- 1 AN ACT in relation to 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
- 5 by changing Sections 3-3-2 and 5-5-5 and adding Article 5.5
- 6 to Chapter V as follows:
- 7 (730 ILCS 5/3-3-2) (from Ch. 38, par. 1003-3-2)
- 8 Sec. 3-3-2. Powers and Duties.
- 9 (a) The Parole and Pardon Board is abolished and the 10 term "Parole and Pardon Board" as used in any law of
- 11 Illinois, shall read "Prisoner Review Board." After the
- 12 effective date of this amendatory Act of 1977, the Prisoner
- Review Board shall provide by rule for the orderly transition
- of all files, records, and documents of the Parole and Pardon
- 15 Board and for such other steps as may be necessary to effect
- an orderly transition and shall:
- 17 (1) hear by at least one member and through a panel
- of at least 3 members decide, cases of prisoners who were
- 19 sentenced under the law in effect prior to the effective
- 20 date of this amendatory Act of 1977, and who are eligible
- 21 for parole;
- 22 (2) hear by at least one member and through a panel
- of at least 3 members decide, the conditions of parole
- and the time of discharge from parole, impose sanctions
- for violations of parole, and revoke parole for those
- 26 sentenced under the law in effect prior to this
- 27 amendatory Act of 1977; provided that the decision to
- 28 parole and the conditions of parole for all prisoners who
- were sentenced for first degree murder or who received a
- 30 minimum sentence of 20 years or more under the law in
- 31 effect prior to February 1, 1978 shall be determined by a

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majority vote of the Prisoner Review Board;

- of at least 3 members decide, the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, impose sanctions for violations of mandatory supervised release, and revoke mandatory supervised release for those sentenced under the law in effect after the effective date of this amendatory Act of 1977;
- (4) hear by at least 1 member and through a panel of at least 3 members, decide cases brought by the Department of Corrections against a prisoner in the custody of the Department for alleged violation of Department rules with respect to good conduct credits pursuant to Section 3-6-3 of this Code in which the Department seeks to revoke good conduct credits, if the amount of time at issue exceeds 30 days or when, during any 12 month period, the cumulative amount of credit revoked exceeds 30 days except where the infraction is committed or discovered within 60 days of scheduled release. In such cases, the Department of Corrections may revoke up to 30 days of good conduct credit. The Board may subsequently approve the revocation of additional good conduct credit, if the Department seeks to revoke good conduct credit in excess of thirty days. However, shall not be empowered to review the Board Department's decision with respect to the loss of 30 days of good conduct credit for any prisoner or to increase penalty beyond the length requested by the Department;
- (5) hear by at least one member and through a panel of at least 3 members decide, the release dates for certain prisoners sentenced under the law in existence prior to the effective date of this amendatory Act of

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- 1 1977, in accordance with Section 3-3-2.1 of this Code;
 - (6) hear by at least one member and through a panel of at least 3 members decide, all requests for pardon, reprieve or commutation, and make confidential recommendations to the Governor;
 - (7) comply with the requirements of the Open Parole Hearings Act; and
 - (8) hear by at least one member and, through a panel of at least 3 members, decide cases brought by the Department of Corrections against a prisoner in the custody of the Department for court dismissal of a frivolous lawsuit pursuant to Section 3-6-3(d) of this Code in which the Department seeks to revoke up to 180 days of good conduct credit, and if the prisoner has not accumulated 180 days of good conduct credit at the time of the dismissal, then all good conduct credit accumulated by the prisoner shall be revoked; and:
 - (9) hear by at least 3 members, and through a panel of at least 3 members, decide as to whether to grant certificates of relief from disabilities or certificates of good conduct as provided in Article 5.5 of Chapter V.
 - (a-5) The Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and of Central Management Services, shall the Department implement a pilot project in 3 correctional institutions providing for the conduct of hearings under paragraphs (1) and (4) of subsection (a) of this Section through interactive video conferences. The project shall be implemented within 6 months after the effective date of this amendatory Act of Within 6 months after the implementation of the pilot project, the Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and the Department of Central Management Services, shall report to the Governor and the General Assembly regarding the use,

- 2 video conferences for Prisoner Review Board hearings.
- 3 (b) Upon recommendation of the Department the Board may
- 4 restore good conduct credit previously revoked.
- 5 (c) The Board shall cooperate with the Department in
- 6 promoting an effective system of parole and mandatory
- 7 supervised release.
- 8 (d) The Board shall promulgate rules for the conduct of
- 9 its work, and the Chairman shall file a copy of such rules
- 10 and any amendments thereto with the Director and with the
- 11 Secretary of State.
- 12 (e) The Board shall keep records of all of its official
- 13 actions and shall make them accessible in accordance with law
- 14 and the rules of the Board.
- 15 (f) The Board or one who has allegedly violated the
- 16 conditions of his parole or mandatory supervised release may
- 17 require by subpoena the attendance and testimony of witnesses
- 18 and the production of documentary evidence relating to any
- 19 matter under investigation or hearing. The Chairman of the
- 20 Board may sign subpoenas which shall be served by any agent
- or public official authorized by the Chairman of the Board,
- or by any person lawfully authorized to serve a subpoena
- 23 under the laws of the State of Illinois. The attendance of
- 24 witnesses, and the production of documentary evidence, may be
- 25 required from any place in the State to a hearing location in
- 26 the State before the Chairman of the Board or his designated
- 27 agent or agents or any duly constituted Committee or
- 28 Subcommittee of the Board. Witnesses so summoned shall be
- 29 paid the same fees and mileage that are paid witnesses in the
- 30 circuit courts of the State, and witnesses whose depositions
- 31 are taken and the persons taking those depositions are each
- 32 entitled to the same fees as are paid for like services in
- 33 actions in the circuit courts of the State. Fees and mileage
- 34 shall be vouchered for payment when the witness is discharged

from further attendance.

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2 In case of disobedience to a subpoena, the Board may petition any circuit court of the State for an order 3 4 requiring the attendance and testimony of witnesses or the 5 production of documentary evidence or both. A copy of such 6 petition shall be served by personal service or by registered 7 or certified mail upon the person who has failed to obey the subpoena, and such person shall be advised in writing that a 8 9 hearing upon the petition will be requested in a court room to be designated in such notice before the judge hearing 10 11 motions or extraordinary remedies at a specified time, on a specified date, not less than 10 nor more than 15 days after 12 the deposit of the copy of the written notice and petition in 13 the U.S. mails addressed to the person at his last known 14 15 address or after the personal service of the copy of the 16 notice and petition upon such person. The court upon the such a petition, may order the person refusing to 17 filing of obey the subpoena to appear at an investigation or hearing, 18 19 or to there produce documentary evidence, if so ordered, or to give evidence relative to the subject matter of that 20 21 investigation or hearing. Any failure to obey such order of 22 the circuit court may be punished by that court as a contempt 23 of court.

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

- (g) Except under subsection (a) of this Section, a majority of the members then appointed to the Prisoner Review Board shall constitute a quorum for the transaction of all business of the Board.
- 31 (h) The Prisoner Review Board shall annually transmit to 32 the Director a detailed report of its work for the preceding 33 calendar year. The annual report shall also be transmitted to 34 the Governor for submission to the Legislature.

- 1 (Source: P.A. 90-14, eff. 7-1-97; 91-798, eff. 7-9-00;
- 2 91-946, eff. 2-9-01.)
- 3 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)
- 4 Sec. 5-5-5. Loss and Restoration of Rights.
- 5 (a) Conviction and disposition shall not entail the loss
- 6 by the defendant of any civil rights, except under this
- 7 Section and Sections 29-6 and 29-10 of The Election Code, as
- 8 now or hereafter amended.
- 9 (b) A person convicted of a felony shall be ineligible
- 10 to hold an office created by the Constitution of this State
- 11 until the completion of his sentence.
- 12 (c) A person sentenced to imprisonment shall lose his
- 13 right to vote until released from imprisonment.
- 14 (d) On completion of sentence of imprisonment or upon
- discharge from probation, conditional discharge or periodic
- 16 imprisonment, or at any time thereafter, all license rights
- 17 and privileges granted under the authority of this State
- 18 which have been revoked or suspended because of conviction of
- 19 an offense shall be restored unless the authority having
- 20 jurisdiction of such license rights finds after investigation
- 21 and hearing that restoration is not in the public interest.
- 22 This paragraph (d) shall not apply to the suspension or
- 23 revocation of a license to operate a motor vehicle under the
- 24 Illinois Vehicle Code.
- 25 (e) Upon a person's discharge from incarceration or
- 26 parole, or upon a person's discharge from probation or at any
- 27 time thereafter, the committing court may enter an order
- 28 certifying that the sentence has been satisfactorily
- 29 completed when the court believes it would assist in the
- 30 rehabilitation of the person and be consistent with the
- 31 public welfare. Such order may be entered upon the motion of
- 32 the defendant or the State or upon the court's own motion.
- 33 (f) Upon entry of the order, the court shall issue to

- 1 the person in whose favor the order has been entered a
- 2 certificate stating that his behavior after conviction has
- 3 warranted the issuance of the order.
- 4 (g) This Section shall not affect the right of a
- 5 defendant to collaterally attack his conviction or to rely on
- 6 it in bar of subsequent proceedings for the same offense.
- 7 (h) Relief from forfeitures and disabilities imposed by
- 8 <u>law may also be granted under Article 5.5 of this Chapter V.</u>
- 9 (Source: P.A. 86-558.)
- 10 (730 ILCS 5/Chap. V, Art. 5.5 heading new)
- 11 <u>ARTICLE 5.5. DISCRETIONARY RELIEF FROM FORFEITURES AND</u>
- 12 <u>DISABILITIES AUTOMATICALLY IMPOSED BY LAW</u>
- 13 (730 ILCS 5/5-5.5-5 new)
- 14 <u>Sec. 5-5.5-5. Definitions and rules of construction. In</u>
- 15 <u>this Article:</u>
- 16 <u>"Eligible offender" shall mean a person who has been</u>
- 17 <u>convicted of a crime or of an offense, but who has not been</u>
- 18 <u>convicted more than once of a felony.</u>
- 19 <u>"Eligible offender" does not include a person who has</u>
- 20 <u>been convicted of or placed on supervision for a violation of</u>
- 21 <u>Section 11-501 of the Illinois Vehicle Code or a similar</u>
- 22 provision of a local ordinance; (2) a violation of Article 11
- of the Criminal Code of 1961 or Section 12-13, 12-14,
- 24 <u>12-14.1, 12-15, 12-16, 12-16.2, 12-21.5, 12-21.6, or 12-33 of</u>
- 25 <u>the Criminal Code of 1961; (3) a violation of Article 24 of</u>
- 26 the Criminal Code of 1961. (4) a violation of the Firearm
- 27 Owners Identification Card Act; (5) a crime of violence as
- 28 <u>defined in Section 2 of the Crime Victims Compensation Act,</u>
- or (6) permitting sexual abuse of a child under Section 5.1
- of the Wrongs to Children Act.
- 31 <u>"Felony" means a conviction of a felony in this State, or</u>
- 32 of an offense in any other jurisdiction for which a sentence

- 1 to a term of imprisonment in excess of one year, or a
- 2 sentence of death, was authorized.
- For the purposes of this Article the following rules of construction apply:
- (i) two or more convictions of felonies charged in
 separate counts of one indictment or information shall be
 deemed to be one conviction;
- 8 (ii) two or more convictions of felonies charged in
 9 2 or more indictments or informations, filed in the same
 10 court prior to entry of judgment under any of them, shall
 11 be deemed to be one conviction; and
- (iii) a plea or a verdict of guilty upon which a

 sentence of probation, conditional discharge, or

 supervision has been imposed shall be deemed to be a

 conviction.
- 16 (730 ILCS 5/5-5.5-10 new)

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- 17 <u>Sec. 5-5.5-10. Certificate of relief from disabilities.</u>
- (a) A certificate of relief from disabilities may be 18 granted as provided in this Article to relieve an eligible 19 offender of any forfeiture or disability or to remove any bar 2.0 21 to his or her employment automatically imposed by law by reason of his or her conviction of the crime or of the 22 offense specified in the certificate. The certificate may be 23 24 limited to one or more enumerated forfeitures, disabilities, 25 or bars, or may relieve the eligible offender of all 26 forfeitures, disabilities, and bars. No certificate shall apply, or be construed so as to apply, to the right of the 27
- (b) Notwithstanding any other provision of law, except as
 otherwise provided in clauses (1) and (2) of this subsection
 (b), a conviction of a crime or of an offense specified in a
 certificate of relief from disabilities does not cause
 automatic forfeiture of any license, permit, employment, or

person to retain or to be eliqible for public office.

- 2 <u>election</u>, or <u>automatic</u> forfeiture of any other right or
- 3 privilege held by the eligible offender and covered by the
- 4 <u>certificate. The conviction may not be deemed to be a</u>
- 5 <u>conviction within the meaning of any provision of law that</u>
- 6 imposes, by reason of a conviction, a bar to any employment,
- 7 <u>a disability to exercise any right or a disability to apply</u>
- 8 for or to receive any license, permit, or other authority or
- 9 privilege covered by the certificate; provided, however, a
- 10 <u>conviction</u> for a <u>second</u> or <u>subsequent</u> violation of <u>Section</u>
- 11 <u>11-501 of the Illinois Vehicle Code committed within the</u>
- 12 preceding 10 years shall impose a disability to apply for or
- 13 receive a driver's license or permit during the period
- 14 provided in that Code. A certificate of relief from a
- 15 <u>disability imposed under Section 11-501 of the Illinois</u>
- 16 <u>Vehicle Code may only be issued upon a determination that</u>
- 17 <u>compelling circumstances warrant that relief.</u>
- (c) A certificate of relief from disabilities does not,
- 19 <u>however</u>, in any way prevent any judicial, administrative,
- 20 <u>licensing</u>, or other body, board, or authority from relying
- 21 upon the conviction specified in the certificate as the basis
- 22 <u>for the exercise of its discretionary power to suspend,</u>
- 23 <u>revoke, or refuse to issue or refuse to renew any license,</u>
- 24 permit, or other authority or privilege.
- 25 (730 ILCS 5/5-5.5-15 new)
- 26 <u>Sec. 5-5.5-15. Certificates of relief from disabilities</u>
- issued by courts.
- 28 (a) Any circuit court of this State may, in its
- 29 <u>discretion</u>, <u>issue</u> a <u>certificate</u> of <u>relief</u> from <u>disabilities</u>
- 30 to an eligible offender for a conviction that occurred in
- 31 that court if the court imposed a sentence other than one
- 32 <u>executed by commitment to an institution under the Department</u>
- of Corrections. The certificate may be issued (i) at the time

- 1 sentence is pronounced, in which case it may grant relief
- 2 from forfeitures as well as from disabilities, or (ii) at any
- 3 <u>time thereafter, in which case it shall apply only to</u>
- 4 disabilities.
- 5 (b) The certificate may not be issued by the court
- 6 <u>unless the court is satisfied that:</u>
- 7 (1) the person to whom it is to be granted is an
- 8 <u>eligible offender, as defined in Section 5-5.5-5;</u>
- 9 (2) the relief to be granted by the certificate is
- 10 <u>consistent</u> with the rehabilitation of the eligible
- 11 offender; and
- 12 (3) the relief to be granted by the certificate is
- consistent with the public interest.
- 14 (c) If a certificate of relief from disabilities is not
- issued at the time sentence is pronounced it shall only be
- 16 <u>issued thereafter upon verified application to the court. The</u>
- 17 court may, for the purpose of determining whether the
- 18 <u>certificate</u> shall be issued, request the probation or court
- 19 <u>services department to conduct an investigation of the</u>
- 20 <u>applicant</u>. Any probation officer requested to make an
- 21 <u>investigation under this Section shall prepare and submit to</u>
- 22 <u>the court a written report in accordance with the request.</u>
- 23 (d) Any court that has issued a certificate of relief
- 24 <u>from disabilities may at any time issue a new certificate to</u>
- 25 <u>enlarge the relief previously granted provided that the</u>
- 26 provisions of clauses (1) through (3) of subsection (b) of
- 27 this Section apply to the issuance of any such new
- 28 <u>certificate</u>.
- 29 (e) Any written report submitted to the court under this
- 30 <u>Section</u> is confidential and may not be made available to any
- 31 person or public or private agency except if specifically
- 32 <u>required or permitted by statute or upon specific</u>
- 33 <u>authorization of the court. However, it shall be made</u>
- 34 <u>available by the court for examination by the applicant's</u>

- 16 (730 ILCS 5/5-5.5-20 new)
- 17 <u>Sec. 5-5.5-20. Certificates of relief from disabilities</u>
 18 <u>issued by the Prisoner Review Board.</u>
- 19 <u>(a) The Prisoner Review Board shall have the power to</u>
 20 <u>issue a certificate of relief from disabilities to:</u>
- 21 (1) any eligible offender who has been committed
 22 to an institution under the jurisdiction of the
 23 Department of Corrections. The certificate may be issued
 24 by the Board at the time the offender is released from
 25 the institution under the conditions of parole or
 26 mandatory supervised release or at any time thereafter;
 27 or
- 28 (2) any eligible offender who resides within this
 29 State and whose judgment of conviction was rendered by a
 30 court in any other jurisdiction.
- 31 (b) If the Prisoner Review Board has issued a certificate
 32 of relief from disabilities, the Board may at any time issue
 33 a new certificate enlarging the relief previously granted.

1 (c) The Prisoner Review Board may not issue any 2 certificate of relief from disabilities under subsections (a) or (b), unless the Board is satisfied that: 3 4 (1) the person to whom it is to be granted is an eliqible offender, as defined in Section 5-5.5-5; 5 (2) the relief to be granted by the certificate is 6 consistent with the rehabilitation of the eligible 7 8 offender; and 9 (3) the relief to be granted by the certificate is 10 consistent with the public interest. 11 (d) Any certificate of relief from disabilities issued 12 by the Prisoner Review Board to an eligible offender, who at time of the issuance of the certificate is under the 13 conditions of parole or mandatory supervised release 14 established by the Board, shall be deemed to be a temporary 15 certificate until such time as the eligible offender is 16 17 discharged from parole or mandatory supervised release, and, while temporary, the certificate may be revoked by the Board 18 for violation of the conditions of parole or mandatory 19 supervised release. Revocation shall be upon notice to the 20 21 parolee or releasee, who shall be accorded an opportunity to 22 explain the violation prior to a decision on the revocation of the certificate. If the certificate is not so revoked, it 23 shall become a permanent certificate upon expiration or 24 25 termination of the offender's parole or mandatory supervised 26 <u>release term.</u> (e) In granting or revoking a certificate of relief from 27 disabilities, the action of the Prisoner Review Board shall 28 29 be by unanimous vote of the members authorized to grant or revoke parole or mandatory supervised release. 30

(f) The certificate may be limited to one or more

enumerated disabilities or bars, or may relieve the

individual of all disabilities and bars.

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- 1 (730 ILCS 5/5-5.5-25 new)
- 2 <u>Sec. 5-5.5-25. Certificate of good conduct.</u>
- 3 (a) A certificate of good conduct may be granted as
- 4 provided in this Section to relieve an individual of any
- 5 disability, or to remove any bar to his or her employment,
- 6 <u>automatically imposed by law by reason of his or her</u>
- 7 <u>conviction</u> of the crime or of the offense specified in the
- 8 <u>certificate. The certificate may be limited to one or more</u>
- 9 <u>enumerated disabilities or bars or may relieve the individual</u>
- of all disabilities and bars.
- 11 (b) Notwithstanding any other provision of law, a
- 12 conviction of a crime or of an offense specified in a
- 13 certificate of good conduct may not be deemed to be a
- 14 <u>conviction within the meaning of any provision of law that</u>
- imposes, by reason of a conviction, a bar to any employment,
- 16 <u>a disability to exercise any right or a disability to apply</u>
- 17 for or to receive any license, permit or other authority or
- 18 privilege covered by the certificate.
- 19 (c) A certificate of good conduct may not, however, in
- 20 any way prevent any judicial administrative, licensing, or
- 21 <u>other body, board, or authority from considering the</u>
- 22 <u>conviction</u> specified in the certificate in accordance with
- 23 <u>the provisions of this Article.</u>
- 24 (730 ILCS 5/5-5.5-30 new)
- 25 <u>Sec. 5-5.5-30. Issuance of certificate of good conduct.</u>
- 26 (a) The Prisoner Review Board, or any 3 members of the
- 27 Board by unanimous vote, shall have the power to issue a
- 28 <u>certificate of good conduct to any person previously</u>
- 29 <u>convicted of a crime in this State, when the Board is</u>
- 30 satisfied that:
- 31 (1) the applicant has conducted himself or herself
- in a manner warranting the issuance for a minimum period
- in accordance with the provisions of subsection (c) of

1 this Section; 2 (2) the relief to be granted by the certificate is consistent with the rehabilitation of the applicant; and 3 4 (3) the relief to be granted is consistent with the 5 public interest. (b) The Prisoner Review Board, or any 3 members of the 6 Board by unanimous vote, shall have the power to issue a 7 certificate of good conduct to any person previously 8 9 convicted of a crime in any other jurisdiction, when the Board is satisfied that: 10 11 (1) the applicant has demonstrated that there exist 12 specific facts and circumstances and specific Sections of 13 Illinois State law that have an adverse impact on the applicant and warrant the application for relief to be 14 15 made in Illinois; and 16 (2) the provisions of paragraphs (1), (2), and (3) of subsection (a) of this Section have been met. 17 (c) The minimum period of good conduct by the individual 18 referred to in paragraph (1) of subsection (a) of this 19 Section, shall be as follows: if the most serious crime of 20 which the individual was convicted is a misdemeanor, the 2.1 22 minimum period of good conduct shall be one year; if the most serious crime of which the individual was convicted is a 23 Class 1, 2, 3, or 4 felony, the minimum period of good 24 conduct shall be 3 years; and, if the most serious crime of 25 which the individual was convicted is first degree murder or 26 a Class X felony, the minimum period of good conduct shall be 27 5 years. Criminal acts committed outside the State shall be 28 classified as acts committed within the State based on the 29 30 maximum sentence that could have been imposed based upon the conviction under the laws of the foreign jurisdiction. The 31 minimum period of good conduct by the individual shall be 32

measured either from the date of the payment of any fine

imposed upon him or her, or from the date of his or her

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- 1 release from custody by parole, mandatory supervised release
- 2 <u>or commutation or termination of his or her sentence. The</u>
- 3 Board shall have power and it shall be its duty to
- 4 <u>investigate all persons when the application is made and to</u>
- 5 grant or deny the same within a reasonable time after the
- 6 <u>making of the application.</u>
- 7 (d) If the Prisoner Review Board has issued a certificate
- 8 of good conduct, the Board may at any time issue a new
- 9 <u>certificate enlarging the relief previously granted.</u>
- 10 (e) Any certificate of good conduct by the Prisoner
- 11 Review Board to an individual who at the time of the issuance
- 12 <u>of the certificate is under the conditions of parole or</u>
- 13 <u>mandatory supervised release imposed by the Board, shall be</u>
- 14 <u>deemed to be a temporary certificate until the time as the</u>
- 15 <u>individual</u> is discharged from the terms of parole or
- 16 <u>mandatory supervised release</u>, <u>and</u>, <u>while temporary</u>, the
- 17 <u>certificate may be revoked by the Board for violation of the</u>
- 18 <u>conditions</u> of <u>parole</u> or <u>mandatory</u> <u>supervised</u> <u>release</u>.
- 19 Revocation shall be upon notice to the parolee or releasee,
- 20 who shall be accorded an opportunity to explain the violation
- 21 prior to a decision on the revocation. If the certificate is
- 22 <u>not so revoked, it shall become a permanent certificate upon</u>
- 23 <u>expiration</u> or termination of the offender's parole or
- 24 <u>mandatory supervised release term.</u>
- 25 (730 ILCS 5/5-5.5-35 new)
- Sec. 5-5.5-35. Effect of revocation; use of revoked
- 27 <u>certificate</u>.
- 28 (a) If a certificate of relief from disabilities is
- 29 <u>deemed to be temporary and the certificate is revoked,</u>
- 30 <u>disabilities</u> and forfeitures thereby relieved shall be
- 31 <u>reinstated as of the date upon which the person to whom the</u>
- 32 <u>certificate</u> was issued receives written notice of the
- 33 <u>revocation. Any such person shall upon receipt of the notice</u>

- 1 <u>surrender the certificate to the issuing court or Board.</u>
- 2 (b) A person who knowingly uses or attempts to use a
- 3 revoked certificate of relief from disabilities in order to
- 4 <u>obtain or to exercise any right or privilege that he or she</u>
- 5 would not be entitled to obtain or to exercise without a
- 6 <u>valid certificate is quilty of a Class A misdemeanor.</u>
- 7 (730 ILCs 5/5-5.5-40 new)
- 8 <u>Sec. 5-5.5-40. Forms and filing.</u>
- 9 (a) All applications, certificates, and orders of
- 10 revocation necessary for the purposes of this Article shall
- 11 <u>be upon forms prescribed under an agreement among the</u>
- 12 <u>Director of Corrections and the Chairman of the Prisoner</u>
- 13 Review Board and the Chief Justice of the Supreme Court or
- 14 <u>his or her designee. The forms relating to certificates of</u>
- 15 <u>relief from disabilities shall be distributed by the Director</u>
- of the Division of Probation Services and forms relating to
- 17 <u>certificates of good conduct shall be distributed by the</u>
- 18 <u>Chairman of the Prisoner Review Board.</u>
- 19 (b) Any court or board issuing or revoking any
- 20 <u>certificate under this Article shall immediately file a copy</u>
- 21 of the certificate or of the order of revocation, with the
- 22 <u>Director of State Police.</u>
- 23 (730 ILCs 5/5-5.5-45 new)
- Sec. 5-5.5-45. Certificate not to be deemed to be a
- 25 pardon. Nothing contained in this Article shall be deemed to
- 26 <u>alter or limit or affect the manner of applying for pardons</u>
- 27 <u>to the Governor, and no certificate issued under this Article</u>
- 28 <u>shall be deemed or construed to be a pardon.</u>
- 29 Section 99. Effective date. This Act takes effect upon
- 30 becoming law.