

The Behavior Allowance Act provides that persons jailed for offenses “for which the law provides a mandatory minimum sentence” cannot be given any good-behavior allowance which “would reduce the sentence below the mandatory minimum.” 730 ILCS 130/3 (West 2010).

This case of Resisting a Peace Officer does not present us with such a situation in light of the fact that relevant sentencing statute grants the trial court discretion to impose community service as opposed to imprisonment alone. Hence, there is no “mandatory minimum” and the Behavior Allowance Act is inapplicable.

People v. Smith, 2013 IL App (3d) 110477, ¶ 29, 77 N.E.3d 87, 93