

HB4043



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4043

Introduced 4/24/2025, by Rep. Jeff Keicher

SYNOPSIS AS INTRODUCED:

730 ILCS 115/1

from Ch. 38, par. 204a-1

Amends the Probation Community Service Act. Provides that the court may give credit toward the fulfillment of community service hours for participation in activities and treatment as determined by court services.

LRB104 07802 RLC 17848 b

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Probation Community Service Act is amended
5 by changing Section 1 as follows:

6 (730 ILCS 115/1) (from Ch. 38, par. 204a-1)

7 Sec. 1. (a) "Public or community service" means
8 uncompensated labor for a not-for-profit organization or
9 public body whose purpose is to enhance physical, or mental
10 stability of the offender, environmental quality or the social
11 welfare and which agrees to accept public or community service
12 from offenders and to report on the progress of the offender
13 and the public or community service to the court or to the
14 authorized diversion program that has referred the offender
15 for public or community service. "Public or Community Service"
16 does not include blood donation or assignment to labor at a
17 blood bank. For the purposes of this Act, "blood bank" has the
18 meaning ascribed to the term in Section 2-124 of the Illinois
19 Clinical Laboratory and Blood Bank Act.

20 (b) "Site" means a not-for-profit organization, public
21 body, church, charitable organization, or individual agreeing
22 to accept community service from offenders and to report on
23 the progress of ordered or required public or community

1 service to the court or to the authorized diversion program
2 that has referred the offender for public or community
3 service.

4 (c) The county boards of the several counties in this
5 State are authorized to establish and operate agencies to
6 develop and supervise programs of public or community service
7 for those persons placed by the court on probation,
8 conditional discharge, or supervision.

9 (d) The programs shall be developed in cooperation with
10 the circuit courts for the respective counties developing such
11 programs and shall conform with any law restricting the use of
12 public or community service.

13 (d-1) The court may give credit toward the fulfillment of
14 community service hours for participation in activities and
15 treatment as determined by court services.

16 (e) Neither the State, any local government, probation
17 department, public or community service program or site, nor
18 any official, volunteer, or employee thereof acting in the
19 course of their official duties shall be liable for any injury
20 or loss a person might receive while performing public or
21 community service as ordered either (1) by the court or (2) by
22 any duly authorized station or probation adjustment, teen
23 court, community mediation, or other administrative diversion
24 program authorized by the Juvenile Court Act of 1987 for a
25 violation of a penal statute of this State or a local
26 government ordinance (whether penal, civil, or quasi-criminal)

1 or for a traffic offense, nor shall they be liable for any
2 tortious acts of any person performing public or community
3 service, except for wilful, wanton misconduct or gross
4 negligence on the part of such governmental unit, probation
5 department, or public or community service program or site or
6 on the part of the official, volunteer, or employee.

7 (f) No person assigned to a public or community service
8 program shall be considered an employee for any purpose, nor
9 shall the county board be obligated to provide any
10 compensation to such person.

11 (Source: P.A. 98-824, eff. 1-1-15.)