



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1785

Introduced 2/5/2025, by Sen. Robert Peters

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-3-8
730 ILCS 5/3-3-9

from Ch. 38, par. 1003-3-8
from Ch. 38, par. 1003-3-9

Amends the Unified Code of Corrections. Provides that a person who is serving a term of mandatory supervised release shall receive one day of additional supervision credit for each day of his or her mandatory supervised release term. Provides that each day of supervision credit shall reduce by one day the person's period of mandatory supervised release. Provides that if prior to expiration or termination of the term of mandatory supervised release, a person violates a condition set by the Prisoner Review Board or a condition of mandatory supervised release to govern that term, the Board may extend the term of mandatory supervised release by revoking supervision credit earned.

LRB104 09274 RLC 19332 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 Unified Code of Corrections is amended by
5 changing Sections 3-3-8 and 3-3-9 as follows:

6 (730 ILCS 5/3-3-8) (from Ch. 38, par. 1003-3-8)

7 Sec. 3-3-8. Length of parole and mandatory supervised
8 release; discharge.

9 (a) The length of parole for a person sentenced under the
10 law in effect prior to the effective date of this amendatory
11 Act of 1977 and the length of mandatory supervised release for
12 those sentenced under the law in effect on and after such
13 effective date shall be as set out in Section 5-8-1 unless
14 sooner terminated under paragraph (b) of this Section.

15 (a-1) A person who is serving a term of mandatory
16 supervised release shall receive one day of additional
17 supervision credit for each day of his or her mandatory
18 supervised release term. Each day of supervision credit shall
19 reduce by one day the person's period of mandatory supervised
20 release.

21 (b) The Prisoner Review Board may enter an order releasing
22 and discharging one from parole or mandatory supervised
23 release, and his or her commitment to the Department, when it

1 determines that he or she is likely to remain at liberty
2 without committing another offense.

3 (b-1) Provided that the subject is in compliance with the
4 terms and conditions of his or her parole or mandatory
5 supervised release, the Prisoner Review Board shall reduce the
6 period of a parolee or releasee's parole or mandatory
7 supervised release by 90 days upon the parolee or releasee
8 receiving a high school diploma, associate's degree,
9 bachelor's degree, career certificate, or vocational technical
10 certification or upon passage of high school equivalency
11 testing during the period of his or her parole or mandatory
12 supervised release. A parolee or releasee shall provide
13 documentation from the educational institution or the source
14 of the qualifying educational or vocational credential to
15 their supervising officer for verification. Each reduction in
16 the period of a subject's term of parole or mandatory
17 supervised release shall be available only to subjects who
18 have not previously earned the relevant credential for which
19 they are receiving the reduction. As used in this Section,
20 "career certificate" means a certificate awarded by an
21 institution for satisfactory completion of a prescribed
22 curriculum that is intended to prepare an individual for
23 employment in a specific field.

24 (b-2) The Prisoner Review Board may release a low-risk and
25 need subject person from mandatory supervised release as
26 determined by an appropriate evidence-based risk and need

1 assessment.

2 (c) The order of discharge shall become effective upon
3 entry of the order of the Board. The Board shall notify the
4 clerk of the committing court of the order. Upon receipt of
5 such copy, the clerk shall make an entry on the record judgment
6 that the sentence or commitment has been satisfied pursuant to
7 the order.

8 (d) Rights of the person discharged under this Section
9 shall be restored under Section 5-5-5.

10 (e) Upon a denial of early discharge under this Section,
11 the Prisoner Review Board shall provide the person on parole
12 or mandatory supervised release a list of steps or
13 requirements that the person must complete or meet to be
14 granted an early discharge at a subsequent review and share
15 the process for seeking a subsequent early discharge review
16 under this subsection. Upon the completion of such steps or
17 requirements, the person on parole or mandatory supervised
18 release may petition the Prisoner Review Board to grant them
19 an early discharge review. Within no more than 30 days of a
20 petition under this subsection, the Prisoner Review Board
21 shall review the petition and make a determination.

22 (Source: P.A. 103-271, eff. 1-1-24.)

23 (730 ILCS 5/3-3-9) (from Ch. 38, par. 1003-3-9)

24 Sec. 3-3-9. Violations; changes of conditions; preliminary
25 hearing; revocation of parole or mandatory supervised release;

1 revocation hearing.

2 (a) If prior to expiration or termination of the term of
3 parole or mandatory supervised release, a person violates a
4 condition set by the Prisoner Review Board or a condition of
5 parole or mandatory supervised release under Section 3-3-7 of
6 this Code to govern that term, the Board may:

7 (1) continue the existing term, with or without
8 modifying or enlarging the conditions; or

9 (1.5) for those released as a result of youthful
10 offender parole as set forth in Section 5-4.5-115 of this
11 Code, order that the inmate be subsequently rereleased to
12 serve a specified mandatory supervised release term not to
13 exceed the full term permitted under the provisions of
14 Section 5-4.5-115 and subsection (d) of Section 5-8-1 of
15 this Code and may modify or enlarge the conditions of the
16 release as the Board deems proper; or

17 (1.6) extend the term of mandatory supervised release
18 by revoking supervision credit earned pursuant to
19 subsection (a-1) of Section 3-3-8; or

20 (2) parole or release the person to a half-way house;
21 or

22 (3) revoke the parole or mandatory supervised release
23 and reconfine the person for a term computed in the
24 following manner:

25 (i) (A) For those sentenced under the law in
26 effect prior to this amendatory Act of 1977, the

1 recommitment shall be for any portion of the imposed
2 maximum term of imprisonment or confinement which had
3 not been served at the time of parole and the parole
4 term, less the time elapsed between the parole of the
5 person and the commission of the violation for which
6 parole was revoked;

7 (B) Except as set forth in paragraphs (C) and (D),
8 for those subject to mandatory supervised release
9 under paragraph (d) of Section 5-8-1 of this Code, the
10 recommitment shall be for the total mandatory
11 supervised release term, less the time elapsed between
12 the release of the person and the commission of the
13 violation for which mandatory supervised release is
14 revoked. The Board may also order that a prisoner
15 serve up to one year of the sentence imposed by the
16 court which was not served due to the accumulation of
17 sentence credit;

18 (C) For those subject to sex offender supervision
19 under clause (d) (4) of Section 5-8-1 of this Code, the
20 reconfinement period for violations of clauses (a) (3)
21 through (b-1) (15) of Section 3-3-7 shall not exceed 2
22 years from the date of reconfinement;

23 (D) For those released as a result of youthful
24 offender parole as set forth in Section 5-4.5-115 of
25 this Code, the reconfinement period shall be for the
26 total mandatory supervised release term, less the time

1 elapsed between the release of the person and the
2 commission of the violation for which mandatory
3 supervised release is revoked. The Board may also
4 order that a prisoner serve up to one year of the
5 mandatory supervised release term previously earned.
6 The Board may also order that the inmate be
7 subsequently rereleased to serve a specified mandatory
8 supervised release term not to exceed the full term
9 permitted under the provisions of Section 5-4.5-115
10 and subsection (d) of Section 5-8-1 of this Code and
11 may modify or enlarge the conditions of the release as
12 the Board deems proper;

13 (ii) the person shall be given credit against the
14 term of reimprisonment or reconfinement for time spent
15 in custody since he or she was paroled or released
16 which has not been credited against another sentence
17 or period of confinement;

18 (iii) (blank);

19 (iv) this Section is subject to the release under
20 supervision and the reparole and rerelease provisions
21 of Section 3-3-10.

22 (b) The Board may revoke parole or mandatory supervised
23 release for violation of a condition for the duration of the
24 term and for any further period which is reasonably necessary
25 for the adjudication of matters arising before its expiration.
26 The issuance of a warrant of arrest for an alleged violation of

1 the conditions of parole or mandatory supervised release shall
2 toll the running of the term until the final determination of
3 the charge. When parole or mandatory supervised release is not
4 revoked that period shall be credited to the term, unless a
5 community-based sanction is imposed as an alternative to
6 revocation and reincarceration, including a diversion
7 established by the Illinois Department of Corrections Parole
8 Services Unit prior to the holding of a preliminary parole
9 revocation hearing. Parolees who are diverted to a
10 community-based sanction shall serve the entire term of parole
11 or mandatory supervised release, if otherwise appropriate.

12 (b-5) The Board shall revoke parole or mandatory
13 supervised release for violation of the conditions prescribed
14 in paragraph (7.6) of subsection (a) of Section 3-3-7.

15 (c) A person charged with violating a condition of parole
16 or mandatory supervised release shall have a preliminary
17 hearing before a hearing officer designated by the Board to
18 determine if there is cause to hold the person for a revocation
19 hearing. However, no preliminary hearing need be held when
20 revocation is based upon new criminal charges and a court
21 finds probable cause on the new criminal charges or when the
22 revocation is based upon a new criminal conviction and a
23 certified copy of that conviction is available.

24 (d) Parole or mandatory supervised release shall not be
25 revoked without written notice to the offender setting forth
26 the violation of parole or mandatory supervised release

1 charged against him or her.

2 (e) A hearing on revocation shall be conducted before at
3 least one member of the Prisoner Review Board. The Board may
4 meet and order its actions in panels of 3 or more members. The
5 action of a majority of the panel shall be the action of the
6 Board. A record of the hearing shall be made. At the hearing
7 the offender shall be permitted to:

8 (1) appear and answer the charge; and

9 (2) bring witnesses on his or her behalf.

10 (f) The Board shall either revoke parole or mandatory
11 supervised release or order the person's term continued with
12 or without modification or enlargement of the conditions.

13 (g) Parole or mandatory supervised release shall not be
14 revoked for failure to make payments under the conditions of
15 parole or release unless the Board determines that such
16 failure is due to the offender's willful refusal to pay.

17 (Source: P.A. 100-1182, eff. 6-1-19; 101-288, eff. 1-1-20.)