



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0349

Introduced 1/29/2021, by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

705 ILCS 135/5-20

Amends the Criminal and Traffic Assessment Act. Provides that one hour of public or community service shall be equivalent to the value of one hour of work at the State minimum wage or the minimum hourly wage in the municipality where the defendant resides, whichever is greater, as calculated by the Department of Labor (rather than one hour of public or community service being equivalent to \$4 of assessment). Provides that on the effective date of the Act and annually thereafter, the Director of Labor shall publish the Illinois minimum wage and the minimum wages of each municipality in the State that has enacted a minimum wage that is greater than the State minimum wage. Provides that the Director of Labor shall update the list if the State or municipal minimum wage is changed by law or if a municipality enacts an ordinance increasing its minimum wage that is greater than the State minimum wage. Provides that the published minimum wage list and updates shall be sent to the Administrative Office of the Illinois Courts to be provided to each judicial circuit in the State.

LRB102 10100 LNS 15421 b

1 AN ACT concerning courts.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal and Traffic Assessment Act is
5 amended by changing Section 5-20 as follows:

6 (705 ILCS 135/5-20)

7 (Section scheduled to be repealed on January 1, 2022)

8 Sec. 5-20. Credit; time served; community service.

9 (a) Any credit for time served prior to sentencing that
10 reduces the amount a defendant is required to pay shall be
11 deducted from the fine, if any, ordered by the court.

12 (b) Excluding any ordered conditional assessment, a
13 defendant who has been ordered to pay an assessment may
14 petition the court to convert all or part of the assessment
15 into court-approved public or community service. One hour of
16 public or community service shall be equivalent to the value
17 of one hour of work at the State minimum wage as provided in
18 the Minimum Wage Law or the minimum hourly wage in the
19 municipality where the defendant resides, whichever is
20 greater, as calculated by the Department of Labor. On the
21 effective date of this amendatory Act of the 102nd General
22 Assembly and annually thereafter, the Director of Labor shall
23 publish the Illinois minimum wage and the minimum wages of

1 each municipality in this State that has enacted by ordinance
2 a minimum wage that is greater than the State minimum wage. The
3 Director of Labor shall update the list if the State or
4 municipal minimum wage is changed by law or if a municipality
5 enacts an ordinance increasing its minimum wage that is
6 greater than the State minimum wage. The Director of Labor
7 shall send the published minimum wage list to the
8 Administrative Office of the Illinois Courts to be provided to
9 each judicial circuit in this State ~~\$4 of assessment~~. The
10 performance of this public or community service shall be a
11 condition of probation, conditional discharge, or supervision
12 and shall be in addition to the performance of any other period
13 of public or community service ordered by the court or
14 required by law.

15 (Source: P.A. 100-987, eff. 7-1-19; 101-408, eff. 1-1-20.)