:

15 (A) is armed with a firearm;

16 (B) personally discharges a firearm during the
17 commission of the offense;

18 (C) causes great bodily harm to the victim that:

19 (i) results in permanent disability; or

20 (ii) is life threatening; or

21 (D) delivers (by injection, inhalation, ingestion,
22 transfer of possession, or any other means) any
23 controlled substance to the victim without the
24 victim's consent or by threat or deception, for other
25 than medical purposes.

1 (b) Sentence.

2 (1) A person convicted of a violation of subsection
3 (a)(1) commits a Class X felony, for which the person
4 shall be sentenced to a term of imprisonment of not less
5 than 6 years and not more than 60 years. A person convicted
6 of a violation of subsection (a)(2)(A) commits a Class X
7 felony for which 15 years shall be added to the term of
8 imprisonment imposed by the court, if the person committed
9 the offense while personally armed with the firearm. A
10 person convicted of a violation of subsection (a)(2)(B)
11 commits a Class X felony for which 20 years shall be added
12 to the term of imprisonment imposed by the court. A person
13 who has attained the age of 18 years at the time of the
14 commission of the offense and who is convicted of a
15 violation of subsection (a)(2)(C) commits a Class X felony
16 for which the person shall be sentenced to a term of
17 imprisonment of not less than 50 years or up to a term of
18 natural life imprisonment. An offender under the age of 18
19 years at the time of the commission of predatory criminal
20 sexual assault of a child in violation of subsections
21 (a)(1), (a)(2)(A), (a)(2)(B), and (a)(2)(C) shall be
22 sentenced under Section 5-4.5-105 of the Unified Code of
23 Corrections.

24 (1.1) A person convicted of a violation of subsection
25 (a)(2)(D) commits a Class X felony for which the person
26 shall be sentenced to a term of imprisonment of not less

1 than 50 years and not more than 60 years. An offender under
2 the age of 18 years at the time of the commission of
3 predatory criminal sexual assault of a child in violation
4 of subsection (a)(2)(D) shall be sentenced under Section
5 5-4.5-105 of the Unified Code of Corrections.

6 (1.2) A person who has attained the age of 18 years at
7 the time of the commission of the offense and convicted of
8 predatory criminal sexual assault of a child committed
9 against 2 or more persons regardless of whether the
10 offenses occurred as the result of the same act or of
11 several related or unrelated acts shall be sentenced to a
12 term of natural life imprisonment and an offender under
13 the age of 18 years at the time of the commission of the
14 offense shall be sentenced under Section 5-4.5-105 of the
15 Unified Code of Corrections.

16 (2) A person who has attained the age of 18 years at
17 the time of the commission of the offense and who is
18 convicted of a second or subsequent offense of predatory
19 criminal sexual assault of a child, or who is convicted of
20 the offense of predatory criminal sexual assault of a
21 child after having previously been convicted of the
22 offense of criminal sexual assault or the offense of
23 aggravated criminal sexual assault, or who is convicted of
24 the offense of predatory criminal sexual assault of a
25 child after having previously been convicted under the
26 laws of this State or any other state of an offense that is

1 substantially equivalent to the offense of predatory
2 criminal sexual assault of a child, the offense of
3 aggravated criminal sexual assault or the offense of
4 criminal sexual assault, shall be sentenced to a term of
5 natural life imprisonment. The commission of the second or
6 subsequent offense is required to have been after the
7 initial conviction for this paragraph (2) to apply. An
8 offender under the age of 18 years at the time of the
9 commission of the offense covered by this paragraph (2)
10 shall be sentenced under Section 5-4.5-105 of the Unified
11 Code of Corrections.

12 (Source: P.A. 98-370, eff. 1-1-14; 98-756, eff. 7-16-14;
13 98-903, eff. 8-15-14; 99-69, eff. 1-1-16.)

14 (720 ILCS 5/12-3.05) (was 720 ILCS 5/12-4)

15 Sec. 12-3.05. Aggravated battery.

16 (a) Offense based on injury. A person commits aggravated
17 battery when, in committing a battery, other than by the
18 discharge of a firearm, he or she knowingly does any of the
19 following:

20 (1) Causes great bodily harm or permanent disability
21 or disfigurement.

22 (2) Causes severe and permanent disability, great
23 bodily harm, or disfigurement by means of a caustic or
24 flammable substance, a poisonous gas, a deadly biological
25 or chemical contaminant or agent, a radioactive substance,

1 or a bomb or explosive compound.

2 (3) Causes great bodily harm or permanent disability
3 or disfigurement to an individual whom the person knows to
4 be a peace officer, community policing volunteer, fireman,
5 private security officer, correctional institution
6 employee, or Department of Human Services employee
7 supervising or controlling sexually dangerous persons or
8 sexually violent persons:

9 (i) performing his or her official duties;

10 (ii) battered to prevent performance of his or her
11 official duties; or

12 (iii) battered in retaliation for performing his
13 or her official duties.

14 (4) Causes great bodily harm or permanent disability
15 or disfigurement to an individual 60 years of age or
16 older.

17 (5) Strangles another individual.

18 (b) Offense based on injury to a child or person with an
19 intellectual disability. A person who is at least 18 years of
20 age commits aggravated battery when, in committing a battery,
21 he or she knowingly and without legal justification by any
22 means:

23 (1) causes great bodily harm or permanent disability
24 or disfigurement to any child under the age of 13 years, or
25 to any person with a severe or profound intellectual
26 disability; or

1 (2) causes bodily harm or disability or disfigurement
2 to any child under the age of 13 years or to any person
3 with a severe or profound intellectual disability.

4 (c) Offense based on location of conduct. A person commits
5 aggravated battery when, in committing a battery, other than
6 by the discharge of a firearm, he or she is or the person
7 battered is on or about a public way, public property, a public
8 place of accommodation or amusement, a sports venue, or a
9 domestic violence shelter, or in a church, synagogue, mosque,
10 or other building, structure, or place used for religious
11 worship.

12 (d) Offense based on status of victim. A person commits
13 aggravated battery when, in committing a battery, other than
14 by discharge of a firearm, he or she knows the individual
15 battered to be any of the following:

16 (1) A person 60 years of age or older.

17 (2) A person who is pregnant or has a physical
18 disability.

19 (3) A teacher or school employee upon school grounds
20 or grounds adjacent to a school or in any part of a
21 building used for school purposes.

22 (4) A peace officer, community policing volunteer,
23 fireman, private security officer, correctional
24 institution employee, or Department of Human Services
25 employee supervising or controlling sexually dangerous
26 persons or sexually violent persons:

1 (i) performing his or her official duties;

2 (ii) battered to prevent performance of his or her
3 official duties; or

4 (iii) battered in retaliation for performing his
5 or her official duties.

6 (5) A judge, emergency management worker, emergency
7 medical services personnel, or utility worker:

8 (i) performing his or her official duties;

9 (ii) battered to prevent performance of his or her
10 official duties; or

11 (iii) battered in retaliation for performing his
12 or her official duties.

13 (6) An officer or employee of the State of Illinois, a
14 unit of local government, or a school district, while
15 performing his or her official duties.

16 (7) A transit employee performing his or her official
17 duties, or a transit passenger.

18 (8) A taxi driver on duty.

19 (9) A merchant who detains the person for an alleged
20 commission of retail theft under Section 16-26 of this
21 Code and the person without legal justification by any
22 means causes bodily harm to the merchant.

23 (10) A person authorized to serve process under
24 Section 2-202 of the Code of Civil Procedure or a special
25 process server appointed by the circuit court while that
26 individual is in the performance of his or her duties as a

1 process server.

2 (11) A nurse while in the performance of his or her
3 duties as a nurse.

4 (12) A merchant: (i) while performing his or her
5 duties, including, but not limited to, relaying directions
6 for healthcare or safety from his or her supervisor or
7 employer or relaying health or safety guidelines,
8 recommendations, regulations, or rules from a federal,
9 State, or local public health agency; and (ii) during a
10 disaster declared by the Governor, or a state of emergency
11 declared by the mayor of the municipality in which the
12 merchant is located, due to a public health emergency and
13 for a period of 6 months after such declaration.

14 (e) Offense based on use of a firearm. A person commits
15 aggravated battery when, in committing a battery, he or she
16 knowingly does any of the following:

17 (1) Discharges a firearm, other than a machine gun or
18 a firearm equipped with a silencer, and causes any injury
19 to another person.

20 (2) Discharges a firearm, other than a machine gun or
21 a firearm equipped with a silencer, and causes any injury
22 to a person he or she knows to be a peace officer,
23 community policing volunteer, person summoned by a police
24 officer, fireman, private security officer, correctional
25 institution employee, or emergency management worker:

26 (i) performing his or her official duties;

1 (ii) battered to prevent performance of his or her
2 official duties; or

3 (iii) battered in retaliation for performing his
4 or her official duties.

5 (3) Discharges a firearm, other than a machine gun or
6 a firearm equipped with a silencer, and causes any injury
7 to a person he or she knows to be emergency medical
8 services personnel:

9 (i) performing his or her official duties;

10 (ii) battered to prevent performance of his or her
11 official duties; or

12 (iii) battered in retaliation for performing his
13 or her official duties.

14 (4) Discharges a firearm and causes any injury to a
15 person he or she knows to be a teacher, a student in a
16 school, or a school employee, and the teacher, student, or
17 employee is upon school grounds or grounds adjacent to a
18 school or in any part of a building used for school
19 purposes.

20 (5) Discharges a machine gun or a firearm equipped
21 with a silencer, and causes any injury to another person.

22 (6) Discharges a machine gun or a firearm equipped
23 with a silencer, and causes any injury to a person he or
24 she knows to be a peace officer, community policing
25 volunteer, person summoned by a police officer, fireman,
26 private security officer, correctional institution

1 employee or emergency management worker:

2 (i) performing his or her official duties;

3 (ii) battered to prevent performance of his or her
4 official duties; or

5 (iii) battered in retaliation for performing his
6 or her official duties.

7 (7) Discharges a machine gun or a firearm equipped
8 with a silencer, and causes any injury to a person he or
9 she knows to be emergency medical services personnel:

10 (i) performing his or her official duties;

11 (ii) battered to prevent performance of his or her
12 official duties; or

13 (iii) battered in retaliation for performing his
14 or her official duties.

15 (8) Discharges a machine gun or a firearm equipped
16 with a silencer, and causes any injury to a person he or
17 she knows to be a teacher, or a student in a school, or a
18 school employee, and the teacher, student, or employee is
19 upon school grounds or grounds adjacent to a school or in
20 any part of a building used for school purposes.

21 (f) Offense based on use of a weapon or device. A person
22 commits aggravated battery when, in committing a battery, he
23 or she does any of the following:

24 (1) Uses a deadly weapon other than by discharge of a
25 firearm, or uses an air rifle as defined in Section
26 24.8-0.1 of this Code.

1 (2) Wears a hood, robe, or mask to conceal his or her
2 identity.

3 (3) Knowingly and without lawful justification shines
4 or flashes a laser gunsight or other laser device attached
5 to a firearm, or used in concert with a firearm, so that
6 the laser beam strikes upon or against the person of
7 another.

8 (4) Knowingly video or audio records the offense with
9 the intent to disseminate the recording.

10 (g) Offense based on certain conduct. A person commits
11 aggravated battery when, other than by discharge of a firearm,
12 he or she does any of the following:

13 (1) Violates Section 401 of the Illinois Controlled
14 Substances Act by unlawfully delivering a controlled
15 substance to another and any user experiences great bodily
16 harm or permanent disability as a result of the injection,
17 inhalation, or ingestion of any amount of the controlled
18 substance.

19 (2) Knowingly administers to an individual or causes
20 him or her to take, without his or her consent or by threat
21 or deception, and for other than medical purposes, any
22 intoxicating, poisonous, stupefying, narcotic,
23 anesthetic, or controlled substance, or gives to another
24 person any food containing any substance or object
25 intended to cause physical injury if eaten.

26 (3) Knowingly causes or attempts to cause a

1 correctional institution employee or Department of Human
2 Services employee to come into contact with blood, seminal
3 fluid, urine, or feces by throwing, tossing, or expelling
4 the fluid or material, and the person is an inmate of a
5 penal institution or is a sexually dangerous person or
6 sexually violent person in the custody of the Department
7 of Human Services.

8 (h) Sentence. Unless otherwise provided, aggravated
9 battery is a Class 3 felony.

10 Aggravated battery as defined in subdivision (a)(4),
11 (d)(4), or (g)(3) is a Class 2 felony.

12 Aggravated battery as defined in subdivision (a)(3) or
13 (g)(1) is a Class 1 felony.

14 Aggravated battery as defined in subdivision (a)(1) is a
15 Class 1 felony when the aggravated battery was intentional and
16 involved the infliction of torture, as defined in paragraph
17 (10) of subsection (b-5) of Section 5-8-1 of the Unified Code
18 of Corrections, as the infliction of or subjection to extreme
19 physical pain, motivated by an intent to increase or prolong
20 the pain, suffering, or agony of the victim.

21 Aggravated battery as defined in subdivision (a)(1) is a
22 Class 2 felony when the person causes great bodily harm or
23 permanent disability to an individual whom the person knows to
24 be a member of a congregation engaged in prayer or other
25 religious activities at a church, synagogue, mosque, or other
26 building, structure, or place used for religious worship.

1 Aggravated battery under subdivision (a)(5) is a Class 1
2 felony if:

3 (A) the person used or attempted to use a dangerous
4 instrument while committing the offense;

5 (B) the person caused great bodily harm or permanent
6 disability or disfigurement to the other person while
7 committing the offense; or

8 (C) the person has been previously convicted of a
9 violation of subdivision (a)(5) under the laws of this
10 State or laws similar to subdivision (a)(5) of any other
11 state.

12 Aggravated battery as defined in subdivision (e)(1) is a
13 Class X felony.

14 Aggravated battery as defined in subdivision (a)(2) is a
15 Class X felony for which a person shall be sentenced to a term
16 of imprisonment of a minimum of 6 years and a maximum of 45
17 years.

18 Aggravated battery as defined in subdivision (e)(5) is a
19 Class X felony for which a person shall be sentenced to a term
20 of imprisonment of a minimum of 12 years and a maximum of 45
21 years.

22 Aggravated battery as defined in subdivision (e)(2),
23 (e)(3), or (e)(4) is a Class X felony for which a person shall
24 be sentenced to a term of imprisonment of a minimum of 15 years
25 and a maximum of 60 years.

26 Aggravated battery as defined in subdivision (e)(6),

1 (e) (7), or (e) (8) is a Class X felony for which a person shall
2 be sentenced to a term of imprisonment of a minimum of 20 years
3 and a maximum of 60 years.

4 Aggravated battery as defined in subdivision (b) (1) is a
5 Class X felony, except that:

6 (1) if the person committed the offense while
7 personally armed with a firearm, 15 years shall be added
8 to the term of imprisonment imposed by the court;

9 (2) if, during the commission of the offense, the
10 person personally discharged a firearm, 20 years shall be
11 added to the term of imprisonment imposed by the court;

12 (3) if, during the commission of the offense, the
13 person personally discharged a firearm that proximately
14 caused great bodily harm, permanent disability, permanent
15 disfigurement, or death to another person, 25 years or up
16 to a term of natural life shall be added to the term of
17 imprisonment imposed by the court.

18 (i) Definitions. In this Section:

19 "Building or other structure used to provide shelter" has
20 the meaning ascribed to "shelter" in Section 1 of the Domestic
21 Violence Shelters Act.

22 "Domestic violence" has the meaning ascribed to it in
23 Section 103 of the Illinois Domestic Violence Act of 1986.

24 "Domestic violence shelter" means any building or other
25 structure used to provide shelter or other services to victims
26 or to the dependent children of victims of domestic violence

1 pursuant to the Illinois Domestic Violence Act of 1986 or the
2 Domestic Violence Shelters Act, or any place within 500 feet
3 of such a building or other structure in the case of a person
4 who is going to or from such a building or other structure.

5 "Firearm" has the meaning provided under Section 1.1 of
6 the Firearm Owners Identification Card Act, and does not
7 include an air rifle as defined by Section 24.8-0.1 of this
8 Code.

9 "Machine gun" has the meaning ascribed to it in Section
10 24-1 of this Code.

11 "Merchant" has the meaning ascribed to it in Section
12 16-0.1 of this Code.

13 "Strangle" means intentionally impeding the normal
14 breathing or circulation of the blood of an individual by
15 applying pressure on the throat or neck of that individual or
16 by blocking the nose or mouth of that individual.

17 (Source: P.A. 103-51, eff. 1-1-24.)

18 (720 ILCS 5/18-2) (from Ch. 38, par. 18-2)

19 Sec. 18-2. Armed robbery.

20 (a) A person commits armed robbery when he or she violates
21 Section 18-1; and

22 (1) he or she carries on or about his or her person or
23 is otherwise armed with a dangerous weapon other than a
24 firearm; or

25 (2) he or she carries on or about his or her person or

1 is otherwise armed with a firearm; or

2 (3) he or she, during the commission of the offense,
3 personally discharges a firearm; or

4 (4) he or she, during the commission of the offense,
5 personally discharges a firearm that proximately causes
6 great bodily harm, permanent disability, permanent
7 disfigurement, or death to another person.

8 (b) Sentence.

9 Armed robbery in violation of subsection (a)(1) is a Class
10 X felony. A violation of subsection (a)(2) is a Class X felony
11 for which 15 years shall be added to the term of imprisonment
12 imposed by the court, if the person committed the offense
13 while personally armed with the firearm. A violation of
14 subsection (a)(3) is a Class X felony for which 20 years shall
15 be added to the term of imprisonment imposed by the court. A
16 violation of subsection (a)(4) is a Class X felony for which 25
17 years or up to a term of natural life shall be added to the
18 term of imprisonment imposed by the court.

19 (Source: P.A. 91-404, eff. 1-1-00.)

20 (720 ILCS 5/18-4)

21 Sec. 18-4. Aggravated vehicular hijacking.

22 (a) A person commits aggravated vehicular hijacking when
23 he or she violates Section 18-3; and

24 (1) the person from whose immediate presence the motor
25 vehicle is taken is a person with a physical disability or

1 a person 60 years of age or over; or

2 (2) a person under 16 years of age is a passenger in
3 the motor vehicle at the time of the offense; or

4 (3) he or she carries on or about his or her person, or
5 is otherwise armed with a dangerous weapon, other than a
6 firearm; or

7 (4) he or she carries on or about his or her person or
8 is otherwise armed with a firearm; or

9 (5) he or she, during the commission of the offense,
10 personally discharges a firearm; or

11 (6) he or she, during the commission of the offense,
12 personally discharges a firearm that proximately causes
13 great bodily harm, permanent disability, permanent
14 disfigurement, or death to another person.

15 (b) Sentence. Aggravated vehicular hijacking in violation
16 of subsections (a)(1) or (a)(2) is a Class X felony. A
17 violation of subsection (a)(3) is a Class X felony for which a
18 term of imprisonment of not less than 7 years shall be imposed.
19 A violation of subsection (a)(4) is a Class X felony for which
20 15 years shall be added to the term of imprisonment imposed by
21 the court, if the person committed the offense while
22 personally armed with the firearm. A violation of subsection
23 (a)(5) is a Class X felony for which 20 years shall be added to
24 the term of imprisonment imposed by the court. A violation of
25 subsection (a)(6) is a Class X felony for which 25 years or up
26 to a term of natural life shall be added to the term of

1 imprisonment imposed by the court.

2 (Source: P.A. 99-143, eff. 7-27-15.)

3 (720 ILCS 5/19-6) (was 720 ILCS 5/12-11)

4 Sec. 19-6. Home Invasion.

5 (a) A person who is not a peace officer acting in the line
6 of duty commits home invasion when without authority he or she
7 knowingly enters the dwelling place of another when he or she
8 knows or has reason to know that one or more persons is present
9 or he or she knowingly enters the dwelling place of another and
10 remains in the dwelling place until he or she knows or has
11 reason to know that one or more persons is present or who
12 falsely represents himself or herself, including but not
13 limited to, falsely representing himself or herself to be a
14 representative of any unit of government or a construction,
15 telecommunications, or utility company, for the purpose of
16 gaining entry to the dwelling place of another when he or she
17 knows or has reason to know that one or more persons are
18 present and

19 (1) While armed with a dangerous weapon, other than a
20 firearm, uses force or threatens the imminent use of force
21 upon any person or persons within the dwelling place
22 whether or not injury occurs, or

23 (2) Intentionally causes any injury, except as
24 provided in subsection (a)(5), to any person or persons
25 within the dwelling place, or

1 (3) While armed with a firearm uses force or threatens
2 the imminent use of force upon any person or persons
3 within the dwelling place whether or not injury occurs, or

4 (4) Uses force or threatens the imminent use of force
5 upon any person or persons within the dwelling place
6 whether or not injury occurs and during the commission of
7 the offense personally discharges a firearm, or

8 (5) Personally discharges a firearm that proximately
9 causes great bodily harm, permanent disability, permanent
10 disfigurement, or death to another person within the
11 dwelling place, or

12 (6) Commits, against any person or persons within that
13 dwelling place, a violation of Section 11-1.20, 11-1.30,
14 11-1.40, 11-1.50, or 11-1.60 of this Code.

15 (b) It is an affirmative defense to a charge of home
16 invasion that the accused who knowingly enters the dwelling
17 place of another and remains in the dwelling place until he or
18 she knows or has reason to know that one or more persons is
19 present either immediately leaves the premises or surrenders
20 to the person or persons lawfully present therein without
21 either attempting to cause or causing serious bodily injury to
22 any person present therein.

23 (c) Sentence. Home invasion in violation of subsection
24 (a) (1), (a) (2) or (a) (6) is a Class X felony. A violation of
25 subsection (a) (3) is a Class X felony for which 15 years shall
26 be added to the term of imprisonment imposed by the court, if

1 the person committed the offense while personally armed with
2 the firearm. A violation of subsection (a)(4) is a Class X
3 felony for which 20 years shall be added to the term of
4 imprisonment imposed by the court. A violation of subsection
5 (a)(5) is a Class X felony for which 25 years or up to a term
6 of natural life shall be added to the term of imprisonment
7 imposed by the court.

8 (d) For purposes of this Section, "dwelling place of
9 another" includes a dwelling place where the defendant
10 maintains a tenancy interest but from which the defendant has
11 been barred by a divorce decree, judgment of dissolution of
12 marriage, order of protection, or other court order.

13 (Source: P.A. 96-1113, eff. 1-1-11; 96-1551, eff. 7-1-11;
14 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

15 Section 10. The Unified Code of Corrections is amended by
16 changing Section 5-8-1 as follows:

17 (730 ILCS 5/5-8-1) (from Ch. 38, par. 1005-8-1)

18 Sec. 5-8-1. Natural life imprisonment; enhancements for
19 use of a firearm; mandatory supervised release terms.

20 (a) Except as otherwise provided in the statute defining
21 the offense or in Article 4.5 of Chapter V, a sentence of
22 imprisonment for a felony shall be a determinate sentence set
23 by the court under this Section, subject to Section 5-4.5-115
24 of this Code, according to the following limitations:

1 (1) for first degree murder,

2 (a) (blank),

3 (b) if a trier of fact finds beyond a reasonable
4 doubt that the murder was accompanied by exceptionally
5 brutal or heinous behavior indicative of wanton
6 cruelty or, except as set forth in subsection
7 (a) (1) (c) of this Section, that any of the aggravating
8 factors listed in subparagraph (b-5) are present, the
9 court may sentence the defendant, subject to Section
10 5-4.5-105, to a term of natural life imprisonment, or

11 (b-5) a defendant who at the time of the
12 commission of the offense has attained the age of 18 or
13 more and who has been found guilty of first degree
14 murder may be sentenced to a term of natural life
15 imprisonment if:

16 (1) the murdered individual was an inmate at
17 an institution or facility of the Department of
18 Corrections, or any similar local correctional
19 agency and was killed on the grounds thereof, or
20 the murdered individual was otherwise present in
21 such institution or facility with the knowledge
22 and approval of the chief administrative officer
23 thereof;

24 (2) the murdered individual was killed as a
25 result of the hijacking of an airplane, train,
26 ship, bus, or other public conveyance;

1 (3) the defendant committed the murder
2 pursuant to a contract, agreement, or
3 understanding by which he or she was to receive
4 money or anything of value in return for
5 committing the murder or procured another to
6 commit the murder for money or anything of value;

7 (4) the murdered individual was killed in the
8 course of another felony if:

9 (A) the murdered individual:

10 (i) was actually killed by the
11 defendant, or

12 (ii) received physical injuries
13 personally inflicted by the defendant
14 substantially contemporaneously with
15 physical injuries caused by one or more
16 persons for whose conduct the defendant is
17 legally accountable under Section 5-2 of
18 this Code, and the physical injuries
19 inflicted by either the defendant or the
20 other person or persons for whose conduct
21 he is legally accountable caused the death
22 of the murdered individual; and (B) in
23 performing the acts which caused the death
24 of the murdered individual or which
25 resulted in physical injuries personally
26 inflicted by the defendant on the murdered

1 individual under the circumstances of
2 subdivision (ii) of clause (A) of this
3 clause (4), the defendant acted with the
4 intent to kill the murdered individual or
5 with the knowledge that his or her acts
6 created a strong probability of death or
7 great bodily harm to the murdered
8 individual or another; and

9 (B) in performing the acts which caused
10 the death of the murdered individual or which
11 resulted in physical injuries personally
12 inflicted by the defendant on the murdered
13 individual under the circumstances of
14 subdivision (ii) of clause (A) of this clause
15 (4), the defendant acted with the intent to
16 kill the murdered individual or with the
17 knowledge that his or her acts created a
18 strong probability of death or great bodily
19 harm to the murdered individual or another;
20 and

21 (C) the other felony was an inherently
22 violent crime or the attempt to commit an
23 inherently violent crime. In this clause (C),
24 "inherently violent crime" includes, but is
25 not limited to, armed robbery, robbery,
26 predatory criminal sexual assault of a child,

1 aggravated criminal sexual assault, aggravated
2 kidnapping, aggravated vehicular hijacking,
3 aggravated arson, aggravated stalking,
4 residential burglary, and home invasion;

5 (5) the defendant committed the murder with
6 intent to prevent the murdered individual from
7 testifying or participating in any criminal
8 investigation or prosecution or giving material
9 assistance to the State in any investigation or
10 prosecution, either against the defendant or
11 another; or the defendant committed the murder
12 because the murdered individual was a witness in
13 any prosecution or gave material assistance to the
14 State in any investigation or prosecution, either
15 against the defendant or another; for purposes of
16 this clause (5), "participating in any criminal
17 investigation or prosecution" is intended to
18 include those appearing in the proceedings in any
19 capacity such as trial judges, prosecutors,
20 defense attorneys, investigators, witnesses, or
21 jurors;

22 (6) the defendant, while committing an offense
23 punishable under Section 401, 401.1, 401.2, 405,
24 405.2, 407, or 407.1 or subsection (b) of Section
25 404 of the Illinois Controlled Substances Act, or
26 while engaged in a conspiracy or solicitation to

1 commit such offense, intentionally killed an
2 individual or counseled, commanded, induced,
3 procured, or caused the intentional killing of the
4 murdered individual;

5 (7) the defendant was incarcerated in an
6 institution or facility of the Department of
7 Corrections at the time of the murder, and while
8 committing an offense punishable as a felony under
9 Illinois law, or while engaged in a conspiracy or
10 solicitation to commit such offense, intentionally
11 killed an individual or counseled, commanded,
12 induced, procured, or caused the intentional
13 killing of the murdered individual;

14 (8) the murder was committed in a cold,
15 calculated and premeditated manner pursuant to a
16 preconceived plan, scheme, or design to take a
17 human life by unlawful means, and the conduct of
18 the defendant created a reasonable expectation
19 that the death of a human being would result
20 therefrom;

21 (9) the defendant was a principal
22 administrator, organizer, or leader of a
23 calculated criminal drug conspiracy consisting of
24 a hierarchical position of authority superior to
25 that of all other members of the conspiracy, and
26 the defendant counseled, commanded, induced,

1 procured, or caused the intentional killing of the
2 murdered person;

3 (10) the murder was intentional and involved
4 the infliction of torture. For the purpose of this
5 clause (10), torture means the infliction of or
6 subjection to extreme physical pain, motivated by
7 an intent to increase or prolong the pain,
8 suffering, or agony of the victim;

9 (11) the murder was committed as a result of
10 the intentional discharge of a firearm by the
11 defendant from a motor vehicle and the victim was
12 not present within the motor vehicle;

13 (12) the murdered individual was a person with
14 a disability and the defendant knew or should have
15 known that the murdered individual was a person
16 with a disability. For purposes of this clause
17 (12), "person with a disability" means a person
18 who suffers from a permanent physical or mental
19 impairment resulting from disease, an injury, a
20 functional disorder, or a congenital condition
21 that renders the person incapable of adequately
22 providing for his or her own health or personal
23 care;

24 (13) the murdered individual was subject to an
25 order of protection and the murder was committed
26 by a person against whom the same order of

1 protection was issued under the Illinois Domestic
2 Violence Act of 1986;

3 (14) the murdered individual was known by the
4 defendant to be a teacher or other person employed
5 in any school and the teacher or other employee is
6 upon the grounds of a school or grounds adjacent
7 to a school, or is in any part of a building used
8 for school purposes;

9 (15) the murder was committed by the defendant
10 in connection with or as a result of the offense of
11 terrorism as defined in Section 29D-14.9 of this
12 Code;

13 (16) the murdered individual was a member of a
14 congregation engaged in prayer or other religious
15 activities at a church, synagogue, mosque, or
16 other building, structure, or place used for
17 religious worship; or

18 (17)(i) the murdered individual was a
19 physician, physician assistant, psychologist,
20 nurse, or advanced practice registered nurse;

21 (ii) the defendant knew or should have known
22 that the murdered individual was a physician,
23 physician assistant, psychologist, nurse, or
24 advanced practice registered nurse; and

25 (iii) the murdered individual was killed in
26 the course of acting in his or her capacity as a

1 physician, physician assistant, psychologist,
2 nurse, or advanced practice registered nurse, or
3 to prevent him or her from acting in that
4 capacity, or in retaliation for his or her acting
5 in that capacity.

6 (c) the court shall sentence the defendant to a
7 term of natural life imprisonment if the defendant, at
8 the time of the commission of the murder, had attained
9 the age of 18, and:

10 (i) has previously been convicted of first
11 degree murder under any state or federal law, or

12 (ii) is found guilty of murdering more than
13 one victim, or

14 (iii) is found guilty of murdering a peace
15 officer, fireman, or emergency management worker
16 when the peace officer, fireman, or emergency
17 management worker was killed in the course of
18 performing his official duties, or to prevent the
19 peace officer or fireman from performing his
20 official duties, or in retaliation for the peace
21 officer, fireman, or emergency management worker
22 from performing his official duties, and the
23 defendant knew or should have known that the
24 murdered individual was a peace officer, fireman,
25 or emergency management worker, or

26 (iv) is found guilty of murdering an employee

1 of an institution or facility of the Department of
2 Corrections, or any similar local correctional
3 agency, when the employee was killed in the course
4 of performing his official duties, or to prevent
5 the employee from performing his official duties,
6 or in retaliation for the employee performing his
7 official duties, or

8 (v) is found guilty of murdering an emergency
9 medical technician - ambulance, emergency medical
10 technician - intermediate, emergency medical
11 technician - paramedic, ambulance driver, or other
12 medical assistance or first aid person while
13 employed by a municipality or other governmental
14 unit when the person was killed in the course of
15 performing official duties or to prevent the
16 person from performing official duties or in
17 retaliation for performing official duties and the
18 defendant knew or should have known that the
19 murdered individual was an emergency medical
20 technician - ambulance, emergency medical
21 technician - intermediate, emergency medical
22 technician - paramedic, ambulance driver, or other
23 medical assistant or first aid personnel, or

24 (vi) (blank), or

25 (vii) is found guilty of first degree murder
26 and the murder was committed by reason of any

1 person's activity as a community policing
2 volunteer or to prevent any person from engaging
3 in activity as a community policing volunteer. For
4 the purpose of this Section, "community policing
5 volunteer" has the meaning ascribed to it in
6 Section 2-3.5 of the Criminal Code of 2012.

7 For purposes of clause (v), "emergency medical
8 technician - ambulance", "emergency medical technician
9 - intermediate", and "emergency medical technician -
10 paramedic" have the meanings ascribed to them in the
11 Emergency Medical Services (EMS) Systems Act.

12 (d) (i) if the person committed the offense while
13 personally armed with a firearm, 15 years shall be
14 added to the term of imprisonment imposed by the
15 court;

16 (ii) if, during the commission of the offense, the
17 person personally discharged a firearm, 20 years shall
18 be added to the term of imprisonment imposed by the
19 court;

20 (iii) if, during the commission of the offense,
21 the person personally discharged a firearm that
22 proximately caused great bodily harm, permanent
23 disability, permanent disfigurement, or death to
24 another person, 25 years or up to a term of natural
25 life shall be added to the term of imprisonment
26 imposed by the court.

1 (2) (blank);

2 (2.5) for a person who has attained the age of 18 years
3 at the time of the commission of the offense and who is
4 convicted under the circumstances described in subdivision
5 (b)(1)(B) of Section 11-1.20 or paragraph (3) of
6 subsection (b) of Section 12-13, subdivision (d)(2) of
7 Section 11-1.30 or paragraph (2) of subsection (d) of
8 Section 12-14, subdivision (b)(1.2) of Section 11-1.40 or
9 paragraph (1.2) of subsection (b) of Section 12-14.1,
10 subdivision (b)(2) of Section 11-1.40 or paragraph (2) of
11 subsection (b) of Section 12-14.1 of the Criminal Code of
12 1961 or the Criminal Code of 2012, the sentence shall be a
13 term of natural life imprisonment.

14 (b) (Blank).

15 (c) (Blank).

16 (d) Subject to earlier termination under Section 3-3-8,
17 the parole or mandatory supervised release term shall be
18 written as part of the sentencing order and shall be as
19 follows:

20 (1) for first degree murder or for the offenses of
21 predatory criminal sexual assault of a child, aggravated
22 criminal sexual assault, and criminal sexual assault if
23 committed on or before December 12, 2005, 3 years;

24 (1.5) except as provided in paragraph (7) of this
25 subsection (d), for a Class X felony except for the
26 offenses of predatory criminal sexual assault of a child,

1 aggravated criminal sexual assault, and criminal sexual
2 assault if committed on or after December 13, 2005 (the
3 effective date of Public Act 94-715) and except for the
4 offense of aggravated child pornography under Section
5 11-20.1B, 11-20.3, or 11-20.1 with sentencing under
6 subsection (c-5) of Section 11-20.1 of the Criminal Code
7 of 1961 or the Criminal Code of 2012, if committed on or
8 after January 1, 2009, and except for the offense of
9 obscene depiction of a purported child with sentencing
10 under subsection (d) of Section 11-20.4 of the Criminal
11 Code of 2012, 18 months;

12 (2) except as provided in paragraph (7) of this
13 subsection (d), for a Class 1 felony or a Class 2 felony
14 except for the offense of criminal sexual assault if
15 committed on or after December 13, 2005 (the effective
16 date of Public Act 94-715) and except for the offenses of
17 manufacture and dissemination of child sexual abuse
18 material under clauses (a)(1) and (a)(2) of Section
19 11-20.1 of the Criminal Code of 1961 or the Criminal Code
20 of 2012, if committed on or after January 1, 2009, and
21 except for the offense of obscene depiction of a purported
22 child under paragraph (2) of subsection (b) of Section
23 11-20.4 of the Criminal Code of 2012, 12 months;

24 (3) except as provided in paragraph (4), (6), or (7)
25 of this subsection (d), for a Class 3 felony or a Class 4
26 felony, 6 months; no later than 45 days after the onset of

1 the term of mandatory supervised release, the Prisoner
2 Review Board shall conduct a discretionary discharge
3 review pursuant to the provisions of Section 3-3-8, which
4 shall include the results of a standardized risk and needs
5 assessment tool administered by the Department of
6 Corrections; the changes to this paragraph (3) made by
7 Public Act 102-1104 apply to all individuals released on
8 mandatory supervised release on or after December 6, 2022
9 (the effective date of Public Act 102-1104), including
10 those individuals whose sentences were imposed prior to
11 December 6, 2022 (the effective date of Public Act
12 102-1104);

13 (4) for defendants who commit the offense of predatory
14 criminal sexual assault of a child, aggravated criminal
15 sexual assault, or criminal sexual assault, on or after
16 December 13, 2005 (the effective date of Public Act
17 94-715), or who commit the offense of aggravated child
18 pornography under Section 11-20.1B, 11-20.3, or 11-20.1
19 with sentencing under subsection (c-5) of Section 11-20.1
20 of the Criminal Code of 1961 or the Criminal Code of 2012,
21 manufacture of child sexual abuse material, or
22 dissemination of child sexual abuse material after January
23 1, 2009, or who commit the offense of obscene depiction of
24 a purported child under paragraph (2) of subsection (b) of
25 Section 11-20.4 of the Criminal Code of 2012 or who commit
26 the offense of obscene depiction of a purported child with

1 sentencing under subsection (d) of Section 11-20.4 of the
2 Criminal Code of 2012, the term of mandatory supervised
3 release shall range from a minimum of 3 years to a maximum
4 of the natural life of the defendant;

5 (5) if the victim is under 18 years of age, for a
6 second or subsequent offense of aggravated criminal sexual
7 abuse or felony criminal sexual abuse, 4 years, at least
8 the first 2 years of which the defendant shall serve in an
9 electronic monitoring or home detention program under
10 Article 8A of Chapter V of this Code;

11 (6) for a felony domestic battery, aggravated domestic
12 battery, stalking, aggravated stalking, and a felony
13 violation of an order of protection, 4 years;

14 (7) for any felony described in paragraph (a)(2)(ii),
15 (a)(2)(iii), (a)(2)(iv), (a)(2)(vi), (a)(2.1), (a)(2.3),
16 (a)(2.4), (a)(2.5), or (a)(2.6) of Article 5, Section
17 3-6-3 of the Unified Code of Corrections requiring an
18 inmate to serve a minimum of 85% of their court-imposed
19 sentence, except for the offenses of predatory criminal
20 sexual assault of a child, aggravated criminal sexual
21 assault, and criminal sexual assault if committed on or
22 after December 13, 2005 (the effective date of Public Act
23 94-715) and except for the offense of aggravated child
24 pornography under Section 11-20.1B, 11-20.3, or 11-20.1
25 with sentencing under subsection (c-5) of Section 11-20.1
26 of the Criminal Code of 1961 or the Criminal Code of 2012,

1 if committed on or after January 1, 2009, and except for
2 the offense of obscene depiction of a purported child with
3 sentencing under subsection (d) of Section 11-20.4 of the
4 Criminal Code of 2012, and except as provided in paragraph
5 (4) or paragraph (6) of this subsection (d), the term of
6 mandatory supervised release shall be as follows:

7 (A) Class X felony, 3 years;

8 (B) Class 1 or Class 2 felonies, 2 years;

9 (C) Class 3 or Class 4 felonies, 1 year.

10 (e) (Blank).

11 (f) (Blank).

12 (g) Notwithstanding any other provisions of this Act and
13 of Public Act 101-652: (i) the provisions of paragraph (3) of
14 subsection (d) are effective on July 1, 2022 and shall apply to
15 all individuals convicted on or after the effective date of
16 paragraph (3) of subsection (d); and (ii) the provisions of
17 paragraphs (1.5) and (2) of subsection (d) are effective on
18 July 1, 2021 and shall apply to all individuals convicted on or
19 after the effective date of paragraphs (1.5) and (2) of
20 subsection (d).

21 (Source: P.A. 103-51, eff. 1-1-24; 103-825, eff. 1-1-25;
22 104-245, eff. 1-1-26; 104-417, eff. 8-15-25.)

23 Section 95. No acceleration or delay. Where this Act makes
24 changes in a statute that is represented in this Act by text
25 that is not yet or no longer in effect (for example, a Section

1 represented by multiple versions), the use of that text does
2 not accelerate or delay the taking effect of (i) the changes
3 made by this Act or (ii) provisions derived from any other
4 Public Act.