



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB3354

Introduced 2/4/2026, by Sen. Robert Peters

#### SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-6-3

730 ILCS 5/3-6-3.2 new

Provides that the Act may be referred to as the Credit for Change Act. Amends the Unified Code of Corrections. Eliminates provisions that a person must serve various percentages for particular offenses. Provides that the rules and regulations shall provide that the individual in custody shall receive one day of sentence credit for each day of service in prison other than when a sentence of natural life imprisonment has been imposed. Provides that each day of sentence credit shall reduce by one day the incarcerated person's period of incarceration set by the court. Provides that within 6 months after the effective date of the amendatory Act, the Department of Corrections shall recalculate each incarcerated person's release date irrespective of the incarcerated person's conviction or sentencing date by crediting each person one day sentence credit for each day the incarcerated person has spent in prison on the current sentence. Provides that the Department shall award sentence credit accumulated prior to the effective date of the amendatory Act in a specified amount to a committed person serving a sentence for an offense committed after June 19, 1998, if the Department determines that the committed person is entitled to this sentence credit, based upon certain specified factors. Provides that the Department, in consultation with the Advisory Board, shall make available to all persons in its custody current materials about sentence credits, containing detailed information regarding eligibility, earning, revocation, calculation, and documentation of credit, in the following formats: (1) in print; (2) on the Department's website; and (3) in a visible location on the premises of each Department facility where notices are customarily posted. Makes technical changes. Effective January 1, 2027.

LRB104 19676 RLC 33125 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 1. Short title. This Act may be referred to as the  
5 Credit for Change Act.

6 Section 3. Legislative declarations.

7 (a) The General Assembly finds and declares that:

8 (1) Public safety is strengthened when people have  
9 meaningful opportunities to change, and research  
10 consistently demonstrates that rehabilitation, education,  
11 and pro social skill building reduce harm and promote  
12 long-term community safety.

13 (2) Every person is capable of growth, and the State  
14 of Illinois has a compelling interest in recognizing,  
15 supporting, and rewarding positive behavioral change by  
16 allowing individuals to earn sentencing credit for the  
17 work they undertake to transform their lives.

18 (3) Recent polling conducted by the Vera Institute of  
19 Justice confirms that Illinois residents strongly support  
20 policies that reward rehabilitation and changed behavior,  
21 reflecting a broad public mandate for evidence-based,  
22 smart on crime approaches.

23 (4) Survivors of harm consistently express that what

1           they want most is changed behavior, accountability, and  
2           conditions that prevent future harm, and honoring  
3           survivors requires the State to incentivize participation  
4           in rehabilitative, educational, and therapeutic  
5           programming that fosters genuine transformation.

6           (5) The Department of Corrections is in a state of  
7           crisis, facing billions of dollars in deferred maintenance  
8           along with decades-long unsustainable staff/incarcerated  
9           person ratios that have not been resolved through hiring,  
10          and which jeopardize the safety and well-being of both  
11          staff and incarcerated people, and responsibly  
12          depopulating facilities by awarding earned sentencing  
13          credit for demonstrated change is a necessary and  
14          effective strategy to stabilize the system by centering  
15          the well-being and protection all who live and work within  
16          it.

17          (6) Racial inequities in Illinois' current sentencing  
18          and sentencing credit structure result in Black people and  
19          other people of color being disproportionately excluded  
20          from earning day-for-day sentence credit, and ensuring  
21          that all incarcerated people can earn equal credit for  
22          equal positive behavior is essential to advancing racial  
23          justice and restoring fairness.

24          (7) Illinois' sentencing framework is outdated, overly  
25          harsh, and out of step with national standards, making  
26          Illinois one of only two states that failed to reduce

1 sentencing brackets when limiting incarcerated people's  
2 eligibility to earn sentence credit, and states across the  
3 political spectrum—including Wyoming and Virginia—have  
4 adopted or are adopting more modern, rehabilitative, and  
5 safety-oriented earned credit policies.

6 (b) It is the intent of the General Assembly to enact the  
7 Credit for Change Act in order to expand access to earned  
8 sentencing credit and focus on the well-being of staff as well  
9 as those incarcerated, and align Illinois with proven,  
10 equitable, and safety-enhancing practices that recognize and  
11 reward the capacity for human change.

12 Section 5. The Unified Code of Corrections is amended by  
13 changing Section 3-6-3 and adding Section 3-6-3.2 as follows:

14 (730 ILCS 5/3-6-3)

15 Sec. 3-6-3. Rules and regulations for sentence credit.

16 (a) (1) The Department of Corrections shall prescribe rules  
17 and regulations for awarding and revoking sentence credit for  
18 persons committed to the Department of Corrections and the  
19 Department of Juvenile Justice shall prescribe rules and  
20 regulations for awarding and revoking sentence credit for  
21 persons committed to the Department of Juvenile Justice under  
22 Section 5-8-6 of the Unified Code of Corrections, which shall  
23 be subject to review by the Prisoner Review Board.

24 (1.5) As otherwise provided by law, sentence credit may be

1 awarded for the following:

2 (A) successful completion of programming while in  
3 custody of the Department of Corrections or the Department  
4 of Juvenile Justice or while in custody prior to  
5 sentencing;

6 (B) compliance with the rules and regulations of the  
7 Department; or

8 (C) service to the institution, service to a  
9 community, or service to the State.

10 (2) The rules and regulations shall provide that the  
11 individual in custody shall receive one day of sentence credit  
12 for each day of service in prison other than when a sentence of  
13 natural life imprisonment has been imposed. Each day of  
14 sentence credit shall reduce by one day the incarcerated  
15 person's period of incarceration set by the court. ~~Except as~~  
16 ~~provided in paragraph (4.7) of this subsection (a), the rules~~  
17 ~~and regulations on sentence credit shall provide, with respect~~  
18 ~~to offenses listed in clause (i), (ii), or (iii) of this~~  
19 ~~paragraph (2) committed on or after June 19, 1998 or with~~  
20 ~~respect to the offense listed in clause (iv) of this paragraph~~  
21 ~~(2) committed on or after June 23, 2005 (the effective date of~~  
22 ~~Public Act 94-71) or with respect to offense listed in clause~~  
23 ~~(vi) committed on or after June 1, 2008 (the effective date of~~  
24 ~~Public Act 95-625) or with respect to the offense of unlawful~~  
25 ~~possession of a firearm by a repeat felony offender committed~~  
26 ~~on or after August 2, 2005 (the effective date of Public Act~~

1 ~~94-398) or with respect to the offenses listed in clause (v) of~~  
2 ~~this paragraph (2) committed on or after August 13, 2007 (the~~  
3 ~~effective date of Public Act 95-134) or with respect to the~~  
4 ~~offense of aggravated domestic battery committed on or after~~  
5 ~~July 23, 2010 (the effective date of Public Act 96-1224) or~~  
6 ~~with respect to the offense of attempt to commit terrorism~~  
7 ~~committed on or after January 1, 2013 (the effective date of~~  
8 ~~Public Act 97-990), the following:~~

9 ~~(i) that a prisoner who is serving a term of~~  
10 ~~imprisonment for first degree murder or for the offense of~~  
11 ~~terrorism shall receive no sentence credit and shall serve~~  
12 ~~the entire sentence imposed by the court,~~

13 ~~(ii) that a prisoner serving a sentence for attempt to~~  
14 ~~commit terrorism, attempt to commit first degree murder,~~  
15 ~~solicitation of murder, solicitation of murder for hire,~~  
16 ~~intentional homicide of an unborn child, predatory~~  
17 ~~criminal sexual assault of a child, aggravated criminal~~  
18 ~~sexual assault, criminal sexual assault, aggravated~~  
19 ~~kidnapping, aggravated battery with a firearm as described~~  
20 ~~in Section 12-4.2 or subdivision (c)(1), (c)(2), (c)(3),~~  
21 ~~or (c)(4) of Section 12-3.05, heinous battery as described~~  
22 ~~in Section 12-4.1 or subdivision (a)(2) of Section~~  
23 ~~12-3.05, unlawful possession of a firearm by a repeat~~  
24 ~~felony offender, aggravated battery of a senior citizen as~~  
25 ~~described in Section 12-4.6 or subdivision (a)(4) of~~  
26 ~~Section 12-3.05, or aggravated battery of a child as~~

1 ~~described in Section 12-4.3 or subdivision (b) (1) of~~  
2 ~~Section 12-3.05 shall receive no more than 4.5 days of~~  
3 ~~sentence credit for each month of his or her sentence of~~  
4 ~~imprisonment;~~

5 ~~(iii) that a prisoner serving a sentence for home~~  
6 ~~invasion, armed robbery, aggravated vehicular hijacking,~~  
7 ~~aggravated discharge of a firearm, or armed violence with~~  
8 ~~a category I weapon or category II weapon, when the court~~  
9 ~~has made and entered a finding, pursuant to subsection~~  
10 ~~(c 1) of Section 5-4-1 of this Code, that the conduct~~  
11 ~~leading to conviction for the enumerated offense resulted~~  
12 ~~in great bodily harm to a victim, shall receive no more~~  
13 ~~than 4.5 days of sentence credit for each month of his or~~  
14 ~~her sentence of imprisonment;~~

15 ~~(iv) that a prisoner serving a sentence for aggravated~~  
16 ~~discharge of a firearm, whether or not the conduct leading~~  
17 ~~to conviction for the offense resulted in great bodily~~  
18 ~~harm to the victim, shall receive no more than 4.5 days of~~  
19 ~~sentence credit for each month of his or her sentence of~~  
20 ~~imprisonment;~~

21 ~~(v) that a person serving a sentence for gunrunning,~~  
22 ~~narcotics racketeering, controlled substance trafficking,~~  
23 ~~methamphetamine trafficking, drug-induced homicide,~~  
24 ~~aggravated methamphetamine-related child endangerment,~~  
25 ~~money laundering pursuant to clause (c) (4) or (5) of~~  
26 ~~Section 29B-1 of the Criminal Code of 1961 or the Criminal~~

1 ~~Code of 2012, or a Class X felony conviction for delivery~~  
2 ~~of a controlled substance, possession of a controlled~~  
3 ~~substance with intent to manufacture or deliver,~~  
4 ~~calculated criminal drug conspiracy, criminal drug~~  
5 ~~conspiracy, street gang criminal drug conspiracy,~~  
6 ~~participation in methamphetamine manufacturing,~~  
7 ~~aggravated participation in methamphetamine~~  
8 ~~manufacturing, delivery of methamphetamine, possession~~  
9 ~~with intent to deliver methamphetamine, aggravated~~  
10 ~~delivery of methamphetamine, aggravated possession with~~  
11 ~~intent to deliver methamphetamine, methamphetamine~~  
12 ~~conspiracy when the substance containing the controlled~~  
13 ~~substance or methamphetamine is 100 grams or more shall~~  
14 ~~receive no more than 7.5 days sentence credit for each~~  
15 ~~month of his or her sentence of imprisonment;~~

16 ~~(vi) that a prisoner serving a sentence for a second~~  
17 ~~or subsequent offense of luring a minor shall receive no~~  
18 ~~more than 4.5 days of sentence credit for each month of his~~  
19 ~~or her sentence of imprisonment; and~~

20 ~~(vii) that a prisoner serving a sentence for~~  
21 ~~aggravated domestic battery shall receive no more than 4.5~~  
22 ~~days of sentence credit for each month of his or her~~  
23 ~~sentence of imprisonment.~~

24 (2.1) Within 6 months after the effective date of this  
25 amendatory Act of the 104th General Assembly, the Department  
26 of Corrections shall recalculate each incarcerated person's

1 release date irrespective of the incarcerated person's  
2 conviction or sentencing date by crediting each person one day  
3 of sentence credit for each day the incarcerated person has  
4 spent in prison on the current sentence. For all offenses,  
5 ~~other than those enumerated in subdivision (a) (2) (i), (ii), or~~  
6 ~~(iii) committed on or after June 19, 1998 or subdivision~~  
7 ~~(a) (2) (iv) committed on or after June 23, 2005 (the effective~~  
8 ~~date of Public Act 94-71) or subdivision (a) (2) (v) committed~~  
9 ~~on or after August 13, 2007 (the effective date of Public Act~~  
10 ~~95-134) or subdivision (a) (2) (vi) committed on or after June~~  
11 ~~1, 2008 (the effective date of Public Act 95-625) or~~  
12 ~~subdivision (a) (2) (vii) committed on or after July 23, 2010~~  
13 ~~(the effective date of Public Act 96-1224), and other than the~~  
14 ~~offense of aggravated driving under the influence of alcohol,~~  
15 ~~other drug or drugs, or intoxicating compound or compounds, or~~  
16 ~~any combination thereof as defined in subparagraph (F) of~~  
17 ~~paragraph (1) of subsection (d) of Section 11-501 of the~~  
18 ~~Illinois Vehicle Code, and other than the offense of~~  
19 ~~aggravated driving under the influence of alcohol, other drug~~  
20 ~~or drugs, or intoxicating compound or compounds, or any~~  
21 ~~combination thereof as defined in subparagraph (C) of~~  
22 ~~paragraph (1) of subsection (d) of Section 11-501 of the~~  
23 ~~Illinois Vehicle Code committed on or after January 1, 2011~~  
24 ~~(the effective date of Public Act 96-1230), the rules and~~  
25 regulations shall provide that an incarcerated person ~~a~~  
26 ~~prisoner~~ who is serving a term of imprisonment shall receive

1 one day of sentence credit for each day of his or her sentence  
2 of imprisonment or recommitment under Section 3-3-9. Each day  
3 of sentence credit shall reduce by one day the incarcerated  
4 person's ~~prisoner's~~ period of imprisonment or recommitment  
5 under Section 3-3-9.

6 (2.2) An incarcerated person ~~A prisoner~~ serving a term of  
7 natural life imprisonment shall be eligible to accumulate  
8 sentencing credit if his or her sentence is reduced to less  
9 than a sentence of natural life imprisonment, which shall be  
10 credited toward his or her new sentence ~~receive no sentence~~  
11 ~~credit.~~

12 (2.3) (Blank). ~~Except as provided in paragraph (4.7) of~~  
13 ~~this subsection (a), the rules and regulations on sentence~~  
14 ~~credit shall provide that a prisoner who is serving a sentence~~  
15 ~~for aggravated driving under the influence of alcohol, other~~  
16 ~~drug or drugs, or intoxicating compound or compounds, or any~~  
17 ~~combination thereof as defined in subparagraph (F) of~~  
18 ~~paragraph (1) of subsection (d) of Section 11 501 of the~~  
19 ~~Illinois Vehicle Code, shall receive no more than 4.5 days of~~  
20 ~~sentence credit for each month of his or her sentence of~~  
21 ~~imprisonment.~~

22 (2.4) (Blank). ~~Except as provided in paragraph (4.7) of~~  
23 ~~this subsection (a), the rules and regulations on sentence~~  
24 ~~credit shall provide with respect to the offenses of~~  
25 ~~aggravated battery with a machine gun or a firearm equipped~~  
26 ~~with any device or attachment designed or used for silencing~~

1 ~~the report of a firearm or aggravated discharge of a machine~~  
2 ~~gun or a firearm equipped with any device or attachment~~  
3 ~~designed or used for silencing the report of a firearm,~~  
4 ~~committed on or after July 15, 1999 (the effective date of~~  
5 ~~Public Act 91-121), that a prisoner serving a sentence for any~~  
6 ~~of these offenses shall receive no more than 4.5 days of~~  
7 ~~sentence credit for each month of his or her sentence of~~  
8 ~~imprisonment.~~

9 (2.5) (Blank). ~~Except as provided in paragraph (4.7) of~~  
10 ~~this subsection (a), the rules and regulations on sentence~~  
11 ~~credit shall provide that a prisoner who is serving a sentence~~  
12 ~~for aggravated arson committed on or after July 27, 2001 (the~~  
13 ~~effective date of Public Act 92-176) shall receive no more~~  
14 ~~than 4.5 days of sentence credit for each month of his or her~~  
15 ~~sentence of imprisonment.~~

16 (2.6) (Blank). ~~Except as provided in paragraph (4.7) of~~  
17 ~~this subsection (a), the rules and regulations on sentence~~  
18 ~~credit shall provide that a prisoner who is serving a sentence~~  
19 ~~for aggravated driving under the influence of alcohol, other~~  
20 ~~drug or drugs, or intoxicating compound or compounds or any~~  
21 ~~combination thereof as defined in subparagraph (C) of~~  
22 ~~paragraph (1) of subsection (d) of Section 11-501 of the~~  
23 ~~Illinois Vehicle Code committed on or after January 1, 2011~~  
24 ~~(the effective date of Public Act 96-1230) shall receive no~~  
25 ~~more than 4.5 days of sentence credit for each month of his or~~  
26 ~~her sentence of imprisonment.~~

1           (3) In addition to the sentence credits earned under  
2 paragraphs (2), (2.1), (4), (4.1), and (4.2), ~~and (4.7)~~ of  
3 this subsection (a), the rules and regulations shall also  
4 provide that the Director of Corrections or the Director of  
5 Juvenile Justice may award up to 180 days of earned sentence  
6 credit for incarcerated persons ~~prisoners~~ serving a sentence  
7 of incarceration of less than 5 years, and up to 365 days of  
8 earned sentence credit for incarcerated persons ~~prisoners~~  
9 serving a sentence of 5 years or longer. The Director may grant  
10 this credit for good conduct in specific instances as either  
11 Director deems proper for eligible persons in the custody of  
12 each Director's respective Department. The good conduct may  
13 include, but is not limited to, compliance with the rules and  
14 regulations of the Department, service to the Department,  
15 service to a community, or service to the State.

16           Incarcerated persons eligible ~~Eligible inmates~~ for an  
17 award of earned sentence credit under this paragraph (3) may  
18 be selected to receive the credit at either Director's or his  
19 or her designee's sole discretion. Eligibility for the  
20 additional earned sentence credit under this paragraph (3) may  
21 be based on, but is not limited to, participation in  
22 programming offered by the Department as appropriate for the  
23 incarcerated person ~~prisoner~~ based on the results of any  
24 available risk/needs assessment or other relevant assessments  
25 or evaluations administered by the Department using a  
26 validated instrument, the circumstances of the crime,

1 demonstrated commitment to rehabilitation by an incarcerated  
2 person ~~a prisoner~~ with a history of conviction for a forcible  
3 felony enumerated in Section 2-8 of the Criminal Code of 2012,  
4 the incarcerated person's inmate's behavior and improvements  
5 in disciplinary history while incarcerated, and the  
6 incarcerated person's inmate's commitment to rehabilitation,  
7 including participation in programming offered by the  
8 Department.

9 The Director of Corrections or the Director of Juvenile  
10 Justice shall not award sentence credit under this paragraph  
11 (3) to an incarcerated person inmate unless the incarcerated  
12 person inmate has served a minimum of 60 days of the sentence,  
13 including time served in a county jail; except nothing in this  
14 paragraph shall be construed to permit either Director to  
15 extend an incarcerated person's inmate's sentence beyond that  
16 which was imposed by the court. Prior to awarding credit under  
17 this paragraph (3), each Director shall make a written  
18 determination that the incarcerated person inmate:

19 (A) is eligible for the earned sentence credit;

20 (B) has served a minimum of 60 days, or as close to 60  
21 days as the sentence will allow;

22 (B-1) has received a risk/needs assessment or other  
23 relevant evaluation or assessment administered by the  
24 Department using a validated instrument; and

25 (C) has met the eligibility criteria established by  
26 rule for earned sentence credit.

1           The Director of Corrections or the Director of Juvenile  
2 Justice shall determine the form and content of the written  
3 determination required in this subsection.

4           (3.5) The Department shall provide annual written reports  
5 to the Governor and the General Assembly on the award of earned  
6 sentence credit no later than February 1 of each year. The  
7 Department must publish both reports on its website within 48  
8 hours of transmitting the reports to the Governor and the  
9 General Assembly. The reports must include:

10           (A) the number of incarcerated persons ~~inmates~~ awarded  
11 earned sentence credit;

12           (B) the average amount of earned sentence credit  
13 awarded;

14           (C) the holding offenses of incarcerated persons  
15 ~~inmates~~ awarded earned sentence credit; and

16           (D) the number of earned sentence credit revocations.

17           (4) (A) ~~The Except as provided in paragraph (4.7) of this~~  
18 ~~subsection (a), the~~ rules and regulations shall also provide  
19 that any incarcerated person ~~prisoner~~ who is engaged full-time  
20 in substance abuse programs, correctional industry  
21 assignments, educational programs, work-release programs or  
22 activities in accordance with Article 13 of Chapter III of  
23 this Code, behavior modification programs, life skills  
24 courses, or re-entry planning provided by the Department under  
25 this paragraph (4) ~~and satisfactorily completes the assigned~~  
26 ~~program as determined by the standards of the Department,~~

1 shall receive one day of sentence credit for each day in which  
2 that incarcerated person ~~prisoner~~ is engaged in the activities  
3 described in this paragraph. The rules and regulations shall  
4 also provide that sentence credit may be provided to an  
5 incarcerated person ~~inmate~~ who was held in pre-trial detention  
6 prior to his or her current commitment to the Department of  
7 Corrections and successfully completed a full-time, 60-day or  
8 longer substance abuse program, educational program, behavior  
9 modification program, life skills course, or re-entry planning  
10 provided by the county department of corrections or county  
11 jail. Calculation of this county program credit shall be done  
12 at sentencing as provided in Section 5-4.5-100 of this Code  
13 and shall be included in the sentencing order. The rules and  
14 regulations shall also provide that sentence credit may be  
15 provided to an incarcerated person ~~inmate~~ who is in compliance  
16 with programming requirements in an adult transition center.

17 (B) The Department shall award sentence credit under this  
18 paragraph (4) accumulated prior to January 1, 2020 (the  
19 effective date of Public Act 101-440) in an amount specified  
20 in subparagraph (C) of this paragraph (4) to an incarcerated  
21 person ~~inmate~~ serving a sentence for an offense committed  
22 prior to June 19, 1998, if the Department determines that the  
23 incarcerated person ~~inmate~~ is entitled to this sentence  
24 credit, based upon:

25 (i) documentation provided by the Department that the  
26 incarcerated person ~~inmate~~ engaged in any full-time

1 substance abuse programs, correctional industry  
2 assignments, educational programs, behavior modification  
3 programs, life skills courses, or re-entry planning  
4 provided by the Department under this paragraph (4) ~~and~~  
5 ~~satisfactorily completed the assigned program as~~  
6 ~~determined by the standards of the Department~~ during the  
7 incarcerated person's ~~inmate's~~ current term of  
8 incarceration; or

9 (ii) the incarcerated person's ~~inmate's~~ own testimony  
10 in the form of an affidavit or documentation, or a third  
11 party's documentation or testimony in the form of an  
12 affidavit that the incarcerated person ~~inmate~~ likely  
13 engaged in any full-time substance abuse programs,  
14 correctional industry assignments, educational programs,  
15 behavior modification programs, life skills courses, or  
16 re-entry planning provided by the Department under  
17 paragraph (4) ~~and satisfactorily completed the assigned~~  
18 ~~program as determined by the standards of the Department~~  
19 during the incarcerated person's ~~inmate's~~ current term of  
20 incarceration.

21 (C) If the incarcerated person ~~inmate~~ can provide  
22 documentation that he or she is entitled to sentence credit  
23 under subparagraph (B) in excess of 45 days of participation  
24 in those programs, the incarcerated person ~~inmate~~ shall  
25 receive 90 days of sentence credit. If the incarcerated person  
26 ~~inmate~~ cannot provide documentation of more than 45 days of

1 participation in those programs, the incarcerated person  
2 ~~inmate~~ shall receive 45 days of sentence credit. In the event  
3 of a disagreement between the Department and the incarcerated  
4 person inmate as to the amount of credit accumulated under  
5 subparagraph (B), if the Department provides documented proof  
6 of a lesser amount of days of participation in those programs,  
7 that proof shall control. If the Department provides no  
8 documentary proof, the incarcerated person's inmate's proof as  
9 set forth in clause (ii) of subparagraph (B) shall control as  
10 to the amount of sentence credit provided.

11 (D) (Blank). ~~If the inmate has been convicted of a sex~~  
12 ~~offense as defined in Section 2 of the Sex Offender~~  
13 ~~Registration Act, sentencing credits under subparagraph (B) of~~  
14 ~~this paragraph (4) shall be awarded by the Department only if~~  
15 ~~the conditions set forth in paragraph (4.6) of subsection (a)~~  
16 ~~are satisfied. No inmate serving a term of natural life~~  
17 ~~imprisonment shall receive sentence credit under subparagraph~~  
18 ~~(B) of this paragraph (4).~~

19 (E) The rules and regulations shall provide for the  
20 calculation and award ~~recalculation~~ of program credits earned  
21 ~~awarded~~ pursuant to this paragraph (4) prior to July 1, 2021  
22 (the effective date of Public Act 101-652) at the rate set for  
23 such credits on and after July 1, 2021.

24 Educational, vocational, substance abuse, behavior  
25 modification programs, life skills courses, re-entry planning,  
26 and correctional industry programs under which sentence credit

1 may be earned under this paragraph (4) and paragraph (4.1) of  
2 this subsection (a) shall be evaluated by the Department on  
3 the basis of documented standards. The Department shall report  
4 the results of these evaluations to the Governor and the  
5 General Assembly by September 30th of each year. The reports  
6 shall include data relating to the recidivism rate among  
7 program participants.

8 Availability of these programs shall be subject to the  
9 limits of fiscal resources appropriated by the General  
10 Assembly for these purposes. Eligible incarcerated persons  
11 ~~inmates~~ who are denied immediate admission shall be placed on  
12 a waiting list under criteria established by the Department.  
13 The rules and regulations shall provide that an incarcerated  
14 person ~~a prisoner~~ who has been placed on a waiting list but is  
15 transferred for non-disciplinary reasons before beginning a  
16 program shall receive priority placement on the waitlist for  
17 appropriate programs at the new facility. The inability of any  
18 incarcerated person ~~inmate~~ to become engaged in any such  
19 programs by reason of insufficient program resources or for  
20 any other reason established under the rules and regulations  
21 of the Department shall not be deemed a cause of action under  
22 which the Department or any employee or agent of the  
23 Department shall be liable for damages to the incarcerated  
24 person ~~inmate~~. The rules and regulations shall provide that an  
25 incarcerated person ~~a prisoner~~ who begins an educational,  
26 vocational, substance abuse, work-release programs or

1 activities in accordance with Article 13 of Chapter III of  
2 this Code, behavior modification program, life skills course,  
3 re-entry planning, or correctional industry programs but is  
4 unable to complete the program ~~due to illness, disability,~~  
5 ~~transfer, lockdown, or another reason outside of the~~  
6 ~~prisoner's control~~ shall receive prorated sentence credits for  
7 the days in which the incarcerated person ~~prisoner~~ did  
8 participate.

9 (F) The Department shall award sentence credit under this  
10 paragraph (4) accumulated prior to the effective date of this  
11 amendatory Act of the 104th General Assembly in an amount  
12 specified in subparagraph (G) of this paragraph (4) to a  
13 committed person serving a sentence for an offense committed  
14 after June 19, 1998, if the Department determines that the  
15 committed person is entitled to this sentence credit, based  
16 upon:

17 (i) documentation provided by the Department that the  
18 committed person engaged in any full-time substance abuse  
19 programs, correctional industry assignments, educational  
20 programs, behavior modification programs, life skills  
21 courses, or re-entry planning provided by the Department  
22 under this paragraph (4) and satisfactorily completed the  
23 assigned program as determined by the standards of the  
24 Department during the committed person's current term of  
25 incarceration; or

26 (ii) the committed person's own testimony in the form

1 of an affidavit or documentation, or a third party's  
2 documentation or testimony in the form of an affidavit  
3 that the committed person likely engaged in any full-time  
4 substance abuse programs, correctional industry  
5 assignments, educational programs, behavior modification  
6 programs, life skills courses, or re-entry planning  
7 provided by the Department under paragraph (4) and  
8 satisfactorily completed the assigned program as  
9 determined by the standards of the Department during the  
10 committed person's current term of incarceration.

11 (G) If the committed person can provide documentation that  
12 he or she is entitled to sentence credit under subparagraph  
13 (F), the committed person shall receive such sentence credit.  
14 If the committed person cannot provide documentation of  
15 participation in those programs, the committed person shall  
16 receive up to 0.5 days of sentence credit for each day of  
17 participation in such a program. In the event of a  
18 disagreement between the Department and the committed person  
19 as to the amount of credit accumulated under subparagraph (F),  
20 if the Department provides documented proof of a lesser amount  
21 of days of participation in those programs, that proof shall  
22 control. If the Department provides no documentary proof, the  
23 committed person's proof as set forth in clause (ii) of  
24 subparagraph (F) shall control as to the amount of sentence  
25 credit provided.

26 (4.1) Except as provided in paragraph (4.7) of this

1 subsection (a), the rules and regulations shall also provide  
2 that an additional 90 days of sentence credit shall be awarded  
3 to any incarcerated person ~~prisoner~~ who passes high school  
4 equivalency testing while the incarcerated person ~~prisoner~~ is  
5 committed to the Department of Corrections. The sentence  
6 credit awarded under this paragraph (4.1) shall be in addition  
7 to, and shall not affect, the award of sentence credit under  
8 any other paragraph of this Section, but shall also be  
9 pursuant to the guidelines and restrictions set forth in  
10 paragraph (4) of subsection (a) of this Section. The sentence  
11 credit provided for in this paragraph shall be available only  
12 to those incarcerated persons ~~prisoners~~ who have not  
13 previously earned a high school diploma or a State of Illinois  
14 High School Diploma. If, after an award of the high school  
15 equivalency testing sentence credit has been made, the  
16 Department determines that the incarcerated person ~~prisoner~~  
17 was not eligible, then the award shall be revoked. The  
18 Department may also award 90 days of sentence credit to any  
19 committed person who passed high school equivalency testing  
20 while he or she was held in pre-trial detention prior to the  
21 current commitment to the Department of Corrections. Except as  
22 provided in paragraph (4.7) of this subsection (a), the rules  
23 and regulations shall provide that an additional 120 days of  
24 sentence credit shall be awarded to any incarcerated person  
25 ~~prisoner~~ who obtains an associate degree while the  
26 incarcerated person ~~prisoner~~ is committed to the Department of

1 Corrections, regardless of the date that the associate degree  
2 was obtained, including if prior to July 1, 2021 (the  
3 effective date of Public Act 101-652). The sentence credit  
4 awarded under this paragraph (4.1) shall be in addition to,  
5 and shall not affect, the award of sentence credit under any  
6 other paragraph of this Section, but shall also be under the  
7 guidelines and restrictions set forth in paragraph (4) of  
8 subsection (a) of this Section. ~~The sentence credit provided~~  
9 ~~for in this paragraph (4.1) shall be available only to those~~  
10 ~~prisoners who have not previously earned an associate degree~~  
11 ~~prior to the current commitment to the Department of~~  
12 ~~Corrections. If, after an award of the associate degree~~  
13 ~~sentence credit has been made and the Department determines~~  
14 ~~that the prisoner was not eligible, then the award shall be~~  
15 ~~revoked.~~ The Department may also award 120 days of sentence  
16 credit to any committed person who earned an associate degree  
17 while he or she was held in pre-trial detention prior to the  
18 current commitment to the Department of Corrections.

19 Except as provided in paragraph (4.7) of this subsection  
20 (a), the rules and regulations shall provide that an  
21 additional 180 days of sentence credit shall be awarded to any  
22 incarcerated person ~~prisoner~~ who obtains a bachelor's degree  
23 while the incarcerated person ~~prisoner~~ is committed to the  
24 Department of Corrections. The sentence credit awarded under  
25 this paragraph (4.1) shall be in addition to, and shall not  
26 affect, the award of sentence credit under any other paragraph

1 of this Section, but shall also be under the guidelines and  
2 restrictions set forth in paragraph (4) of this subsection  
3 (a). ~~The sentence credit provided for in this paragraph shall~~  
4 ~~be available only to those prisoners who have not earned a~~  
5 ~~bachelor's degree prior to the current commitment to the~~  
6 ~~Department of Corrections. If, after an award of the~~  
7 ~~bachelor's degree sentence credit has been made, the~~  
8 ~~Department determines that the prisoner was not eligible, then~~  
9 ~~the award shall be revoked.~~ The Department may also award 180  
10 days of sentence credit to any committed person who earned a  
11 bachelor's degree while he or she was held in pre-trial  
12 detention prior to the current commitment to the Department of  
13 Corrections.

14 Except as provided in paragraph (4.7) of this subsection  
15 (a), the rules and regulations shall provide that an  
16 additional 180 days of sentence credit shall be awarded to any  
17 incarcerated person ~~prisoner~~ who obtains a master's or  
18 professional degree while the incarcerated person ~~prisoner~~ is  
19 committed to the Department of Corrections. The sentence  
20 credit awarded under this paragraph (4.1) shall be in addition  
21 to, and shall not affect, the award of sentence credit under  
22 any other paragraph of this Section, but shall also be under  
23 the guidelines and restrictions set forth in paragraph (4) of  
24 this subsection (a). ~~The sentence credit provided for in this~~  
25 ~~paragraph shall be available only to those prisoners who have~~  
26 ~~not previously earned a master's or professional degree prior~~

1 ~~to the current commitment to the Department of Corrections.~~  
2 ~~If, after an award of the master's or professional degree~~  
3 ~~sentence credit has been made, the Department determines that~~  
4 ~~the prisoner was not eligible, then the award shall be~~  
5 ~~revoked.~~ The Department may also award 180 days of sentence  
6 credit to any committed person who earned a master's or  
7 professional degree while he or she was held in pre-trial  
8 detention prior to the current commitment to the Department of  
9 Corrections.

10 (4.2) (A) The rules and regulations shall also provide that  
11 any incarcerated person ~~prisoner~~ engaged in self-improvement  
12 programs, volunteer work, or work assignments that are not  
13 otherwise eligible activities under paragraph (4), shall  
14 receive up to 0.5 days of sentence credit for each day in which  
15 the incarcerated person ~~prisoner~~ is engaged in activities  
16 described in this paragraph.

17 (B) The rules and regulations shall provide for the award  
18 of sentence credit under this paragraph (4.2) for qualifying  
19 days of engagement in eligible activities occurring prior to  
20 July 1, 2021 (the effective date of Public Act 101-652).

21 ~~(4.5) The rules and regulations on sentence credit shall~~  
22 ~~also provide that when the court's sentencing order recommends~~  
23 ~~a prisoner for substance abuse treatment and the crime was~~  
24 ~~committed on or after September 1, 2003 (the effective date of~~  
25 ~~Public Act 93-354), the prisoner shall receive no sentence~~  
26 ~~credit awarded under clause (3) of this subsection (a) unless~~

1 ~~he or she participates in and completes a substance abuse~~  
2 ~~treatment program. The Director of Corrections may waive the~~  
3 ~~requirement to participate in or complete a substance abuse~~  
4 ~~treatment program in specific instances if the prisoner is not~~  
5 ~~a good candidate for a substance abuse treatment program for~~  
6 ~~medical, programming, or operational reasons. Availability of~~  
7 ~~substance abuse treatment shall be subject to the limits of~~  
8 ~~fiscal resources appropriated by the General Assembly for~~  
9 ~~these purposes. If treatment is not available and the~~  
10 ~~requirement to participate and complete the treatment has not~~  
11 ~~been waived by the Director, the prisoner shall be placed on a~~  
12 ~~waiting list under criteria established by the Department. The~~  
13 ~~Director may allow a prisoner placed on a waiting list to~~  
14 ~~participate in and complete a substance abuse education class~~  
15 ~~or attend substance abuse self-help meetings in lieu of a~~  
16 ~~substance abuse treatment program. A prisoner on a waiting~~  
17 ~~list who is not placed in a substance abuse program prior to~~  
18 ~~release may be eligible for a waiver and receive sentence~~  
19 ~~credit under clause (3) of this subsection (a) at the~~  
20 ~~discretion of the Director.~~

21 ~~(4.6) The rules and regulations on sentence credit shall~~  
22 ~~also provide that a prisoner who has been convicted of a sex~~  
23 ~~offense as defined in Section 2 of the Sex Offender~~  
24 ~~Registration Act shall receive no sentence credit unless he or~~  
25 ~~she either has successfully completed or is participating in~~  
26 ~~sex offender treatment as defined by the Sex Offender~~

1 ~~Management Board. However, prisoners who are waiting to~~  
2 ~~receive treatment, but who are unable to do so due solely to~~  
3 ~~the lack of resources on the part of the Department, may, at~~  
4 ~~either Director's sole discretion, be awarded sentence credit~~  
5 ~~at a rate as the Director shall determine.~~

6 (4.7) (Blank). ~~On or after January 1, 2018 (the effective~~  
7 ~~date of Public Act 100-3), sentence credit under paragraph~~  
8 ~~(3), (4), or (4.1) of this subsection (a) may be awarded to a~~  
9 ~~prisoner who is serving a sentence for an offense described in~~  
10 ~~paragraph (2), (2.3), (2.4), (2.5), or (2.6) for credit earned~~  
11 ~~on or after January 1, 2018 (the effective date of Public Act~~  
12 ~~100-3); provided, the award of the credits under this~~  
13 ~~paragraph (4.7) shall not reduce the sentence of the prisoner~~  
14 ~~to less than the following amounts:~~

15 ~~(i) 85% of his or her sentence if the prisoner is~~  
16 ~~required to serve 85% of his or her sentence; or~~

17 ~~(ii) 60% of his or her sentence if the prisoner is~~  
18 ~~required to serve 75% of his or her sentence, except if the~~  
19 ~~prisoner is serving a sentence for gunrunning his or her~~  
20 ~~sentence shall not be reduced to less than 75%.~~

21 ~~(iii) 100% of his or her sentence if the prisoner is~~  
22 ~~required to serve 100% of his or her sentence.~~

23 (5) Whenever the Department is to release any incarcerated  
24 person inmate earlier than it otherwise would because of a  
25 grant of earned sentence credit under paragraph (3) of  
26 subsection (a) of this Section given at any time during the

1 term, the Department shall give reasonable notice of the  
2 impending release not less than 14 days prior to the date of  
3 the release to the State's Attorney of the county where the  
4 prosecution of the incarcerated person ~~inmate~~ took place, and  
5 if applicable, the State's Attorney of the county into which  
6 the incarcerated person ~~inmate~~ will be released. The  
7 Department must also make identification information and a  
8 recent photo of the incarcerated person ~~inmate~~ being released  
9 accessible on the Internet by means of a hyperlink labeled  
10 "Community Notification of Inmate Early Release" on the  
11 Department's World Wide Web homepage. The identification  
12 information shall include the incarcerated person's ~~inmate's~~:  
13 name, any known alias, date of birth, physical  
14 characteristics, commitment offense, and county where  
15 conviction was imposed. The identification information shall  
16 be placed on the website within 3 days of the incarcerated  
17 person's ~~inmate's~~ release and the information may not be  
18 removed until either: completion of the first year of  
19 mandatory supervised release or return of the incarcerated  
20 person ~~inmate~~ to custody of the Department.

21 (b) Whenever a person is or has been committed under  
22 several convictions, with separate sentences, the sentences  
23 shall be construed under Section 5-8-4 in granting and  
24 forfeiting of sentence credit.

25 (c) (1) The Department shall prescribe rules and  
26 regulations for revoking sentence credit, including revoking

1 sentence credit awarded under paragraph (3) of subsection (a)  
2 of this Section. The Department shall prescribe rules and  
3 regulations establishing and requiring the use of a sanctions  
4 matrix for revoking sentence credit. The Department shall  
5 prescribe rules and regulations for suspending or reducing the  
6 rate of accumulation of sentence credit for specific rule  
7 violations, during imprisonment. These rules and regulations  
8 shall provide that no incarcerated person ~~inmate~~ may be  
9 penalized more than one year of sentence credit for any one  
10 infraction.

11 (2) When the Department seeks to revoke, suspend, or  
12 reduce the rate of accumulation of any sentence credits for an  
13 alleged infraction of its rules, it shall bring charges  
14 therefor against the incarcerated person ~~prisoner~~ sought to be  
15 so deprived of sentence credits before the Prisoner Review  
16 Board as provided in subparagraph (a)(4) of Section 3-3-2 of  
17 this Code, if the amount of credit at issue exceeds 30 days,  
18 whether from one infraction or cumulatively from multiple  
19 infractions arising out of a single event, or when, during any  
20 12-month period, the cumulative amount of credit revoked  
21 exceeds 30 days except where the infraction is committed or  
22 discovered within 60 days of scheduled release. In those  
23 cases, the Department of Corrections may revoke up to 30 days  
24 of sentence credit. The Board may subsequently approve the  
25 revocation of additional sentence credit, if the Department  
26 seeks to revoke sentence credit in excess of 30 days. However,

1 the Board shall not be empowered to review the Department's  
2 decision with respect to the loss of 30 days of sentence credit  
3 within any calendar year for any incarcerated person ~~prisoner~~  
4 or to increase any penalty beyond the length requested by the  
5 Department.

6 (3) The Director of Corrections or the Director of  
7 Juvenile Justice, in appropriate cases, may restore sentence  
8 credits which have been revoked, suspended, or reduced. The  
9 Department shall prescribe rules and regulations governing the  
10 restoration of sentence credits. These rules and regulations  
11 shall provide for the automatic restoration of sentence  
12 credits following a period in which the incarcerated person  
13 ~~prisoner~~ maintains a record without a disciplinary violation.

14 Nothing contained in this Section shall prohibit the  
15 Prisoner Review Board from ordering, pursuant to Section  
16 3-3-9(a) (3) (i) (B), that an incarcerated person ~~a prisoner~~  
17 serve up to one year of the sentence imposed by the court that  
18 was not served due to the accumulation of sentence credit.

19 (d) If a lawsuit is filed by an incarcerated person ~~a~~  
20 ~~prisoner~~ in an Illinois or federal court against the State,  
21 the Department of Corrections, or the Prisoner Review Board,  
22 or against any of their officers or employees, and the court  
23 makes a specific finding that a pleading, motion, or other  
24 paper filed by the incarcerated person ~~prisoner~~ is frivolous,  
25 the Department of Corrections shall conduct a hearing to  
26 revoke up to 180 days of sentence credit by bringing charges

1 against the incarcerated person ~~prisoner~~ sought to be deprived  
2 of the sentence credits before the Prisoner Review Board as  
3 provided in subparagraph (a) (8) of Section 3-3-2 of this Code.  
4 If the incarcerated person ~~prisoner~~ has not accumulated 180  
5 days of sentence credit at the time of the finding, then the  
6 Prisoner Review Board may revoke all sentence credit  
7 accumulated by the incarcerated person ~~prisoner~~.

8 For purposes of this subsection (d):

9 (1) "Frivolous" means that a pleading, motion, or  
10 other filing which purports to be a legal document filed  
11 by an incarcerated person ~~a prisoner~~ in his or her lawsuit  
12 meets any or all of the following criteria:

13 (A) it lacks an arguable basis either in law or in  
14 fact;

15 (B) it is being presented for any improper  
16 purpose, such as to harass or to cause unnecessary  
17 delay or needless increase in the cost of litigation;

18 (C) the claims, defenses, and other legal  
19 contentions therein are not warranted by existing law  
20 or by a nonfrivolous argument for the extension,  
21 modification, or reversal of existing law or the  
22 establishment of new law;

23 (D) the allegations and other factual contentions  
24 do not have evidentiary support or, if specifically so  
25 identified, are not likely to have evidentiary support  
26 after a reasonable opportunity for further

1 investigation or discovery; or

2 (E) the denials of factual contentions are not  
3 warranted on the evidence, or if specifically so  
4 identified, are not reasonably based on a lack of  
5 information or belief.

6 (2) "Lawsuit" means a motion pursuant to Section 116-3  
7 of the Code of Criminal Procedure of 1963, a habeas corpus  
8 action under Article X of the Code of Civil Procedure or  
9 under federal law (28 U.S.C. 2254), a petition for claim  
10 under the Court of Claims Act, an action under the federal  
11 Civil Rights Act (42 U.S.C. 1983), or a second or  
12 subsequent petition for post-conviction relief under  
13 Article 122 of the Code of Criminal Procedure of 1963  
14 whether filed with or without leave of court or a second or  
15 subsequent petition for relief from judgment under Section  
16 2-1401 of the Code of Civil Procedure.

17 (e) Nothing in Public Act 90-592 or 90-593 affects the  
18 validity of Public Act 89-404.

19 (f) Whenever the Department is to release any incarcerated  
20 person inmate who has been convicted of a violation of an order  
21 of protection under Section 12-3.4 or 12-30 of the Criminal  
22 Code of 1961 or the Criminal Code of 2012, earlier than it  
23 otherwise would because of a grant of sentence credit, the  
24 Department, as a condition of release, shall require that the  
25 person, upon release, be placed under electronic surveillance  
26 as provided in Section 5-8A-7 of this Code.

1 (Source: P.A. 102-28, eff. 6-25-21; 102-558, eff. 8-20-21;  
2 102-784, eff. 5-13-22; 102-1100, eff. 1-1-23; 103-51, eff.  
3 1-1-24; 103-154, eff. 6-30-23; 103-330, eff. 1-1-24; 103-605,  
4 eff. 7-1-24; 103-822, eff. 1-1-25.)

5 (730 ILCS 5/3-6-3.2 new)

6 Sec. 3-6-3.2. Sentence credit information. The Department,  
7 in consultation with the Advisory Board established under  
8 Section 3-2-6 of this Code, shall make available to all  
9 persons in its custody current materials about sentence  
10 credits, containing detailed information regarding  
11 eligibility, earning, revocation, calculation, and  
12 documentation of credit, in the following formats:

13 (1) in print;

14 (2) on the Department's website; and

15 (3) in a visible location on the premises of each  
16 Department facility where notices are customarily posted.

17 Section 99. Effective date. This Act takes effect January  
18 1, 2027.