



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3892

Introduced 10/17/2019, 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.

LRB101 13485 RLC 62335 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 (This Section may contain text from a Public Act with a
8 delayed effective date)

9 (Section scheduled to be repealed on January 1, 2021)

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

11 (a) Any credit for time served prior to sentencing that
12 reduces the amount a defendant is required to pay shall be
13 deducted first from the fine, if any, ordered by the court. Any
14 remainder of the credit shall be equally divided between the
15 assessments indicated in the ordered schedule and conditional
16 assessments.

17 (b) Excluding any ordered conditional assessment, a
18 defendant who has been ordered to pay an assessment may
19 petition the court to convert all or part of the assessment
20 into court-approved public or community service. One hour of
21 public or community service shall be equivalent to the value of
22 one hour of work at the State minimum wage as provided in the
23 Minimum Wage Law or the minimum hourly wage in the municipality

1 where the defendant resides, whichever is greater, as
2 calculated by the Department of Labor. On the effective date of
3 this amendatory Act of the 101st General Assembly and annually
4 thereafter, the Director of Labor shall publish the Illinois
5 minimum wage and the minimum wages of each municipality in this
6 State that has enacted by ordinance a minimum wage that is
7 greater than the State minimum wage. The Director of Labor
8 shall update the list if the State or municipal minimum wage is
9 changed by law or if a municipality enacts an ordinance
10 increasing its minimum wage that is greater than the State
11 minimum wage. The published minimum wage list and updates shall
12 be sent to the Administrative Office of the Illinois Courts to
13 be provided to each judicial circuit in this State ~~\$4 of~~
14 assessment. The performance of this public or community service
15 shall be a condition of probation, conditional discharge, or
16 supervision and shall be in addition to the performance of any
17 other period of public or community service ordered by the
18 court or required by law.

19 (Source: P.A. 100-987, eff. 7-1-19.)