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.
9   (a) A person who knowingly resists or obstructs the
10 performance by one known to the person to be a peace officer
11 or correctional institution employee of any authorized act
12 within his official capacity commits a Class A misdemeanor.
13   (a-5) In addition to any other sentence that may be
14 imposed, a court shall order any person convicted of
15 resisting or obstructing a peace officer to be sentenced to a
16 minimum of 48 consecutive hours of imprisonment or ordered to
17 perform community service for not less than 100 hours as may
18 be determined by the court. The person shall not be eligible
19 for probation in order to reduce the sentence of imprisonment
20 or community service.
21   (a-7) A person convicted for a violation of this Section
22 whose violation was the proximate cause of an injury to a
23 peace officer is guilty of a Class 1 4 felony.
24   (b) For purposes of this Section, "correctional
25 institution employee" means any person employed to supervise
26 and control inmates incarcerated in a penitentiary, State
27 farm, reformatory, prison, jail, house of correction, police
28 detention area, half-way house, or other institution or place
29 for the incarceration or custody of persons under sentence
30 for offenses or awaiting trial or sentence for offenses,
31 under arrest for an offense, a violation of probation, a

1   violation of parole, or a violation of mandatory supervised

2   release, or awaiting a bail setting hearing or preliminary

3   hearing, or who are sexually dangerous persons or who are

4   sexually violent persons.

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