

1 AMENDMENT TO HOUSE BILL 568

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 568 by replacing  
3 everything after the enacting clause with the following:

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, probation officer, or  
9 parole officer.

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

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

1 the sentence of imprisonment or community service.

2 (a-7) A person convicted for a violation of this Section  
3 whose violation was the proximate cause of an injury to a  
4 peace officer, correctional institution employee, probation  
5 officer, or parole officer is guilty of a Class 3 4 felony.

6 (a-8) A person who, having been given a signal by a  
7 peace officer, correctional institution employee, probation  
8 officer, or parole officer that he or she is under arrest,  
9 willfully flees or attempts to elude the officer or employee  
10 is guilty of a Class 4 felony.

11 (b) For purposes of this Section:

12 "Correctional institution employee" means any person  
13 employed to supervise and control inmates incarcerated in a  
14 penitentiary, State farm, reformatory, prison, jail, house of  
15 correction, police detention area, half-way house, or other  
16 institution or place for the incarceration or custody of  
17 persons under sentence for offenses or awaiting trial or  
18 sentence for offenses, under arrest for an offense, a  
19 violation of probation, a violation of parole, or a violation  
20 of mandatory supervised release, or awaiting a bail setting  
21 hearing or preliminary hearing, or who are sexually dangerous  
22 persons or who are sexually violent persons.

23 "Probation officer" has the meaning ascribed to it in  
24 Section 9b of the Probation and Probation Officers Act.

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