

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 by
5 changing Sections 3-6-3 and 5-4-1 as follows:

6 (730 ILCS 5/3-6-3) (from Ch. 38, par. 1003-6-3)
7 Sec. 3-6-3. Rules and Regulations for Early Release.

8 (a) (1) The Department of Corrections shall
9 prescribe rules and regulations for the early release on
10 account of good conduct of persons committed to the
11 Department which shall be subject to review by the
12 Prisoner Review Board.

13 (2) The rules and regulations on early release
14 shall provide, with respect to offenses committed on or
15 after June 19, 1998, the following:

16 (i) that a prisoner who is serving a term of
17 imprisonment for first degree murder shall receive
18 no good conduct credit and shall serve the entire
19 sentence imposed by the court;

20 (ii) that a prisoner serving a sentence for
21 attempt to commit first degree murder, solicitation
22 of murder, solicitation of murder for hire,
23 intentional homicide of an unborn child, predatory
24 criminal sexual assault of a child, aggravated
25 criminal sexual assault, criminal sexual assault,
26 aggravated kidnapping, aggravated battery with a
27 firearm, heinous battery, aggravated battery of a
28 senior citizen, or aggravated battery of a child
29 shall receive no more than 4.5 days of good conduct
30 credit for each month of his or her sentence of
31 imprisonment; and

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

12 (2.1) For all offenses, other than those enumerated
13 in subdivision (a)(2) committed on or after June 19,
14 1998, and other than the offense of reckless homicide as
15 defined in subsection (e) of Section 9-3 of the Criminal
16 Code of 1961 committed on or after January 1, 1999, the
17 rules and regulations shall provide that a prisoner who
18 is serving a term of imprisonment shall receive one day
19 of good conduct credit for each day of his or her
20 sentence of imprisonment or recommitment under Section
21 3-3-9. Each day of good conduct credit shall reduce by
22 one day the prisoner's period of imprisonment or
23 recommitment under Section 3-3-9.

24 (2.2) A prisoner serving a term of natural life
25 imprisonment or a prisoner who has been sentenced to
26 death shall receive no good conduct credit.

27 (2.3) The rules and regulations on early release
28 shall provide that a prisoner who is serving a sentence
29 for reckless homicide as defined in subsection (e) of
30 Section 9-3 of the Criminal Code of 1961 committed on or
31 after January 1, 1999 shall receive no more than 4.5 days
32 of good conduct credit for each month of his or her
33 sentence of imprisonment.

34 (2.4) The rules and regulations on early release

1 shall provide with respect to the offenses of aggravated
2 battery with a machine gun or a firearm equipped with any
3 device or attachment designed or used for silencing the
4 report of a firearm or aggravated discharge of a machine
5 gun or a firearm equipped with any device or attachment
6 designed or used for silencing the report of a firearm,
7 committed on or after the effective date of this
8 amendatory Act of 1999, that a prisoner serving a
9 sentence for any of these offenses shall receive no more
10 than 4.5 days of good conduct credit for each month of
11 his or her sentence of imprisonment.

12 (2.5) The rules and regulations on early release
13 shall provide that a prisoner who is serving a sentence
14 for cannabis trafficking under Section 5.1 of the
15 Cannabis Control Act or controlled substance trafficking
16 under Section 401.1 of the Illinois Controlled Substances
17 Act and the offense is committed on or after the
18 effective date of this amendatory Act of the 92nd General
19 Assembly shall receive no more than 4.5 days of good
20 conduct credit for each month of his or her sentence of
21 imprisonment.

22 (3) The rules and regulations shall also provide
23 that the Director may award up to 180 days additional
24 good conduct credit for meritorious service in specific
25 instances as the Director deems proper; except that no
26 more than 90 days of good conduct credit for meritorious
27 service shall be awarded to any prisoner who is serving a
28 sentence for conviction of first degree murder, reckless
29 homicide while under the influence of alcohol or any
30 other drug, aggravated kidnapping, kidnapping, predatory
31 criminal sexual assault of a child, aggravated criminal
32 sexual assault, criminal sexual assault, deviate sexual
33 assault, aggravated criminal sexual abuse, aggravated
34 indecent liberties with a child, indecent liberties with

1 a child, child pornography, heinous battery, aggravated
2 battery of a spouse, aggravated battery of a spouse with
3 a firearm, stalking, aggravated stalking, aggravated
4 battery of a child, endangering the life or health of a
5 child, cruelty to a child, or narcotic racketeering.
6 Notwithstanding the foregoing, good conduct credit for
7 meritorious service shall not be awarded on a sentence of
8 imprisonment imposed for conviction of: (i) one of the
9 offenses enumerated in subdivision (a)(2) when the
10 offense is committed on or after June 19, 1998, (ii)
11 reckless homicide as defined in subsection (e) of Section
12 9-3 of the Criminal Code of 1961 when the offense is
13 committed on or after January 1, 1999, ~~or (iii) for~~
14 ~~conviction--of~~ one of the offenses enumerated in
15 subdivision (a)(2.4) when the offense is committed on or
16 after the effective date of this amendatory Act of 1999,
17 or (iv) one of the offenses enumerated in subdivision
18 (a)(2.5) when the offense is committed on or after the
19 effective date of this amendatory Act of the 92nd General
20 Assembly.

21 (4) The rules and regulations shall also provide
22 that the good conduct credit accumulated and retained
23 under paragraph (2.1) of subsection (a) of this Section
24 by any inmate during specific periods of time in which
25 such inmate is engaged full-time in substance abuse
26 programs, correctional industry assignments, or
27 educational programs provided by the Department under
28 this paragraph (4) and satisfactorily completes the
29 assigned program as determined by the standards of the
30 Department, shall be multiplied by a factor of 1.25 for
31 program participation before August 11, 1993 and 1.50 for
32 program participation on or after that date. However, no
33 inmate shall be eligible for the additional good conduct
34 credit under this paragraph (4) while assigned to a boot

1 camp, mental health unit, or electronic detention, or if
2 convicted of an offense enumerated in paragraph (a)(2) of
3 this Section that is committed on or after June 19, 1998,
4 or if convicted of reckless homicide as defined in
5 subsection (e) of Section 9-3 of the Criminal Code of
6 1961 if the offense is committed on or after January 1,
7 1999, or if convicted of an offense enumerated in
8 paragraph (a)(2.4) of this Section that is committed on
9 or after the effective date of this amendatory Act of
10 1999, or if convicted of an offense enumerated in
11 paragraph (a)(2.5) of this Section that is committed on
12 or after the effective date of this amendatory Act of the
13 92nd General Assembly, or first degree murder, a Class X
14 felony, criminal sexual assault, felony criminal sexual
15 abuse, aggravated criminal sexual abuse, aggravated
16 battery with a firearm, or any predecessor or successor
17 offenses with the same or substantially the same
18 elements, or any inchoate offenses relating to the
19 foregoing offenses. No inmate shall be eligible for the
20 additional good conduct credit under this paragraph (4)
21 who (i) has previously received increased good conduct
22 credit under this paragraph (4) and has subsequently been
23 convicted of a felony, or (ii) has previously served more
24 than one prior sentence of imprisonment for a felony in
25 an adult correctional facility.

26 Educational, vocational, substance abuse and
27 correctional industry programs under which good conduct
28 credit may be increased under this paragraph (4) shall be
29 evaluated by the Department on the basis of documented
30 standards. The Department shall report the results of
31 these evaluations to the Governor and the General
32 Assembly by September 30th of each year. The reports
33 shall include data relating to the recidivism rate among
34 program participants.

1 Availability of these programs shall be subject to
2 the limits of fiscal resources appropriated by the
3 General Assembly for these purposes. Eligible inmates
4 who are denied immediate admission shall be placed on a
5 waiting list under criteria established by the
6 Department. The inability of any inmate to become
7 engaged in any such programs by reason of insufficient
8 program resources or for any other reason established
9 under the rules and regulations of the Department shall
10 not be deemed a cause of action under which the
11 Department or any employee or agent of the Department
12 shall be liable for damages to the inmate.

13 (5) Whenever the Department is to release any
14 inmate earlier than it otherwise would because of a grant
15 of good conduct credit for meritorious service given at
16 any time during the term, the Department shall give
17 reasonable advance notice of the impending release to the
18 State's Attorney of the county where the prosecution of
19 the inmate took place.

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

24 (c) The Department shall prescribe rules and regulations
25 for revoking good conduct credit, or suspending or reducing
26 the rate of accumulation of good conduct credit for specific
27 rule violations, during imprisonment. These rules and
28 regulations shall provide that no inmate may be penalized
29 more than one year of good conduct credit for any one
30 infraction.

31 When the Department seeks to revoke, suspend or reduce
32 the rate of accumulation of any good conduct credits for an
33 alleged infraction of its rules, it shall bring charges
34 therefor against the prisoner sought to be so deprived of

1 good conduct credits before the Prisoner Review Board as
2 provided in subparagraph (a)(4) of Section 3-3-2 of this
3 Code, if the amount of credit at issue exceeds 30 days or
4 when during any 12 month period, the cumulative amount of
5 credit revoked exceeds 30 days except where the infraction is
6 committed or discovered within 60 days of scheduled release.
7 In those cases, the Department of Corrections may revoke up
8 to 30 days of good conduct credit. The Board may subsequently
9 approve the revocation of additional good conduct credit, if
10 the Department seeks to revoke good conduct credit in excess
11 of 30 days. However, the Board shall not be empowered to
12 review the Department's decision with respect to the loss of
13 30 days of good conduct credit within any calendar year for
14 any prisoner or to increase any penalty beyond the length
15 requested by the Department.

16 The Director of the Department of Corrections, in
17 appropriate cases, may restore up to 30 days good conduct
18 credits which have been revoked, suspended or reduced. Any
19 restoration of good conduct credits in excess of 30 days
20 shall be subject to review by the Prisoner Review Board.
21 However, the Board may not restore good conduct credit in
22 excess of the amount requested by the Director.

23 Nothing contained in this Section shall prohibit the
24 Prisoner Review Board from ordering, pursuant to Section
25 3-3-9(a)(3)(i)(B), that a prisoner serve up to one year of
26 the sentence imposed by the court that was not served due to
27 the accumulation of good conduct credit.

28 (d) If a lawsuit is filed by a prisoner in an Illinois
29 or federal court against the State, the Department of
30 Corrections, or the Prisoner Review Board, or against any of
31 their officers or employees, and the court makes a specific
32 finding that a pleading, motion, or other paper filed by the
33 prisoner is frivolous, the Department of Corrections shall
34 conduct a hearing to revoke up to 180 days of good conduct

1 credit by bringing charges against the prisoner sought to be
2 deprived of the good conduct credits before the Prisoner
3 Review Board as provided in subparagraph (a)(8) of Section
4 3-3-2 of this Code. If the prisoner has not accumulated 180
5 days of good conduct credit at the time of the finding, then
6 the Prisoner Review Board may revoke all good conduct credit
7 accumulated by the 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 a prisoner in his or her lawsuit meets any or all of
12 the following criteria:

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

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

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

29 (E) the denials of factual contentions are not
30 warranted on the evidence, or if specifically so
31 identified, are not reasonably based on a lack of
32 information or belief.

33 (2) "Lawsuit" means a petition for post-conviction
34 relief under Article 122 of the Code of Criminal

1 Procedure of 1963, a motion pursuant to Section 116-3 of
2 the Code of Criminal Procedure of 1963, a habeas corpus
3 action under Article X of the Code of Civil Procedure or
4 under federal law (28 U.S.C. 2254), a petition for claim
5 under the Court of Claims Act or an action under the
6 federal Civil Rights Act (42 U.S.C. 1983).

7 (e) Nothing in this amendatory Act of 1998 affects the
8 validity of Public Act 89-404.

9 (Source: P.A. 90-141, eff. 1-1-98; 90-505, eff. 8-19-97;
10 90-592, eff. 6-19-98; 90-593, eff. 6-19-98; 90-655, eff.
11 7-30-98; 90-740, eff. 1-1-99; 91-121, eff. 7-15-99; 91-357,
12 eff. 7-29-99.)

13 (730 ILCS 5/5-4-1) (from Ch. 38, par. 1005-4-1)

14 Sec. 5-4-1. Sentencing Hearing.

15 (a) Except when the death penalty is sought under
16 hearing procedures otherwise specified, after a determination
17 of guilt, a hearing shall be held to impose the sentence.
18 However, prior to the imposition of sentence on an individual
19 being sentenced for an offense based upon a charge for a
20 violation of Section 11-501 of the Illinois Vehicle Code or a
21 similar provision of a local ordinance, the individual must
22 undergo a professional evaluation to determine if an alcohol
23 or other drug abuse problem exists and the extent of such a
24 problem. Programs conducting these evaluations shall be
25 licensed by the Department of Human Services. However, if
26 the individual is not a resident of Illinois, the court may,
27 in its discretion, accept an evaluation from a program in the
28 state of such individual's residence. The court may in its
29 sentencing order approve an eligible defendant for placement
30 in a Department of Corrections impact incarceration program
31 as provided in Section 5-8-1.1. At the hearing the court
32 shall:

33 (1) consider the evidence, if any, received upon

1 the trial;

2 (2) consider any presentence reports;

3 (3) consider the financial impact of incarceration
4 based on the financial impact statement filed with the
5 clerk of the court by the Department of Corrections;

6 (4) consider evidence and information offered by
7 the parties in aggravation and mitigation;

8 (5) hear arguments as to sentencing alternatives;

9 (6) afford the defendant the opportunity to make a
10 statement in his own behalf;

11 (7) afford the victim of a violent crime or a
12 violation of Section 11-501 of the Illinois Vehicle Code,
13 or a similar provision of a local ordinance, or a
14 qualified individual affected by a violation of Section
15 405, 405.1, 405.2, or 407 of the Illinois Controlled
16 Substances Act, committed by the defendant the
17 opportunity to make a statement concerning the impact on
18 the victim and to offer evidence in aggravation or
19 mitigation; provided that the statement and evidence
20 offered in aggravation or mitigation must first be
21 prepared in writing in conjunction with the State's
22 Attorney before it may be presented orally at the
23 hearing. Any sworn testimony offered by the victim is
24 subject to the defendant's right to cross-examine. All
25 statements and evidence offered under this paragraph (7)
26 shall become part of the record of the court. For the
27 purpose of this paragraph (7), "qualified individual"
28 means any person who (i) lived or worked within the
29 territorial jurisdiction where the offense took place
30 when the offense took place; and (ii) is familiar with
31 various public places within the territorial jurisdiction
32 where the offense took place when the offense took place.
33 For the purposes of this paragraph (7), "qualified
34 individual" includes any peace officer, or any member of

1 any duly organized State, county, or municipal peace unit
2 assigned to the territorial jurisdiction where the
3 offense took place when the offense took place; and

4 (8) in cases of reckless homicide afford the
5 victim's spouse, guardians, parents or other immediate
6 family members an opportunity to make oral statements.

7 (b) All sentences shall be imposed by the judge based
8 upon his independent assessment of the elements specified
9 above and any agreement as to sentence reached by the
10 parties. The judge who presided at the trial or the judge
11 who accepted the plea of guilty shall impose the sentence
12 unless he is no longer sitting as a judge in that court.
13 Where the judge does not impose sentence at the same time on
14 all defendants who are convicted as a result of being
15 involved in the same offense, the defendant or the State's
16 Attorney may advise the sentencing court of the disposition
17 of any other defendants who have been sentenced.

18 (c) In imposing a sentence for a violent crime or for an
19 offense of operating or being in physical control of a
20 vehicle while under the influence of alcohol, any other drug
21 or any combination thereof, or a similar provision of a local
22 ordinance, when such offense resulted in the personal injury
23 to someone other than the defendant, the trial judge shall
24 specify on the record the particular evidence, information,
25 factors in mitigation and aggravation or other reasons that
26 led to his sentencing determination. The full verbatim record
27 of the sentencing hearing shall be filed with the clerk of
28 the court and shall be a public record.

29 (c-1) In imposing a sentence for the offense of
30 aggravated kidnapping for ransom, home invasion, armed
31 robbery, aggravated vehicular hijacking, aggravated discharge
32 of a firearm, or armed violence with a category I weapon or
33 category II weapon, the trial judge shall make a finding as
34 to whether the conduct leading to conviction for the offense

1 resulted in great bodily harm to a victim, and shall enter
2 that finding and the basis for that finding in the record.

3 (c-2) If the defendant is sentenced to prison, other
4 than when a sentence of natural life imprisonment or a
5 sentence of death is imposed, at the time the sentence is
6 imposed the judge shall state on the record in open court the
7 approximate period of time the defendant will serve in
8 custody according to the then current statutory rules and
9 regulations for early release found in Section 3-6-3 and
10 other related provisions of this Code. This statement is
11 intended solely to inform the public, has no legal effect on
12 the defendant's actual release, and may not be relied on by
13 the defendant on appeal.

14 The judge's statement, to be given after pronouncing the
15 sentence, other than when the sentence is imposed for one of
16 the offenses enumerated in paragraph (a)(3) of Section 3-6-3,
17 shall include the following:

18 "The purpose of this statement is to inform the public of
19 the actual period of time this defendant is likely to spend
20 in prison as a result of this sentence. The actual period of
21 prison time served is determined by the statutes of Illinois
22 as applied to this sentence by the Illinois Department of
23 Corrections and the Illinois Prisoner Review Board. In this
24 case, assuming the defendant receives all of his or her good
25 conduct credit, the period of estimated actual custody is ...
26 years and ... months, less up to 180 days additional good
27 conduct credit for meritorious service. If the defendant,
28 because of his or her own misconduct or failure to comply
29 with the institutional regulations, does not receive those
30 credits, the actual time served in prison will be longer.
31 The defendant may also receive an additional one-half day
32 good conduct credit for each day of participation in
33 vocational, industry, substance abuse, and educational
34 programs as provided for by Illinois statute."

1 When the sentence is imposed for one of the offenses
2 enumerated in paragraph (a)(3) of Section 3-6-3, other than
3 when the sentence is imposed for one of the offenses
4 enumerated in paragraph (a)(2) of Section 3-6-3 committed on
5 or after June 19, 1998, and other than when the sentence is
6 imposed for reckless homicide as defined in subsection (e) of
7 Section 9-3 of the Criminal Code of 1961 if the offense was
8 committed on or after January 1, 1999, and other than when
9 the sentence is imposed for one of the offenses enumerated in
10 paragraph (a)(2.5) of Section 3-6-3 committed on or after the
11 effective date of this amendatory Act of the 92nd General
12 Assembly, the judge's statement, to be given after
13 pronouncing the sentence, shall include the following:

14 "The purpose of this statement is to inform the public of
15 the actual period of time this defendant is likely to spend
16 in prison as a result of this sentence. The actual period of
17 prison time served is determined by the statutes of Illinois
18 as applied to this sentence by the Illinois Department of
19 Corrections and the Illinois Prisoner Review Board. In this
20 case, assuming the defendant receives all of his or her good
21 conduct credit, the period of estimated actual custody is ...
22 years and ... months, less up to 90 days additional good
23 conduct credit for meritorious service. If the defendant,
24 because of his or her own misconduct or failure to comply
25 with the institutional regulations, does not receive those
26 credits, the actual time served in prison will be longer.
27 The defendant may also receive an additional one-half day
28 good conduct credit for each day of participation in
29 vocational, industry, substance abuse, and educational
30 programs as provided for by Illinois statute."

31 When the sentence is imposed for one of the offenses
32 enumerated in paragraph (a)(2) of Section 3-6-3, other than
33 first degree murder, and the offense was committed on or
34 after June 19, 1998, and when the sentence is imposed for

1 reckless homicide as defined in subsection (e) of Section 9-3
2 of the Criminal Code of 1961 if the offense was committed on
3 or after January 1, 1999, and when the sentence is imposed
4 for one of the offenses enumerated in paragraph (a)(2.5) of
5 Section 3-6-3 committed on or after the effective date of
6 this amendatory Act of the 92nd General Assembly, the judge's
7 statement, to be given after pronouncing the sentence, shall
8 include the following:

9 "The purpose of this statement is to inform the public of
10 the actual period of time this defendant is likely to spend
11 in prison as a result of this sentence. The actual period of
12 prison time served is determined by the statutes of Illinois
13 as applied to this sentence by the Illinois Department of
14 Corrections and the Illinois Prisoner Review Board. In this
15 case, the defendant is entitled to no more than 4 1/2 days of
16 good conduct credit for each month of his or her sentence of
17 imprisonment. Therefore, this defendant will serve at least
18 85% of his or her sentence. Assuming the defendant receives
19 4 1/2 days credit for each month of his or her sentence, the
20 period of estimated actual custody is ... years and ...
21 months. If the defendant, because of his or her own
22 misconduct or failure to comply with the institutional
23 regulations receives lesser credit, the actual time served in
24 prison will be longer."

25 When a sentence of imprisonment is imposed for first
26 degree murder and the offense was committed on or after June
27 19, 1998, the judge's statement, to be given after
28 pronouncing the sentence, shall include the following:

29 "The purpose of this statement is to inform the public of
30 the actual period of time this defendant is likely to spend
31 in prison as a result of this sentence. The actual period of
32 prison time served is determined by the statutes of Illinois
33 as applied to this sentence by the Illinois Department of
34 Corrections and the Illinois Prisoner Review Board. In this

1 case, the defendant is not entitled to good conduct credit.
2 Therefore, this defendant will serve 100% of his or her
3 sentence."

4 (d) When the defendant is committed to the Department of
5 Corrections, the State's Attorney shall and counsel for the
6 defendant may file a statement with the clerk of the court to
7 be transmitted to the department, agency or institution to
8 which the defendant is committed to furnish such department,
9 agency or institution with the facts and circumstances of the
10 offense for which the person was committed together with all
11 other factual information accessible to them in regard to the
12 person prior to his commitment relative to his habits,
13 associates, disposition and reputation and any other facts
14 and circumstances which may aid such department, agency or
15 institution during its custody of such person. The clerk
16 shall within 10 days after receiving any such statements
17 transmit a copy to such department, agency or institution and
18 a copy to the other party, provided, however, that this shall
19 not be cause for delay in conveying the person to the
20 department, agency or institution to which he has been
21 committed.

22 (e) The clerk of the court shall transmit to the
23 department, agency or institution, if any, to which the
24 defendant is committed, the following:

- 25 (1) the sentence imposed;
- 26 (2) any statement by the court of the basis for
27 imposing the sentence;
- 28 (3) any presentence reports;
- 29 (4) the number of days, if any, which the defendant
30 has been in custody and for which he is entitled to
31 credit against the sentence, which information shall be
32 provided to the clerk by the sheriff;
- 33 (4.1) any finding of great bodily harm made by the
34 court with respect to an offense enumerated in subsection

1 (c-1);

2 (5) all statements filed under subsection (d) of
3 this Section;

4 (6) any medical or mental health records or
5 summaries of the defendant;

6 (7) the municipality where the arrest of the
7 offender or the commission of the offense has occurred,
8 where such municipality has a population of more than
9 25,000 persons;

10 (8) all statements made and evidence offered under
11 paragraph (7) of subsection (a) of this Section; and

12 (9) all additional matters which the court directs
13 the clerk to transmit.

14 (Source: P.A. 90-592, eff. 6-19-98; 90-593, eff. 6-19-98;
15 90-740, eff. 1-1-99; 91-357, eff. 7-29-99; 91-899, eff.
16 1-1-01.)