

1 AMENDMENT TO HOUSE BILL 1547

2 AMENDMENT NO. _____. Amend House Bill 1547, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

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

7 (720 ILCS 5/31-1) (from Ch. 38, par. 31-1)

8 Sec. 31-1. Resisting or obstructing a peace officer, ~~or~~
9 correctional institution employee, probation officer, or
10 parole officer.

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

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

1 person shall not be eligible for probation in order to reduce
2 the sentence of imprisonment or community service.

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

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

12 (b) For purposes of this Section:

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

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

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