

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, 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
23 the sentence of imprisonment or community service.

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

28 (a-8) A person who, having been given a signal by a
29 peace officer, correctional institution employee, probation
30 officer, or parole officer that he or she is under arrest,
31 willfully flees or attempts to elude the officer or employee

1 is guilty of a Class 4 felony.

2 (b) For purposes of this Section:

3 "Correctional institution employee" means any person
4 employed to supervise and control inmates incarcerated in a
5 penitentiary, State farm, reformatory, prison, jail, house of
6 correction, police detention area, half-way house, or other
7 institution or place for the incarceration or custody of
8 persons under sentence for offenses or awaiting trial or
9 sentence for offenses, under arrest for an offense, a
10 violation of probation, a violation of parole, or a violation
11 of mandatory supervised release, or awaiting a bail setting
12 hearing or preliminary hearing, or who are sexually dangerous
13 persons or who are sexually violent persons.

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

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