

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 Criminal Code of 1961 is amended by  
5 changing Section 31-1 as follows:

6 (720 ILCS 5/31-1) (from Ch. 38, par. 31-1)

7 Sec. 31-1. Resisting or obstructing a peace officer, or  
8 correctional institution employee, or probation officer.

9 (a) A person who knowingly resists or obstructs the  
10 performance by one known to the person to be a peace officer,  
11 or correctional institution employee, or probation officer of  
12 any authorized act within his official capacity commits a  
13 Class 4 felony A-misdemeanor.

14 (a-5) In addition to any other sentence that may be  
15 imposed, a court shall order any person convicted of  
16 resisting or obstructing a peace officer, correctional  
17 institution employee, or probation officer to be sentenced to  
18 a minimum of 48 consecutive hours of imprisonment or ordered  
19 to perform community service for not less than 100 hours as  
20 may be determined by the court. The person shall not be  
21 eligible for probation in order to reduce the sentence of  
22 imprisonment or community service.

23 (a-7) (Blank) A-person-convicted-for-a-violation-of-this  
24 Section-whose-violation-was-the-proximate-cause-of-an--injury  
25 to-a-peace-officer-is-guilty-of-a-Class-4-felony.

26 (b) For purposes of this Section:<sub>7</sub>

27 "Correctional institution employee" means any person  
28 employed to supervise and control inmates incarcerated in a  
29 penitentiary, State farm, reformatory, prison, jail, house of  
30 correction, police detention area, half-way house, or other  
31 institution or place for the incarceration or custody of

1 persons under sentence for offenses or awaiting trial or  
2 sentence for offenses, under arrest for an offense, a  
3 violation of probation, a violation of parole, or a violation  
4 of mandatory supervised release, or awaiting a bail setting  
5 hearing or preliminary hearing, or who are sexually dangerous  
6 persons or who are sexually violent persons.

7 "Probation Officer" has the meaning ascribed to it in  
8 Section 9b of the Probation and Probation Officers Act.

9 (Source: P.A. 92-841, eff. 8-22-02.)