

# SB3177



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3177

Introduced 2/2/2026, by Sen. Terri Bryant

### SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-3-2

from Ch. 38, par. 1003-3-2

Amends the Unified Code of Corrections. Provides that the annual report of the Prisoner Review Board transmitted to the Director of Corrections shall list how many C-Number Cases and Good Conduct Requests are considered, granted, and denied by the Board, disaggregated by offense, including, but not limited to, murder and offenses involving sexual conduct or sexual penetration, and indicate if the victims were under 18 years of age or members of law enforcement. Provides that the Prisoner Review Board's annual report shall be published on the Board's website no later than March 1 of each year.

LRB104 18572 RLC 32015 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 3-3-2 as follows:

6 (730 ILCS 5/3-3-2) (from Ch. 38, par. 1003-3-2)

7 Sec. 3-3-2. Powers and duties.

8 (a) The Parole and Pardon Board is abolished and the term  
9 "Parole and Pardon Board" as used in any law of Illinois, shall  
10 read "Prisoner Review Board." After February 1, 1978 (the  
11 effective date of Public Act 81-1099), the Prisoner Review  
12 Board shall provide by rule for the orderly transition of all  
13 files, records, and documents of the Parole and Pardon Board  
14 and for such other steps as may be necessary to effect an  
15 orderly transition and shall:

16 (1) hear by at least one member and through a panel of  
17 at least 3 members decide, cases of prisoners who were  
18 sentenced under the law in effect prior to February 1,  
19 1978 (the effective date of Public Act 81-1099), and who  
20 are eligible for parole;

21 (2) hear by at least one member and through a panel of  
22 at least 3 members decide, the conditions of parole and  
23 the time of discharge from parole, impose sanctions for

1 violations of parole, and revoke parole for those  
2 sentenced under the law in effect prior to February 1,  
3 1978 (the effective date of Public Act 81-1099); provided  
4 that the decision to parole and the conditions of parole  
5 for all prisoners who were sentenced for first degree  
6 murder or who received a minimum sentence of 20 years or  
7 more under the law in effect prior to February 1, 1978  
8 shall be determined by a majority vote of the Prisoner  
9 Review Board. One representative supporting parole and one  
10 representative opposing parole will be allowed to speak.  
11 Their comments shall be limited to making corrections and  
12 filling in omissions to the Board's presentation and  
13 discussion;

14 (3) hear by at least one member and through a panel of  
15 at least 3 members decide, the conditions of mandatory  
16 supervised release and the time of discharge from  
17 mandatory supervised release, impose sanctions for  
18 violations of mandatory supervised release, and revoke  
19 mandatory supervised release for those sentenced under the  
20 law in effect after February 1, 1978 (the effective date  
21 of Public Act 81-1099);

22 (3.5) hear by at least one member and through a panel  
23 of at least 3 members decide, the conditions of mandatory  
24 supervised release and the time of discharge from  
25 mandatory supervised release, to impose sanctions for  
26 violations of mandatory supervised release and revoke

1 mandatory supervised release for those serving extended  
2 supervised release terms pursuant to paragraph (4) of  
3 subsection (d) of Section 5-8-1;

4 (3.6) hear by at least one member and through a panel  
5 of at least 3 members decide whether to revoke aftercare  
6 release for those committed to the Department of Juvenile  
7 Justice under the Juvenile Court Act of 1987;

8 (4) hear by at least one member and through a panel of  
9 at least 3 members, decide cases brought by the Department  
10 of Corrections against a prisoner in the custody of the  
11 Department for alleged violation of Department rules with  
12 respect to sentence credits under Section 3-6-3 of this  
13 Code in which the Department seeks to revoke sentence  
14 credits, if the amount of time at issue exceeds 30 days or  
15 when, during any 12-month period, the cumulative amount of  
16 credit revoked exceeds 30 days except where the infraction  
17 is committed or discovered within 60 days of scheduled  
18 release. In such cases, the Department of Corrections may  
19 revoke up to 30 days of sentence credit. The Board may  
20 subsequently approve the revocation of additional sentence  
21 credit, if the Department seeks to revoke sentence credit  
22 in excess of 30 days. However, the Board shall not be  
23 empowered to review the Department's decision with respect  
24 to the loss of 30 days of sentence credit for any prisoner  
25 or to increase any penalty beyond the length requested by  
26 the Department;

1           (5) hear by at least one member and through a panel of  
2           at least 3 members decide, the release dates for certain  
3           prisoners sentenced under the law in existence prior to  
4           February 1, 1978 (the effective date of Public Act  
5           81-1099), in accordance with Section 3-3-2.1 of this Code;

6           (6) hear by at least one member and through a panel of  
7           at least 3 members decide, all requests for pardon,  
8           reprieve or commutation, and make confidential  
9           recommendations to the Governor;

10          (6.5) hear by at least one member who is qualified in  
11          the field of juvenile matters and through a panel of at  
12          least 3 members, 2 of whom are qualified in the field of  
13          juvenile matters, decide parole review cases in accordance  
14          with Section 5-4.5-115 of this Code and make release  
15          determinations of persons under the age of 21 at the time  
16          of the commission of an offense or offenses, other than  
17          those persons serving sentences for first degree murder or  
18          aggravated criminal sexual assault;

19          (6.6) hear by at least a quorum of the Prisoner Review  
20          Board and decide by a majority of members present at the  
21          hearing, in accordance with Section 5-4.5-115 of this  
22          Code, release determinations of persons under the age of  
23          21 at the time of the commission of an offense or offenses  
24          of those persons serving sentences for first degree murder  
25          or aggravated criminal sexual assault;

26          (7) comply with the requirements of the Open Parole

1 Hearings Act;

2 (8) hear by at least one member and, through a panel of  
3 at least 3 members, decide cases brought by the Department  
4 of Corrections against a prisoner in the custody of the  
5 Department for court dismissal of a frivolous lawsuit  
6 pursuant to Section 3-6-3(d) of this Code in which the  
7 Department seeks to revoke up to 180 days of sentence  
8 credit, and if the prisoner has not accumulated 180 days  
9 of sentence credit at the time of the dismissal, then all  
10 sentence credit accumulated by the prisoner shall be  
11 revoked;

12 (9) hear by at least 3 members, and, through a panel of  
13 at least 3 members, decide whether to grant certificates  
14 of relief from disabilities or certificates of good  
15 conduct as provided in Article 5.5 of Chapter V;

16 (10) upon a petition by a person who has been  
17 convicted of a Class 3 or Class 4 felony and who meets the  
18 requirements of this paragraph, hear by at least 3 members  
19 and, with the unanimous vote of a panel of 3 members, issue  
20 a certificate of eligibility for sealing recommending that  
21 the court order the sealing of all official records of the  
22 arresting authority, the circuit court clerk, and the  
23 Illinois State Police concerning the arrest and conviction  
24 for the Class 3 or 4 felony. A person may not apply to the  
25 Board for a certificate of eligibility for sealing:

26 (A) until 5 years have elapsed since the

1 expiration of his or her sentence;

2 (B) until 5 years have elapsed since any arrests  
3 or detentions by a law enforcement officer for an  
4 alleged violation of law, other than a petty offense,  
5 traffic offense, conservation offense, or local  
6 ordinance offense;

7 (C) if convicted of a violation of the Cannabis  
8 Control Act, Illinois Controlled Substances Act, the  
9 Methamphetamine Control and Community Protection Act,  
10 the Methamphetamine Precursor Control Act, or the  
11 Methamphetamine Precursor Tracking Act unless the  
12 petitioner has completed a drug abuse program for the  
13 offense on which sealing is sought and provides proof  
14 that he or she has completed the program successfully;

15 (D) if convicted of:

16 (i) a sex offense described in Article 11 or  
17 Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of  
18 the Criminal Code of 1961 or the Criminal Code of  
19 2012;

20 (ii) aggravated assault;

21 (iii) aggravated battery;

22 (iv) domestic battery;

23 (v) aggravated domestic battery;

24 (vi) violation of an order of protection;

25 (vii) an offense under the Criminal Code of  
26 1961 or the Criminal Code of 2012 involving a

1 firearm;

2 (viii) driving while under the influence of  
3 alcohol, other drug or drugs, intoxicating  
4 compound or compounds, or any combination thereof;

5 (ix) aggravated driving while under the  
6 influence of alcohol, other drug or drugs,  
7 intoxicating compound or compounds, or any  
8 combination thereof; or

9 (x) any crime defined as a crime of violence  
10 under Section 2 of the Crime Victims Compensation  
11 Act.

12 If a person has applied to the Board for a certificate  
13 of eligibility for sealing and the Board denies the  
14 certificate, the person must wait at least 4 years before  
15 filing again or filing for pardon from the Governor unless  
16 the Chairman of the Prisoner Review Board grants a waiver.

17 The decision to issue or refrain from issuing a  
18 certificate of eligibility for sealing shall be at the  
19 Board's sole discretion, and shall not give rise to any  
20 cause of action against either the Board or its members.

21 The Board may only authorize the sealing of Class 3  
22 and 4 felony convictions of the petitioner from one  
23 information or indictment under this paragraph (10). A  
24 petitioner may only receive one certificate of eligibility  
25 for sealing under this provision for life; and

26 (11) upon a petition by a person who after having been

1 convicted of a Class 3 or Class 4 felony thereafter served  
2 in the United States Armed Forces or National Guard of  
3 this or any other state and had received an honorable  
4 discharge from the United States Armed Forces or National  
5 Guard or who at the time of filing the petition is enlisted  
6 in the United States Armed Forces or National Guard of  
7 this or any other state and served one tour of duty and who  
8 meets the requirements of this paragraph, hear by at least  
9 3 members and, with the unanimous vote of a panel of 3  
10 members, issue a certificate of eligibility for  
11 expungement recommending that the court order the  
12 expungement of all official records of the arresting  
13 authority, the circuit court clerk, and the Illinois State  
14 Police concerning the arrest and conviction for the Class  
15 3 or 4 felony. A person may not apply to the Board for a  
16 certificate of eligibility for expungement:

17 (A) if convicted of:

18 (i) a sex offense described in Article 11 or  
19 Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of  
20 the Criminal Code of 1961 or Criminal Code of  
21 2012;

22 (ii) an offense under the Criminal Code of  
23 1961 or Criminal Code of 2012 involving a firearm;  
24 or

25 (iii) a crime of violence as defined in  
26 Section 2 of the Crime Victims Compensation Act;

1                   or

2                   (B) if the person has not served in the United  
3                   States Armed Forces or National Guard of this or any  
4                   other state or has not received an honorable discharge  
5                   from the United States Armed Forces or National Guard  
6                   of this or any other state or who at the time of the  
7                   filing of the petition is serving in the United States  
8                   Armed Forces or National Guard of this or any other  
9                   state and has not completed one tour of duty.

10                  If a person has applied to the Board for a certificate  
11                  of eligibility for expungement and the Board denies the  
12                  certificate, the person must wait at least 4 years before  
13                  filing again or filing for a pardon with authorization for  
14                  expungement from the Governor unless the Governor or  
15                  Chairman of the Prisoner Review Board grants a waiver.

16                  (a-5) The Prisoner Review Board, with the cooperation of  
17                  and in coordination with the Department of Corrections and the  
18                  Department of Central Management Services, shall provide for  
19                  the conduct of hearings under paragraphs (1) and (4) of  
20                  subsection (a) of this Section through interactive video  
21                  conferences. The Prisoner Review Board, with the cooperation  
22                  of and in coordination with the Department of Corrections and  
23                  the Department of Central Management Services, shall report  
24                  annually to the Governor and the General Assembly regarding  
25                  the use, costs, effectiveness, and future viability of  
26                  interactive video conferences for Prisoner Review Board

1 hearings.

2 (b) Upon recommendation of the Department the Board may  
3 restore sentence credit previously revoked.

4 (c) The Board shall cooperate with the Department in  
5 promoting an effective system of parole and mandatory  
6 supervised release.

7 (d) The Board shall promulgate rules for the conduct of  
8 its work, and the Chairman shall file a copy of such rules and  
9 any amendments thereto with the Director and with the  
10 Secretary of State.

11 (e) The Board shall keep records of all of its official  
12 actions and shall make them accessible in accordance with law  
13 and the rules of the Board.

14 (f) The Board or one who has allegedly violated the  
15 conditions of his or her parole, aftercare release, or  
16 mandatory supervised release may require by subpoena the  
17 attendance and testimony of witnesses and the production of  
18 documentary evidence relating to any matter under  
19 investigation or hearing. The Chairman of the Board may sign  
20 subpoenas which shall be served by any agent or public  
21 official authorized by the Chairman of the Board, or by any  
22 person lawfully authorized to serve a subpoena under the laws  
23 of the State of Illinois. The attendance of witnesses, and the  
24 production of documentary evidence, may be required from any  
25 place in the State to a hearing location in the State before  
26 the Chairman of the Board or his or her designated agent or

1 agents or any duly constituted Committee or Subcommittee of  
2 the Board. Witnesses so summoned shall be paid the same fees  
3 and mileage that are paid witnesses in the circuit courts of  
4 the State, and witnesses whose depositions are taken and the  
5 persons taking those depositions are each entitled to the same  
6 fees as are paid for like services in actions in the circuit  
7 courts of the State. Fees and mileage shall be vouchered for  
8 payment when the witness is discharged from further  
9 attendance.

10 In case of disobedience to a subpoena, the Board may  
11 petition any circuit court of the State for an order requiring  
12 the attendance and testimony of witnesses or the production of  
13 documentary evidence or both. A copy of such petition shall be  
14 served by personal service or by registered or certified mail  
15 upon the person who has failed to obey the subpoena, and such  
16 person shall be advised in writing that a hearing upon the  
17 petition will be requested in a court room to be designated in  
18 such notice before the judge hearing motions or extraordinary  
19 remedies at a specified time, on a specified date, not less  
20 than 10 nor more than 15 days after the deposit of the copy of  
21 the written notice and petition in the U.S. mail addressed to  
22 the person at his or her last known address or after the  
23 personal service of the copy of the notice and petition upon  
24 such person. The court upon the filing of such a petition, may  
25 order the person refusing to obey the subpoena to appear at an  
26 investigation or hearing, or to there produce documentary

1 evidence, if so ordered, or to give evidence relative to the  
2 subject matter of that investigation or hearing. Any failure  
3 to obey such order of the circuit court may be punished by that  
4 court as a contempt of court.

5 Each member of the Board and any hearing officer  
6 designated by the Board shall have the power to administer  
7 oaths and to take the testimony of persons under oath.

8 (g) Except under subsection (a) of this Section, a  
9 majority of the members then appointed to the Prisoner Review  
10 Board shall constitute a quorum for the transaction of all  
11 business of the Board.

12 (h) The Prisoner Review Board shall annually transmit to  
13 the Director a detailed report of its work for the preceding  
14 calendar year, including votes cast by each member. The report  
15 shall list how many C-Number Cases and Good Conduct Requests  
16 are considered, granted, and denied by the Board,  
17 disaggregated by offense, including, but not limited to,  
18 murder and offenses involving sexual conduct or sexual  
19 penetration, and indicate if the victims were under 18 years  
20 of age or members of law enforcement. The annual report shall  
21 also be transmitted to the Governor for submission to the  
22 Legislature and shall be published on the Board's website no  
23 later than March 1 of each year.

24 (Source: P.A. 104-11, eff. 6-20-25.)