



## The Illinois Department of Corrections

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# HB3026 Information and FAQ Updated January 2024

## Section I. Overview of Statutory Changes

### 1) Statutory Changes

Public Act 103-0330 (House Bill 3026) (effective January 1, 2024) requires the Department to recalculate sentencing credits previously awarded before July 1, 2021, for completion of eligible substance abuse programs, correctional industry assignments, educational programs, work-release programs or activities, behavior modification programs, life skills courses, or re-entry planning at a rate of one day. These credits are categorized under 730 ILCS 5/3-6-3(a)(4).

The Act also requires the Department to calculate sentencing credit awards for qualifying days of engagement in self-improvement programs, volunteer work or work assignments occurring before July 1, 2021, the date on which Public Act 101-652 made those activities eligible for credit. These credits are categorized under 730 ILCS 5/3-6-3(a) (4.2). These sentence credit award calculations will occur at the half-day rates established on or after July 1, 2021.

All awards are subject to exceptions and limitations.

### 2) Effective date

January 1, 2024

### 3) Individual Eligibility Requirements

Individuals who were in custody prior to July 1, 2021, and are still serving the same incarceration.

#### Individual Eligibility Limitations and Restrictions

(a) No individual serving a term of natural life imprisonment shall receive sentence credit.

(b) Individuals serving 100% sentencing can participate in programming, education, and work, but are not eligible to receive an award of sentence credit.

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*Mission: To serve justice in Illinois and increase public safety by promoting positive change for those in custody, operating successful reentry programs, and reducing victimization.*

(c) Individuals serving 100% sentencing with concurrent or consecutive 50% convictions can participate in programming, education, and work, and can only have sentence reductions on the 50% convictions.

(d) Individuals serving 85% sentencing can participate in programming, education, and work, but cannot have their sentence reduced beyond the 85%.

(e) Individuals serving 85% sentencing with concurrent or consecutive 50% convictions can participate in programming, education, and work, and can only have sentence reductions on the 50% convictions.

f) Individuals serving 75% sentencing, except for *Gunrunning*, can participate in substance abuse programs, correctional industry assignments, educational programs, work-release programs or activities, behavior modification programs, life skills courses, or re-entry planning. For programming credits under 730 ILCS 5/3-6-3(a)(4) these individuals cannot have their sentence reduced beyond 60% of the sentence. For work assignment credits under 730 ILCS 5/3-6-3(a)(4.2), these individuals cannot reduce their sentence below 75% for work assignments. See below FAQ.

(g) If the individual has been convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act, sentencing credits shall be awarded by the Department only if the individual in custody successfully completes or is participating in sex offender treatment.

## **Section II. Calculation of Sentence Credits Earned Prior to July 1, 2021**

### **1) Overview**

Eligible individuals who received program sentence credit for engagement in substance abuse programs, correctional industry assignments, educational programs, behavior modification programs, life skills courses, and re-entry planning at a rate of 0.5 day prior to July 1, 2021, will have their program credit recalculated by the Department at a rate of 1.0 day.

Eligible individuals engaged in a work assignment, self-improvement program, and volunteer work prior to July 1, 2021, will receive credit at 0.5 day pursuant to the following rules and processes.

After January 1, 2024, individuals in custody who are awarded time under HB3026 will be given a calculation sheet showing the amount of time awarded. Calculations will be based on documentation provided by the Department that the individual was engaged in any full-time substance abuse programs, correctional industry assignments, educational programs, behavior modification programs, life skills courses, re-entry planning, self-improvement programs, volunteer work, or work assignments provided by the Department.

**Credit will not be awarded for activities completed during previous incarcerations.**

## 2) Questions about amount of time awarded

If the individual in custody does not understand, has questions about, or disagrees with the amount of time awarded, the individual should submit to the counselor a written request for an explanation and/or file a Grievance at the facility as outlined in the A.D. 04.01.114.

## Section III. Frequently Asked Questions (FAQ):

- 1) **Are programming and activities from prior periods of incarceration eligible for credit?**  
No.
- 2) **Does this impact my MSR term?**  
No, your MSR term remains the same.
- 3) **When will the calculation occur?**  
Calculations have been ongoing at a rapid pace since January 1, 2024.
- 4) **What documents does the individual in custody need to submit to Records to receive credit?**  
At this time, there is no need to submit any documentation, including those pertaining to work assignment credits, to the Records office.
- 5) **I completed a program that did not award any sentence credit. Will I receive credit for this program under the new rules?**  
No. HB3026 did not award credits for programs retroactively, but rather increased prior awards from 0.5 day to 1.0 day.
- 6) **I am convicted of a sentence that requires me to serve 75% of my sentence. What work assignment credits will I be entitled to?**
  - Credits awarded: Individuals who are required to serve 75% of their sentence and who have previously received work assignment credits under 730 ILCS 5/3-6-3(a)(4.2) will *not* have any credits already awarded taken away.
  - Credits owed: Individuals who are required to serve 75% of their sentence and who have a current work assignment contract providing for the earning of work assignment credits will continue to earn work assignment credits until the end of their current contract.
  - Future credits: Starting immediately, or at the end of the individual's current work contract, whichever is later, individuals who are required to serve 75% of their sentence are not entitled to receive work assignment credits to reduce their sentence below 75%.
  - Note: Individuals who are required to serve 75% of their sentence as identified under 730 ILCS 5/3-6-2(a)(2) are permitted to earn program credits subject to the limitations of 730 ILCS 5/3-6-2(a)(4.7)(ii).
- 7) **I worked in correctional industries. What credits does that entitle me to?**

Correctional industries has been treated as a program assignment since 2018 and individuals have received day-for-day credit since that time. Correctional industries prior to 2018 will be treated as a work assignment and those eligible to earn work assignment credits under 730 ILCS 5/3-6-3(a)(4.2) will receive half-day credit.

**8) Is this a one-time award?**

Recalculations based on retroactivity are a one-time award.

**9) For individuals awarded sentence credit under HB3026, how will the Department maintain records that the credit is being awarded?**

Memos with the credit awarded will be placed in individual Masterfiles, and the sentence credit and new expected MSR dates will be entered into the data system of record.

**10) Who can I contact if I have questions about this process or my sentence calculations?**

Write to your counselor.

**11) Who can my family contact if they have questions or concerns about this process or my sentence calculations?**

They can contact Constituent Services Unit at [DOC.Constituent.Services@illinois.gov](mailto:DOC.Constituent.Services@illinois.gov) or (217)558-2200 ext. 6226.