



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3724

Introduced 2/17/2023, by

SYNOPSIS AS INTRODUCED:

820 ILCS 140/1
820 ILCS 140/2

from Ch. 48, par. 8a
from Ch. 48, par. 8b

Amends the One Day Rest In Seven Act. Provides that in addition to the rest periods required under a specified provision of the Act, a law enforcement agency shall allow a law enforcement officer at least 24 consecutive hours of rest in either every consecutive 60-hour period or every calendar week, except while a disaster proclamation by the Governor is in effect.

LRB103 25892 SPS 52243 b

1 AN ACT concerning employment.

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

4 Section 5. The One Day Rest In Seven Act is amended by
5 changing Sections 1 and 2 as follows:

6 (820 ILCS 140/1) (from Ch. 48, par. 8a)

7 Sec. 1. The words and phrases mentioned in this section,
8 as used in this Act, and in proceedings pursuant hereto shall,
9 unless the same be inconsistent with the context, be construed
10 as follows:

11 "Employer" shall mean a person, partnership, joint stock
12 company or corporation, which employs any person to work,
13 labor or exercise skill in connection with the operation of
14 any business, industry, vocation or occupation.

15 "Law enforcement agency" means all State agencies with law
16 enforcement officers, county sheriff's offices, municipal,
17 special district, college, unit of local government police
18 departments, or any other entity authorized by law to employ
19 peace officers or exercise police authority and who is
20 primarily responsible for the prevention or detection of crime
21 and the enforcement of the laws of this State.

22 "Law enforcement officer" means any person employed by a
23 State, county, municipality, special district, college, unit

1 of government, or any other entity authorized by law to employ
2 peace officers or exercise police authority and who is
3 primarily responsible for the prevention or detection of crime
4 and the enforcement of the laws of this State.

5 (Source: P.A. 78-917.)

6 (820 ILCS 140/2) (from Ch. 48, par. 8b)

7 Sec. 2. Hours and days of rest in every consecutive
8 seven-day period ~~calendar week~~.

9 (a) Every employer shall allow every employee except those
10 specified in this Section at least twenty-four consecutive
11 hours of rest in every consecutive seven-day period in
12 addition to the regular period of rest allowed at the close of
13 each working day.

14 A person employed as a domestic worker, as defined in
15 Section 10 of the Domestic Workers' Bill of Rights Act, shall
16 be allowed at least 24 consecutive hours of rest in every
17 consecutive seven-day period. This subsection (a) does not
18 prohibit a domestic worker from voluntarily agreeing to work
19 on such day of rest required by this subsection (a) if the
20 worker is compensated at the overtime rate for all hours
21 worked on such day of rest. The day of rest authorized under
22 this subsection (a) should, whenever possible, coincide with
23 the traditional day reserved by the domestic worker for
24 religious worship.

25 (b) Subsection (a) does not apply to the following:

1 (1) Part-time employees whose total work hours for one
2 employer during a calendar week do not exceed 20; and

3 (2) Employees needed in case of breakdown of machinery
4 or equipment or other emergency requiring the immediate
5 services of experienced and competent labor to prevent
6 injury to person, damage to property, or suspension of
7 necessary operation; and

8 (3) Employees employed in agriculture or coal mining;
9 and

10 (4) Employees engaged in the occupation of canning and
11 processing perishable agricultural products, if such
12 employees are employed by an employer in such occupation
13 on a seasonal basis and for not more than 20 weeks during
14 any calendar year or 12 month period; and

15 (5) Employees employed as watchmen or security guards;
16 and

17 (6) Employees who are employed in a bonafide
18 executive, administrative, or professional capacity or in
19 the capacity of an outside salesman, as defined in Section
20 12(a)(1) of the federal Fair Labor Standards Act, as
21 amended, and those employed as supervisors as defined in
22 Section 2(11) of the National Labor Relations Act, as
23 amended; and

24 (7) Employees who are employed as crew members of any
25 uninspected towing vessel, as defined by Section 2101(40)
26 of Title 46 of the United States Code, operating in any

1 navigable waters in or along the boundaries of the State
2 of Illinois; and

3 (8) Employees for whom work hours, days of work, and
4 rest periods are established through the collective
5 bargaining process.

6 (c) In addition to the rest periods required under
7 subsection (a), a law enforcement agency shall allow a law
8 enforcement officer at least 24 consecutive hours of rest in
9 either every consecutive 60-hour period or every calendar
10 week. This subsection (c) does not apply while a disaster
11 proclamation by the Governor is in effect.

12 (Source: P.A. 102-828, eff. 1-1-23; 102-1012, eff. 1-1-23;
13 revised 12-14-22.)