

HB3064



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3064

by Rep. Dan Caulkins

SYNOPSIS AS INTRODUCED:

See Index

Repeals the Criminal and Traffic Assessment Act. Amends various Acts to restore the provisions that were amended by Public Act 100-987 to the form in which they existed before their amendment by Public Act 100-987. Effective July 1, 2019.

LRB101 10107 LNS 55210 b

A BILL FOR

1 AN ACT concerning fees, fines, and assessments.

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

4 (705 ILCS 135/Act rep.)

5 Section 5. The Criminal and Traffic Assessment Act is
6 repealed.

7 Section 10. The Unified Code of Corrections is amended by
8 reenacting and changing Sections 5-9-1.1 and 5-9-1.1-5 as
9 follows:

10 (730 ILCS 5/5-9-1.1) (from Ch. 38, par. 1005-9-1.1)

11 (Text of Section from P.A. 94-550, 96-132, 96-402, 96-1234,
12 97-545, 98-537, 99-480, and 100-987)

13 Sec. 5-9-1.1. Drug related offenses.

14 (a) When a person has been adjudged guilty of a drug
15 related offense involving possession or delivery of cannabis or
16 possession or delivery of a controlled substance, other than
17 methamphetamine, as defined in the Cannabis Control Act, as
18 amended, or the Illinois Controlled Substances Act, as amended,
19 in addition to any other penalty imposed, a fine shall be
20 levied by the court at not less than the full street value of
21 the cannabis or controlled substances seized.

22 "Street value" shall be determined by the court on the

1 basis of testimony of law enforcement personnel and the
2 defendant as to the amount seized and such testimony as may be
3 required by the court as to the current street value of the
4 cannabis or controlled substance seized.

5 (b) In addition to any penalty imposed under subsection (a)
6 of this Section, a fine of \$100 shall be levied by the court,
7 the proceeds of which shall be collected by the Circuit Clerk
8 and remitted to the State Treasurer under Section 27.6 of the
9 Clerks of Courts Act for deposit into the Trauma Center Fund
10 for distribution as provided under Section 3.225 of the
11 Emergency Medical Services (EMS) Systems Act.

12 (c) In addition to any penalty imposed under subsection (a)
13 of this Section, a fee of \$5 shall be assessed by the court,
14 the proceeds of which shall be collected by the Circuit Clerk
15 and remitted to the State Treasurer under Section 27.6 of the
16 Clerks of Courts Act for deposit into the Spinal Cord Injury
17 Paralysis Cure Research Trust Fund. This additional fee of \$5
18 shall not be considered a part of the fine for purposes of any
19 reduction in the fine for time served either before or after
20 sentencing.

21 (d) ~~Blank~~. In addition to any penalty imposed under
22 subsection (a) of this Section for a drug related offense
23 involving possession or delivery of cannabis or possession or
24 delivery of a controlled substance as defined in the Cannabis
25 Control Act, the Illinois Controlled Substances Act, or the
26 Methamphetamine Control and Community Protection Act, a fee of

1 \$50 shall be assessed by the court, the proceeds of which shall
2 be collected by the Circuit Clerk and remitted to the State
3 Treasurer under Section 27.6 of the Clerks of Courts Act for
4 deposit into the Performance-enhancing Substance Testing Fund.
5 This additional fee of \$50 shall not be considered a part of
6 the fine for purposes of any reduction in the fine for time
7 served either before or after sentencing. The provisions of
8 this subsection (d), other than this sentence, are inoperative
9 after June 30, 2011.

10 (e) In addition to any penalty imposed under subsection (a)
11 of this Section, a \$25 assessment shall be assessed by the
12 court, the proceeds of which shall be collected by the Circuit
13 Clerk and remitted to the State Treasurer for deposit into the
14 Criminal Justice Information Projects Fund. The moneys
15 deposited into the Criminal Justice Information Projects Fund
16 under this Section shall be appropriated to and administered by
17 the Illinois Criminal Justice Information Authority for
18 ~~distribution to fund Department of State Police~~ funding of drug
19 task forces and Metropolitan Enforcement Groups ~~by dividing the~~
20 ~~funds equally by the total number of Department of State Police~~
21 ~~drug task forces and Illinois Metropolitan Enforcement Groups.~~

22 (f) In addition to any penalty imposed under subsection (a)
23 of this Section, a \$40 assessment shall be assessed by the
24 court, the proceeds of which shall be collected by the Circuit
25 Clerk. Of the collected proceeds, (i) 90% shall be remitted to
26 the State Treasurer for deposit into the Prescription Pill and

1 Drug Disposal Fund; (ii) 5% shall be remitted for deposit into
2 the Criminal Justice Information Projects Fund, for use by the
3 Illinois Criminal Justice Information Authority for the costs
4 associated with making grants from the Prescription Pill and
5 Drug Disposal Fund; and (iii) the Circuit Clerk shall retain 5%
6 for deposit into the Circuit Court Clerk Operation and
7 Administrative Fund for the costs associated with
8 administering this subsection.

9 (Source: P.A. 98-537, eff. 8-23-13; 99-480, eff. 9-9-15;
10 100-987, Article 900, Section 900-5, eff. 8-20-18. Repealed by
11 P.A. 100-987, Article 905, Section 905-93, eff. 7-1-19.)

12 (Text of Section from P.A. 94-556, 96-132, 96-402, 96-1234,
13 97-545, 98-537, 99-480, and 100-987)

14 Sec. 5-9-1.1. Drug related offenses.

15 (a) When a person has been adjudged guilty of a drug
16 related offense involving possession or delivery of cannabis or
17 possession or delivery of a controlled substance as defined in
18 the Cannabis Control Act, the Illinois Controlled Substances
19 Act, or the Methamphetamine Control and Community Protection
20 Act, in addition to any other penalty imposed, a fine shall be
21 levied by the court at not less than the full street value of
22 the cannabis or controlled substances seized.

23 "Street value" shall be determined by the court on the
24 basis of testimony of law enforcement personnel and the
25 defendant as to the amount seized and such testimony as may be

1 required by the court as to the current street value of the
2 cannabis or controlled substance seized.

3 (b) In addition to any penalty imposed under subsection (a)
4 of this Section, a fine of \$100 shall be levied by the court,
5 the proceeds of which shall be collected by the Circuit Clerk
6 and remitted to the State Treasurer under Section 27.6 of the
7 Clerks of Courts Act for deposit into the Trauma Center Fund
8 for distribution as provided under Section 3.225 of the
9 Emergency Medical Services (EMS) Systems Act.

10 (c) In addition to any penalty imposed under subsection (a)
11 of this Section, a fee of \$5 shall be assessed by the court,
12 the proceeds of which shall be collected by the Circuit Clerk
13 and remitted to the State Treasurer under Section 27.6 of the
14 Clerks of Courts Act for deposit into the Spinal Cord Injury
15 Paralysis Cure Research Trust Fund. This additional fee of \$5
16 shall not be considered a part of the fine for purposes of any
17 reduction in the fine for time served either before or after
18 sentencing.

19 (d) ~~(Blank)~~. In addition to any penalty imposed under
20 subsection (a) of this Section for a drug related offense
21 involving possession or delivery of cannabis or possession or
22 delivery of a controlled substance as defined in the Cannabis
23 Control Act, the Illinois Controlled Substances Act, or the
24 Methamphetamine Control and Community Protection Act, a fee of
25 \$50 shall be assessed by the court, the proceeds of which shall
26 be collected by the Circuit Clerk and remitted to the State

1 Treasurer under Section 27.6 of the Clerks of Courts Act for
2 deposit into the Performance-enhancing Substance Testing Fund.
3 This additional fee of \$50 shall not be considered a part of
4 the fine for purposes of any reduction in the fine for time
5 served either before or after sentencing. The provisions of
6 this subsection (d), other than this sentence, are inoperative
7 after June 30, 2011.

8 (e) In addition to any penalty imposed under subsection (a)
9 of this Section, a \$25 assessment shall be assessed by the
10 court, the proceeds of which shall be collected by the Circuit
11 Clerk and remitted to the State Treasurer for deposit into the
12 Criminal Justice Information Projects Fund. The moneys
13 deposited into the Criminal Justice Information Projects Fund
14 under this Section shall be appropriated to and administered by
15 the Illinois Criminal Justice Information Authority for
16 ~~distribution to fund Department of State Police~~ funding of drug
17 task forces and Metropolitan Enforcement Groups ~~by dividing the~~
18 ~~funds equally by the total number of Department of State Police~~
19 ~~drug task forces and Illinois Metropolitan Enforcement Groups.~~

20 (f) In addition to any penalty imposed under subsection (a)
21 of this Section, a \$40 assessment shall be assessed by the
22 court, the proceeds of which shall be collected by the Circuit
23 Clerk. Of the collected proceeds, (i) 90% shall be remitted to
24 the State Treasurer for deposit into the Prescription Pill and
25 Drug Disposal Fund; (ii) 5% shall be remitted for deposit into
26 the Criminal Justice Information Projects Fund, for use by the

1 Illinois Criminal Justice Information Authority for the costs
2 associated with making grants from the Prescription Pill and
3 Drug Disposal Fund; and (iii) the Circuit Clerk shall retain 5%
4 for deposit into the Circuit Court Clerk Operation and
5 Administrative Fund for the costs associated with
6 administering this subsection.

7 (Source: 99-480, eff. 9-9-15; 100-987, Article 900, Section
8 900-5, eff. 8-20-18. Repealed by P.A. 100-987, Article 905,
9 Section 905-93, eff. 7-1-19.)

10 (730 ILCS 5/5-9-1.1-5)

11 Sec. 5-9-1.1-5. Methamphetamine related offenses.

12 (a) When a person has been adjudged guilty of a
13 methamphetamine related offense involving possession or
14 delivery of methamphetamine or any salt of an optical isomer of
15 methamphetamine or possession of a methamphetamine
16 manufacturing material as set forth in Section 10 of the
17 Methamphetamine Control and Community Protection Act with the
18 intent to manufacture a substance containing methamphetamine
19 or salt of an optical isomer of methamphetamine, in addition to
20 any other penalty imposed, a fine shall be levied by the court
21 at not less than the full street value of the methamphetamine
22 or salt of an optical isomer of methamphetamine or
23 methamphetamine manufacturing materials seized.

24 "Street value" shall be determined by the court on the
25 basis of testimony of law enforcement personnel and the

1 defendant as to the amount seized and such testimony as may be
2 required by the court as to the current street value of the
3 methamphetamine or salt of an optical isomer of methamphetamine
4 or methamphetamine manufacturing materials seized.

5 (b) In addition to any penalty imposed under subsection (a)
6 of this Section, a fine of \$100 shall be levied by the court,
7 the proceeds of which shall be collected by the Circuit Clerk
8 and remitted to the State Treasurer under Section 27.6 of the
9 Clerks of Courts Act for deposit into the Methamphetamine Law
10 Enforcement Fund and allocated as provided in subsection (d) of
11 Section 5-9-1.2.

12 (c) In addition to any penalty imposed under subsection (a)
13 of this Section, a \$25 assessment shall be assessed by the
14 court, the proceeds of which shall be collected by the Circuit
15 Clerk and remitted to the State Treasurer for deposit into the
16 Criminal Justice Information Projects Fund. The moneys
17 deposited into the Criminal Justice Information Projects Fund
18 under this Section shall be appropriated to and administered by
19 the Illinois Criminal Justice Information Authority for
20 ~~distribution to fund the Department of State Police~~ funding of
21 drug task forces and Metropolitan Enforcement Groups ~~by~~
22 ~~dividing the funds equally by the total number of Department of~~
23 ~~State Police drug task forces and Metropolitan Enforcement~~
24 ~~Groups.~~

25 (d) In addition to any penalty imposed under subsection (a)
26 of this Section, a \$40 assessment shall be assessed by the

1 court, the proceeds of which shall be collected by the Circuit
2 Clerk. Of the collected proceeds, (i) 90% shall be remitted to
3 the State Treasurer for deposit into the Prescription Pill and
4 Drug Disposal Fund; (ii) 5% shall be remitted for deposit into
5 the Criminal Justice Information Projects Fund, for use by the
6 Illinois Criminal Justice Information Authority for the costs
7 associated with making grants from the Prescription Pill and
8 Drug Disposal Fund; and (iii) the Circuit Clerk shall retain 5%
9 for deposit into the Circuit Court Clerk Operation and
10 Administrative Fund for the costs associated with
11 administering this subsection.

12 (Source: P.A. 98-537, eff. 8-23-13; 99-480, eff. 9-9-15.)

13 Section 15. The Domestic Violence Shelters Act is amended
14 by changing Section 3.2 as follows:

15 (20 ILCS 1310/3.2) (from Ch. 40, par. 2403.2)

16 Sec. 3.2. All funds collected pursuant to P.A. 82-645,
17 which are held in escrow for refund and for which a refund is
18 not approved by September 1, 1988, shall be forwarded to the
19 State Treasurer for deposit into the Domestic Violence Shelter
20 and Service Fund. The Domestic Violence Shelter and Service
21 Fund shall also include ~~assessments~~ finer received by the State
22 Treasurer from circuit clerks ~~under the Criminal and Traffic~~
23 ~~Assessment Act~~ in accordance with Section 5-9-1.5 of the
24 Unified Code of Corrections. Monies deposited in the Fund

1 pursuant to this Section and the income tax check-off for the
2 Domestic Violence Shelter and Service Fund authorized by
3 Section 507F of the Illinois Income Tax Act shall be
4 appropriated to the Department of Human Services for the
5 purpose of providing services specified by this Act; however,
6 the Department may waive the matching funds requirement of this
7 Act with respect to such monies. Any such waiver shall be
8 uniform throughout the State. This amendatory Act of 1987
9 applies to all funds collected pursuant to PA 82-645, held in
10 escrow and for which no refund is approved by September 1,
11 1988, whether those funds are administered by the State, a
12 county, a court, or any other unit or agency of government.

13 (Source: P.A. 89-507, eff. 7-1-97.)

14 Section 20. The Burn Victims Relief Act is amended by
15 changing Section 10 as follows:

16 (20 ILCS 1410/10)

17 Sec. 10. Payments to the George Bailey Memorial Fund. The
18 George Bailey Memorial Fund is created as a special fund in the
19 State treasury. The George Bailey Memorial Fund shall be funded
20 pursuant to subsection (p) of Section 27.6 of the Clerks of
21 Courts Act and Section 16-104d of the Illinois Vehicle Code.
22 Funds received under Section 16-104d of the Illinois Vehicle
23 Code shall be repaid in full to the Fire Truck Revolving Loan
24 Fund, without the deduction of the 20% administrative fee

1 authorized in subsection (b) of Section 5, upon receipt by the
2 George Bailey Memorial Fund from the person or his or her
3 estate, trust, or heirs of any moneys from a settlement for the
4 injury that is the proximate cause of the person's disability
5 under this Act or moneys received from Social Security
6 disability benefits. Moneys in the George Bailey Memorial Fund
7 may only be used for the purposes set forth in this Act.

8 (Source: P.A. 99-455, eff. 1-1-16.)

9 Section 25. The State Police Act is amended by changing
10 Section 7.2 as follows:

11 (20 ILCS 2610/7.2)

12 Sec. 7.2. State Police Merit Board Public Safety Fund.

13 (a) A special fund in the State treasury is hereby created
14 which shall be known as the State Police Merit Board Public
15 Safety Fund. The Fund shall be used by the State Police Merit
16 Board to provide a cadet program for State Police personnel and
17 to meet all costs associated with the functions of the State
18 Police Merit Board. Notwithstanding any other law to the
19 contrary, the State Police Merit Board Public Safety Fund is
20 not subject to sweeps, administrative charge-backs, or any
21 other fiscal or budgetary maneuver that would in any way
22 transfer any amounts from the State Police Merit Board Public
23 Safety Fund into any other fund of the State.

24 (b) The Fund may receive State appropriations, gifts,

1 grants, and federal funds and shall include earnings from the
2 investment of moneys in the Fund.

3 (c) The administration of this Fund shall be the
4 responsibility of the State Police Merit Board. The Board shall
5 establish terms and conditions for the operation of the Fund.
6 The Board shall establish and implement fiscal controls and
7 accounting periods for programs operated using the Fund. All
8 fees or moneys received by the State Treasurer under ~~the~~
9 ~~Criminal and Traffic Assessment Act~~ subsection (n) of Section
10 27.6 of the Clerks of Courts Act shall be deposited into the
11 Fund. The moneys deposited in the State Police Merit Board
12 Public Safety Fund shall be appropriated to the State Police
13 Merit Board for expenses of the Board for the administration
14 and conduct of all its programs for State Police personnel.
15 (Source: P.A. 97-1051, eff. 1-1-13.)

16 Section 30. The Illinois Criminal Justice Information Act
17 is amended by changing Section 9.1 as follows:

18 (20 ILCS 3930/9.1)

19 Sec. 9.1. Criminal Justice Information Projects Fund. The
20 Criminal Justice Information Projects Fund is hereby created as
21 a special fund in the State Treasury. Grants and other moneys
22 obtained by the Authority from governmental entities (other
23 than the federal government), private sources, and
24 not-for-profit organizations for use in investigating criminal

1 justice issues or undertaking other criminal justice
2 information projects shall be deposited into the Fund. Moneys
3 in the Fund may be used by the Authority, subject to
4 appropriation, for undertaking such projects and for the
5 operating and other expenses of the Authority incidental to
6 those projects, ~~and for the costs associated with making grants~~
7 ~~from the Prescription Pill and Drug Disposal Fund. The moneys~~
8 ~~deposited into the Criminal Justice Information Projects Fund~~
9 ~~under Sections 15-15 and 15-35 of the Criminal and Traffic~~
10 ~~Assessment Act shall be appropriated to and administered by the~~
11 ~~Illinois Criminal Justice Information Authority for~~
12 ~~distribution to fund Department of State Police drug task~~
13 ~~forces and Metropolitan Enforcement Groups by dividing the~~
14 ~~funds equally by the total number of Department of State Police~~
15 ~~drug task forces and Illinois Metropolitan Enforcement Groups.~~

16 (Source: P.A. 88-538.)

17 (30 ILCS 105/5.886 rep.) (as added by Public Act 100-987)

18 (30 ILCS 105/6z-105 rep.) (as added by Public Act 100-987)

19 Section 35. The State Finance Act is amended by repealing
20 Sections 5.886, as added by Public Act 100-987, and 6z-105, as
21 added by Public Act 100-987.

22 Section 40. The State Finance Act is amended by changing
23 Sections 6b-4, 6z-82, 6z-87, 8p, and 8q as follows:

1 (30 ILCS 105/6b-4) (from Ch. 127, par. 142b4)

2 Sec. 6b-4. On the second Monday of every month, the
3 Director of Public Health shall certify to the State
4 Comptroller and the State Treasurer the amount generated by the
5 issuance of commemorative birth certificates under subsection
6 (14) of Section 25 of the Vital Records Act in excess of the
7 costs incurred in issuing the documents. Within 15 days of
8 receipt of the certification required by this Section, the
9 State Comptroller and the State Treasurer shall transfer from
10 the General Revenue Fund, one-half of the amount certified as
11 being received from the issuance of commemorative birth
12 certificates to the Child Abuse Prevention Fund and one-half of
13 the amount to the Domestic Violence Shelter and Service Fund.

14 The State Treasurer shall deposit into the Domestic
15 Violence Shelter and Service Fund each ~~assessment received~~
16 ~~under the Criminal and Traffic Assessment Act~~ fine received
17 from circuit clerks under Section 5-9-1.5 of the Unified Code
18 of Corrections.

19 The State Treasurer shall deposit into the Sexual Assault
20 Services Fund and the Domestic Violence Shelter and Service
21 Fund each of those fines received from circuit clerks under
22 Section 5-9-1.7 of the Unified Code of Corrections in
23 accordance with the provisions of that Section.

24 (Source: P.A. 87-791; 87-1072.)

25 (30 ILCS 105/6z-82)

1 Sec. 6z-82. State Police Operations Assistance Fund.

2 (a) There is created in the State treasury a special fund
3 known as the State Police Operations Assistance Fund. The Fund
4 shall receive revenue ~~under the Criminal and Traffic Assessment~~
5 ~~Act~~ pursuant to Section 27.3a of the Clerks of Courts Act. The
6 Fund may also receive revenue from grants, donations,
7 appropriations, and any other legal source.

8 (b) The Department of State Police may use moneys in the
9 Fund to finance any of its lawful purposes or functions.

10 (c) Expenditures may be made from the Fund only as
11 appropriated by the General Assembly by law.

12 (d) Investment income that is attributable to the
13 investment of moneys in the Fund shall be retained in the Fund
14 for the uses specified in this Section.

15 (e) The State Police Operations Assistance Fund shall not
16 be subject to administrative chargebacks.

17 (f) Notwithstanding any other provision of State law to the
18 contrary, on or after July 1, 2012, and until June 30, 2013, in
19 addition to any other transfers that may be provided for by
20 law, at the direction of and upon notification from the
21 Director of State Police, the State Comptroller shall direct
22 and the State Treasurer shall transfer amounts into the State
23 Police Operations Assistance Fund from the designated funds not
24 exceeding the following totals:

25 State Police Vehicle Fund \$2,250,000

26 State Police Wireless Service

1 Emergency Fund \$2,500,000
 2 State Police Services Fund \$3,500,000
 3 (Source: P.A. 96-1029, eff. 7-13-10; 97-333, eff. 8-12-11;
 4 97-732, eff. 6-30-12.)

5 (30 ILCS 105/6z-87)

6 Sec. 6z-87. Conservation Police Operations Assistance
 7 Fund.

8 (a) There is created in the State treasury a special fund
 9 known as the Conservation Police Operations Assistance Fund.
 10 The Fund shall receive revenue ~~under the Criminal and Traffic~~
 11 ~~Assessment Act~~ pursuant to Section 27.3a of the Clerks of
 12 Courts Act. The Fund may also receive revenue from grants,
 13 donations, appropriations, and any other legal source.

14 (b) The Department of Natural Resources may use moneys in
 15 the Fund to support any lawful operations of the Illinois
 16 Conservation Police.

17 (c) Expenditures may be made from the Fund only as
 18 appropriated by the General Assembly by law.

19 (d) Investment income that is attributable to the
 20 investment of moneys in the Fund shall be retained in the Fund
 21 for the uses specified in this Section.

22 (e) The Conservation Police Operations Assistance Fund
 23 shall not be subject to administrative chargebacks.

24 (Source: P.A. 97-46, eff. 7-1-12; 97-813, eff. 7-13-12.)

1 (30 ILCS 105/8p)

2 Sec. 8p. State Police Streetgang-Related Crime Fund.

3 (a) The State Police Streetgang-Related Crime Fund is
4 created as a special fund in the State treasury.

5 (b) All moneys collected and payable to the Department of
6 State Police ~~from the State Police Streetgang Related Crime~~
7 ~~Fund~~ under Section 5-9-1.19 of the Unified Code of Corrections
8 shall be deposited into the State Police Streetgang-Related
9 Crime Fund and shall be appropriated to and administered by the
10 Department of State Police for operations and initiatives to
11 combat and prevent streetgang-related crime.

12 (c) The State Police Streetgang-Related Crime Fund shall
13 not be subject to administrative chargebacks.

14 (Source: P.A. 96-1029, eff. 7-13-10.)

15 (30 ILCS 105/8q)

16 Sec. 8q. Illinois Department of Corrections Parole
17 Division Offender Supervision Fund.

18 (a) The Illinois Department of Corrections Parole Division
19 Offender Supervision Fund is created as a special fund in the
20 State treasury.

21 (b) All moneys collected and payable to the Department of
22 Corrections ~~and~~ under Section 5-9-1.20 of the Unified Code of
23 Corrections shall be deposited into the Illinois Department of
24 Corrections Parole Division Offender Supervision Fund and
25 shall be appropriated to and administered by the Department of

1 Corrections for operations and initiatives to combat and
2 supervise paroled offenders in the community.

3 (c) The Illinois Department of Corrections Parole Division
4 Offender Supervision Fund shall not be subject to
5 administrative chargebacks.

6 (Source: P.A. 97-262, eff. 8-5-11.)

7 Section 45. The State Property Control Act is amended by
8 changing Section 7c as follows:

9 (30 ILCS 605/7c)

10 Sec. 7c. Acquisition of State Police vehicles. The State
11 Police Vehicle Fund is created as a special fund in the State
12 treasury. The Fund shall consist of fees received pursuant to
13 Section 16-104c of the Illinois Vehicle Code. All moneys in the
14 Fund, subject to appropriation, shall be used by the Department
15 of State Police:

16 (1) for the acquisition of vehicles for that
17 Department; or

18 (2) for debt service on bonds issued to finance the
19 acquisition of vehicles for that Department.

20 (Source: P.A. 94-839, eff. 6-6-06.)

21 Section 50. Illinois Police Training Act is amended by
22 changing Section 9 as follows:

1 (50 ILCS 705/9) (from Ch. 85, par. 509)

2 Sec. 9. A special fund is hereby established in the State
3 Treasury to be known as the Traffic and Criminal Conviction
4 Surcharge Fund and shall be financed as provided in Section 9.1
5 of this Act and Section 5-9-1 of the Unified Code of
6 Corrections, unless the fines, costs, or additional amounts
7 imposed are subject to disbursement by the circuit clerk under
8 Section 27.5 of the Clerks of Courts Act. Moneys in this Fund
9 shall be expended as follows:

10 (1) a portion of the total amount deposited in the Fund
11 may be used, as appropriated by the General Assembly, for
12 the ordinary and contingent expenses of the Illinois Law
13 Enforcement Training Standards Board;

14 (2) a portion of the total amount deposited in the Fund
15 shall be appropriated for the reimbursement of local
16 governmental agencies participating in training programs
17 certified by the Board, in an amount equaling 1/2 of the
18 total sum paid by such agencies during the State's previous
19 fiscal year for mandated training for probationary police
20 officers or probationary county corrections officers and
21 for optional advanced and specialized law enforcement or
22 county corrections training; these reimbursements may
23 include the costs for tuition at training schools, the
24 salaries of trainees while in schools, and the necessary
25 travel and room and board expenses for each trainee; if the
26 appropriations under this paragraph (2) are not sufficient

1 to fully reimburse the participating local governmental
2 agencies, the available funds shall be apportioned among
3 such agencies, with priority first given to repayment of
4 the costs of mandatory training given to law enforcement
5 officer or county corrections officer recruits, then to
6 repayment of costs of advanced or specialized training for
7 permanent police officers or permanent county corrections
8 officers;

9 (3) a portion of the total amount deposited in the Fund
10 may be used to fund the Intergovernmental Law Enforcement
11 Officer's In-Service Training Act, veto overridden October
12 29, 1981, as now or hereafter amended, at a rate and method
13 to be determined by the board;

14 (4) a portion of the Fund also may be used by the
15 Illinois Department of State Police for expenses incurred
16 in the training of employees from any State, county or
17 municipal agency whose function includes enforcement of
18 criminal or traffic law;

19 (5) a portion of the Fund may be used by the Board to
20 fund grant-in-aid programs and services for the training of
21 employees from any county or municipal agency whose
22 functions include corrections or the enforcement of
23 criminal or traffic law;

24 (6) for fiscal years 2013 through 2017 only, a portion
25 of the Fund also may be used by the Department of State
26 Police to finance any of its lawful purposes or functions;

1 and

2 (7) a portion of the Fund may be used by the Board,
3 subject to appropriation, to administer grants to local law
4 enforcement agencies for the purpose of purchasing
5 bulletproof vests under the Law Enforcement Officer
6 Bulletproof Vest Act.

7 All payments from the Traffic and Criminal Conviction
8 Surcharge Fund shall be made each year from moneys appropriated
9 for the purposes specified in this Section. No more than 50% of
10 any appropriation under this Act shall be spent in any city
11 having a population of more than 500,000. The State Comptroller
12 and the State Treasurer shall from time to time, at the
13 direction of the Governor, transfer from the Traffic and
14 Criminal Conviction Surcharge Fund to the General Revenue Fund
15 in the State Treasury such amounts as the Governor determines
16 are in excess of the amounts required to meet the obligations
17 of the Traffic and Criminal Conviction Surcharge Fund.

18 (Source: P.A. 98-24, eff. 6-19-13; 98-674, eff. 6-30-14;
19 98-743, eff. 1-1-15; 99-78, eff. 7-20-15; 99-523, eff.
20 6-30-16.)

21 Section 55. The Illinois Police Training Act is amended by
22 reenacting Section 9.1 as follows:

23 (50 ILCS 705/9.1) (from Ch. 85, par. 509.1)

24 Sec. 9.1. In addition to every fine imposed by a court for

1 a criminal or traffic offense, an additional assessment,
2 payable to The Traffic and Criminal Conviction Surcharge Fund,
3 shall be imposed by the court and paid by the defendant in
4 accordance with subsection (c) of Section 5-9-1 of the "Unified
5 Code of Corrections", unless the additional assessment and fine
6 are subject to disbursement by the circuit clerk under Section
7 27.5 of the Clerks of Court Act. The Clerk of the Circuit Court
8 shall retain 2% of such penalty assessment total to cover the
9 costs incurred in administering and enforcing this Section.

10 (Source: P.A. 87-670.)

11 Section 60. The Counties Code is amended by changing
12 Sections 3-6023, 4-2004, 4-2005, and 4-2006 as follows:

13 (55 ILCS 5/3-6023) (from Ch. 34, par. 3-6023)

14 Sec. 3-6023. Attendance at courts. Each sheriff shall, in
15 person or by deputy, county corrections officer, or court
16 security officer, attend upon all courts held in his or her
17 county when in session, and obey the lawful orders and
18 directions of the court, and shall maintain the security of the
19 courthouse. Court services customarily performed by sheriffs
20 shall be provided by the sheriff or his or her deputies, county
21 corrections officers, or court security officers, rather than
22 by employees of the court, unless there are no deputies, county
23 corrections officers, or court security officers available to
24 perform such services. The expenses of the sheriff in carrying

1 out his or her duties under this Section, including the
2 compensation of deputies, county corrections officers, or
3 court security officers assigned to such services, shall be
4 paid to the county from fees collected pursuant to court order
5 for services of the sheriff and from any court services fees
6 collected by the county ~~under the Criminal and Traffic~~
7 ~~Assessment Act~~ pursuant to Section 5-1103, as now or hereafter
8 amended.

9 (Source: P.A. 89-685, eff. 6-1-97; 89-707, eff. 6-1-97.)

10 (55 ILCS 5/4-2004) (from Ch. 34, par. 4-2004)

11 Sec. 4-2004. Collection and disposition of fines and
12 forfeitures. It shall be the duty of State's attorneys to
13 attend to the collection of all fines and forfeitures in
14 criminal cases, and they shall, without delay, pay over all
15 fines and forfeitures collected by them to the county treasurer
16 to be deposited into the general corporate fund of the county,
17 except as otherwise specifically provided by law and except for
18 such portion as is required by Section 9.1 of "The Illinois
19 Police Training Act" and Section 5-9-1 of the "Unified Code of
20 Corrections" to be paid into The Traffic and Criminal
21 Conviction Surcharge Fund in the State Treasury, unless the
22 fines and forfeitures are subject to disbursement by the
23 circuit clerk under Section 27.5 of the Clerks of Courts Act.

24 (Source: P.A. 86-962; 87-670.)

1 (55 ILCS 5/4-2005) (from Ch. 34, par. 4-2005)

2 Sec. 4-2005. Payment of salaries; disposition of fees. The
3 salaries of the State's attorneys, excepting that part which is
4 to be paid out of the State treasury as now provided for by
5 law, and the salaries of all Assistant State's attorneys shall
6 be paid out of the general corporate fund of the county
7 treasury of the county in which the State's attorney resides,
8 on the order of the county board by the treasurer of the
9 county: The fees which are now, or may hereafter, be provided
10 by law to be paid by the defendant or defendants, as State's
11 attorney's fees, shall be taxed as costs and all fees, fines,
12 forfeitures and penalties shall be collected by the State's
13 attorney, except ~~as otherwise specifically provided by law~~ for
14 those amounts required by Section 9.1 of the "Illinois Police
15 Training Act" and Section 5-9-1 of the "Unified Code of
16 Corrections" to be paid into The Traffic and Criminal
17 Conviction Surcharge Fund and those amounts subject to
18 disbursement by the circuit clerk under Section 27.5 of the
19 Clerks of Courts Act, and shall be paid by him directly into
20 the county treasury to be deposited into the general corporate
21 fund of the county. The county treasurer shall receipt
22 therefor.

23 (Source: P.A. 86-962; 87-670.)

24 (55 ILCS 5/4-2006) (from Ch. 34, par. 4-2006)

25 Sec. 4-2006. Report of fees.

1 (a) It is hereby made the duty of all State's attorneys to
2 report to the circuit court at such times as the court shall
3 determine by rule, the payment and collection of all fees,
4 fines, forfeitures and penalties and to satisfy the court by
5 voucher or otherwise, that all fees, fines, forfeitures and
6 penalties by them collected, ~~except as otherwise specifically~~
7 ~~provided by law~~ for those amounts required by Section 9.1 of
8 the Illinois Police Training Act and Section 5-9-1 of the
9 Unified Code of Corrections to be paid into the Traffic and
10 Criminal Conviction Surcharge Fund, have been duly paid over to
11 the county treasurer, as required by Section 4-2005, and the
12 State's attorney shall have no further interest in conviction
13 fees, fines, forfeitures and penalties or moneys collected by
14 virtue of such office. The court shall note the filing of the
15 report and fix a day certain not less than 30 days thereafter,
16 when objections in writing may be filed to such report by any
17 one or more taxpayers of the county, and when objections are
18 filed to such report a hearing may be had upon such report and
19 objections at such time and in such manner as the court may
20 direct and after such hearing the court may approve or
21 disapprove of such report as justice may require, and make all
22 proper orders in reference thereto, and if no objections have
23 been filed, the court shall inspect such report and require the
24 State's attorney to produce evidence in proof of his having
25 paid over as required by law all fines and forfeitures
26 collected by him; and if it appears to the court that any

1 State's attorney has failed or refused to turn over the fines
2 and forfeitures collected by him as required by law the court
3 shall at once suspend him and appoint a State's attorney pro
4 tempore to perform the duties of the office until such State's
5 attorney shall have complied with the provisions of this
6 Division or the orders of the court in regard thereto. The
7 court, for the purpose of carrying out the provisions of this
8 Section shall have the power to examine books and papers and to
9 issue subpoenas to compel the appearance of persons and the
10 production of books and records: Provided, however, no order
11 entered under this Section shall be a bar to any proper
12 proceedings against such State's attorney and his bondsman to
13 require him to account for moneys collected and not paid over
14 by him as required by law.

15 (b) Waiver of report of fees. The filing of the report of
16 fees as provided by subsection (a) of this Section may be
17 waived by written administrative order of the chief judge of
18 the circuit upon written request and affidavit of the State's
19 attorney of a county within the circuit that all fines, fees,
20 forfeitures, and restitution are collected by the clerk of the
21 circuit court and that none of those funds pass through the
22 office of the State's attorney.

23 (Source: P.A. 86-962; 87-1201.)

24 Section 65. The Counties Code is amended by reenacting
25 Sections 3-4012, 4-2002, 4-2002.1, 5-1101, 5-1101.5, and

1 5-1103 as follows:

2 (55 ILCS 5/3-4012)

3 Sec. 3-4012. Public defender's fees in counties of
4 3,000,000 or more population. The Cook County Public Defender
5 shall be entitled to a \$2 fee to be paid by the defendant on a
6 judgment of guilty or a grant of supervision for a violation of
7 any provision of the Illinois Vehicle Code or any felony,
8 misdemeanor, or petty offense to discharge the expenses of the
9 Cook County Public Defender's office for establishing and
10 maintaining automated record keeping systems. The fee shall be
11 remitted monthly to the county treasurer, to be deposited by
12 him or her into a special fund designated as the Public
13 Defender Records Automation Fund. Expenditures from this fund
14 may be made by the Public Defender for hardware, software,
15 research, and development costs and personnel related thereto.
16 (Source: P.A. 97-673, eff. 6-1-12.)

17 (55 ILCS 5/4-2002) (from Ch. 34, par. 4-2002)

18 Sec. 4-2002. State's attorney fees in counties under
19 3,000,000 population. This Section applies only to counties
20 with fewer than 3,000,000 inhabitants.

21 (a) State's attorneys shall be entitled to the following
22 fees, however, the fee requirement of this subsection does not
23 apply to county boards:

24 For each conviction in prosecutions on indictments for

1 first degree murder, second degree murder, involuntary
2 manslaughter, criminal sexual assault, aggravated criminal
3 sexual assault, aggravated criminal sexual abuse, kidnapping,
4 arson and forgery, \$30. All other cases punishable by
5 imprisonment in the penitentiary, \$30.

6 For each conviction in other cases tried before judges of
7 the circuit court, \$15; except that if the conviction is in a
8 case which may be assigned to an associate judge, whether or
9 not it is in fact assigned to an associate judge, the fee shall
10 be \$10.

11 For preliminary examinations for each defendant held to
12 bail or recognizance, \$10.

13 For each examination of a party bound over to keep the
14 peace, \$10.

15 For each defendant held to answer in a circuit court on a
16 charge of paternity, \$10.

17 For each trial on a charge of paternity, \$30.

18 For each case of appeal taken from his county or from the
19 county to which a change of venue is taken to his county to the
20 Supreme or Appellate Court when prosecuted or defended by him,
21 \$50.

22 For each day actually employed in the trial of a case, \$25;
23 in which case the court before whom the case is tried shall
24 make an order specifying the number of days for which a per
25 diem shall be allowed.

26 For each day actually employed in the trial of cases of

1 felony arising in their respective counties and taken by change
2 of venue to another county, \$25; and the court before whom the
3 case is tried shall make an order specifying the number of days
4 for which said per diem shall be allowed; and it is hereby made
5 the duty of each State's attorney to prepare and try each case
6 of felony arising when so taken by change of venue.

7 For assisting in a trial of each case on an indictment for
8 felony brought by change of venue to their respective counties,
9 the same fees they would be entitled to if such indictment had
10 been found for an offense committed in his county, and it shall
11 be the duty of the State's attorney of the county to which such
12 cause is taken by change of venue to assist in the trial
13 thereof.

14 For each case of forfeited recognizance where the
15 forfeiture is set aside at the instance of the defense, in
16 addition to the ordinary costs, \$10 for each defendant.

17 For each proceeding in a circuit court to inquire into the
18 alleged mental illness of any person, \$10 for each defendant.

19 For each proceeding in a circuit court to inquire into the
20 alleged dependency or delinquency of any child, \$10.

21 For each day actually employed in the hearing of a case of
22 habeas corpus in which the people are interested, \$25.

23 For each violation of the Criminal Code of 1961 or the
24 Criminal Code of 2012 and the Illinois Vehicle Code in which a
25 defendant has entered a plea of guilty or a defendant has
26 stipulated to the facts supporting the charge or a finding of

1 guilt and the court has entered an order of supervision, \$10.

2 State's attorneys shall be entitled to a \$2 fee to be paid
3 by the defendant on a judgment of guilty or a grant of
4 supervision for a violation of any provision of the Illinois
5 Vehicle Code or any felony, misdemeanor, or petty offense to
6 discharge the expenses of the State's Attorney's office for
7 establishing and maintaining automated record keeping systems.
8 The fee shall be remitted monthly to the county treasurer, to
9 be deposited by him or her into a special fund designated as
10 the State's Attorney Records Automation Fund. Expenditures
11 from this fund may be made by the State's Attorney for
12 hardware, software, research, and development costs and
13 personnel related thereto.

14 All the foregoing fees shall be taxed as costs to be
15 collected from the defendant, if possible, upon conviction. But
16 in cases of inquiry into the mental illness of any person
17 alleged to be mentally ill, in cases on a charge of paternity
18 and in cases of appeal in the Supreme or Appellate Court, where
19 judgment is in favor of the accused, the fees allowed the
20 State's attorney therein shall be retained out of the fines and
21 forfeitures collected by them in other cases.

22 Ten per cent of all moneys except revenue, collected by
23 them and paid over to the authorities entitled thereto, which
24 per cent together with the fees provided for herein that are
25 not collected from the parties tried or examined, shall be paid
26 out of any fines and forfeited recognizances collected by them,

1 provided however, that in proceedings to foreclose the lien of
2 delinquent real estate taxes State's attorneys shall receive a
3 fee, to be credited to the earnings of their office, of 10% of
4 the total amount realized from the sale of real estate sold in
5 such proceedings. Such fees shall be paid from the total amount
6 realized from the sale of the real estate sold in such
7 proceedings.

8 State's attorneys shall have a lien for their fees on all
9 judgments for fines or forfeitures procured by them and on
10 moneys except revenue received by them until such fees and
11 earnings are fully paid.

12 No fees shall be charged on more than 10 counts in any one
13 indictment or information on trial and conviction; nor on more
14 than 10 counts against any one defendant on pleas of guilty.

15 The Circuit Court may direct that of all monies received,
16 by restitution or otherwise, which monies are ordered paid to
17 the Department of Healthcare and Family Services (formerly
18 Department of Public Aid) or the Department of Human Services
19 (acting as successor to the Department of Public Aid under the
20 Department of Human Services Act) as a direct result of the
21 efforts of the State's attorney and which payments arise from
22 Civil or Criminal prosecutions involving the Illinois Public
23 Aid Code or the Criminal Code, the following amounts shall be
24 paid quarterly by the Department of Healthcare and Family
25 Services or the Department of Human Services to the General
26 Corporate Fund of the County in which the prosecution or cause

1 of action took place:

2 (1) where the monies result from child support
3 obligations, not more than 25% of the federal share of the
4 monies received,

5 (2) where the monies result from other than child
6 support obligations, not more than 25% of the State's share
7 of the monies received.

8 In addition to any other amounts to which State's Attorneys
9 are entitled under this Section, State's Attorneys are entitled
10 to \$10 of the fine that is imposed under Section 5-9-1.17 of
11 the Unified Code of Corrections, as set forth in that Section.

12 (b) A municipality shall be entitled to a \$25 prosecution
13 fee for each conviction for a violation of the Illinois Vehicle
14 Code prosecuted by the municipal attorney pursuant to Section
15 16-102 of that Code which results in a finding of guilt before
16 a circuit or associate judge or in which a defendant has
17 stipulated to the facts supporting the charge or a finding of
18 guilt and the court has entered an order of supervision and
19 shall be entitled to a \$25 prosecution fee for each conviction
20 for a violation of a municipal vehicle ordinance or nontraffic
21 ordinance which results in a finding of guilt before a circuit
22 or associate judge or in which a defendant has stipulated to
23 the facts supporting the charge or a finding of guilt and the
24 court has entered an order of supervision. Such fee shall be
25 taxed as costs to be collected from the defendant, if possible,
26 upon disposition of the case. A municipality shall have a lien

1 for such prosecution fees on all judgments or fines procured by
2 the municipal attorney from prosecutions for violations of the
3 Illinois Vehicle Code and municipal vehicle ordinances or
4 nontraffic ordinances.

5 For the purposes of this subsection (b), "municipal vehicle
6 ordinance" means any ordinance enacted pursuant to Sections
7 11-40-1, 11-40-2, 11-40-2a and 11-40-3 of the Illinois
8 Municipal Code or any ordinance enacted by a municipality which
9 is similar to a provision of Chapter 11 of the Illinois Vehicle
10 Code.

11 (Source: P.A. 96-707, eff. 1-1-10; 96-1186, eff. 7-22-10;
12 97-331, eff. 8-12-11; 97-673, eff. 6-1-12; 97-1150, eff.
13 1-25-13.)

14 (55 ILCS 5/4-2002.1) (from Ch. 34, par. 4-2002.1)

15 Sec. 4-2002.1. State's attorney fees in counties of
16 3,000,000 or more population. This Section applies only to
17 counties with 3,000,000 or more inhabitants.

18 (a) State's attorneys shall be entitled to the following
19 fees:

20 For each conviction in prosecutions on indictments for
21 first degree murder, second degree murder, involuntary
22 manslaughter, criminal sexual assault, aggravated criminal
23 sexual assault, aggravated criminal sexual abuse,
24 kidnapping, arson and forgery, \$60. All other cases
25 punishable by imprisonment in the penitentiary, \$60.

1 For each conviction in other cases tried before judges
2 of the circuit court, \$30; except that if the conviction is
3 in a case which may be assigned to an associate judge,
4 whether or not it is in fact assigned to an associate
5 judge, the fee shall be \$20.

6 For preliminary examinations for each defendant held
7 to bail or recognizance, \$20.

8 For each examination of a party bound over to keep the
9 peace, \$20.

10 For each defendant held to answer in a circuit court on
11 a charge of paternity, \$20.

12 For each trial on a charge of paternity, \$60.

13 For each case of appeal taken from his county or from
14 the county to which a change of venue is taken to his
15 county to the Supreme or Appellate Court when prosecuted or
16 defended by him, \$100.

17 For each day actually employed in the trial of a case,
18 \$50; in which case the court before whom the case is tried
19 shall make an order specifying the number of days for which
20 a per diem shall be allowed.

21 For each day actually employed in the trial of cases of
22 felony arising in their respective counties and taken by
23 change of venue to another county, \$50; and the court
24 before whom the case is tried shall make an order
25 specifying the number of days for which said per diem shall
26 be allowed; and it is hereby made the duty of each State's

1 attorney to prepare and try each case of felony arising
2 when so taken by change of venue.

3 For assisting in a trial of each case on an indictment
4 for felony brought by change of venue to their respective
5 counties, the same fees they would be entitled to if such
6 indictment had been found for an offense committed in his
7 county, and it shall be the duty of the State's attorney of
8 the county to which such cause is taken by change of venue
9 to assist in the trial thereof.

10 For each case of forfeited recognizance where the
11 forfeiture is set aside at the instance of the defense, in
12 addition to the ordinary costs, \$20 for each defendant.

13 For each proceeding in a circuit court to inquire into
14 the alleged mental illness of any person, \$20 for each
15 defendant.

16 For each proceeding in a circuit court to inquire into
17 the alleged dependency or delinquency of any child, \$20.

18 For each day actually employed in the hearing of a case
19 of habeas corpus in which the people are interested, \$50.

20 All the foregoing fees shall be taxed as costs to be
21 collected from the defendant, if possible, upon conviction. But
22 in cases of inquiry into the mental illness of any person
23 alleged to be mentally ill, in cases on a charge of paternity
24 and in cases of appeal in the Supreme or Appellate Court, where
25 judgment is in favor of the accused, the fees allowed the
26 State's attorney therein shall be retained out of the fines and

1 forfeitures collected by them in other cases.

2 Ten per cent of all moneys except revenue, collected by
3 them and paid over to the authorities entitled thereto, which
4 per cent together with the fees provided for herein that are
5 not collected from the parties tried or examined, shall be paid
6 out of any fines and forfeited recognizances collected by them,
7 provided however, that in proceedings to foreclose the lien of
8 delinquent real estate taxes State's attorneys shall receive a
9 fee, to be credited to the earnings of their office, of 10% of
10 the total amount realized from the sale of real estate sold in
11 such proceedings. Such fees shall be paid from the total amount
12 realized from the sale of the real estate sold in such
13 proceedings.

14 State's attorneys shall have a lien for their fees on all
15 judgments for fines or forfeitures procured by them and on
16 moneys except revenue received by them until such fees and
17 earnings are fully paid.

18 No fees shall be charged on more than 10 counts in any one
19 indictment or information on trial and conviction; nor on more
20 than 10 counts against any one defendant on pleas of guilty.

21 The Circuit Court may direct that of all monies received,
22 by restitution or otherwise, which monies are ordered paid to
23 the Department of Healthcare and Family Services (formerly
24 Department of Public Aid) or the Department of Human Services
25 (acting as successor to the Department of Public Aid under the
26 Department of Human Services Act) as a direct result of the

1 efforts of the State's attorney and which payments arise from
2 Civil or Criminal prosecutions involving the Illinois Public
3 Aid Code or the Criminal Code, the following amounts shall be
4 paid quarterly by the Department of Healthcare and Family
5 Services or the Department of Human Services to the General
6 Corporate Fund of the County in which the prosecution or cause
7 of action took place:

8 (1) where the monies result from child support
9 obligations, not less than 25% of the federal share of the
10 monies received,

11 (2) where the monies result from other than child
12 support obligations, not less than 25% of the State's share
13 of the monies received.

14 In addition to any other amounts to which State's Attorneys
15 are entitled under this Section, State's Attorneys are entitled
16 to \$10 of the fine that is imposed under Section 5-9-1.17 of
17 the Unified Code of Corrections, as set forth in that Section.

18 (b) A municipality shall be entitled to a \$25 prosecution
19 fee for each conviction for a violation of the Illinois Vehicle
20 Code prosecuted by the municipal attorney pursuant to Section
21 16-102 of that Code which is tried before a circuit or
22 associate judge and shall be entitled to a \$25 prosecution fee
23 for each conviction for a violation of a municipal vehicle
24 ordinance prosecuted by the municipal attorney which is tried
25 before a circuit or associate judge. Such fee shall be taxed as
26 costs to be collected from the defendant, if possible, upon

1 conviction. A municipality shall have a lien for such
2 prosecution fees on all judgments or fines procured by the
3 municipal attorney from prosecutions for violations of the
4 Illinois Vehicle Code and municipal vehicle ordinances.

5 For the purposes of this subsection (b), "municipal vehicle
6 ordinance" means any ordinance enacted pursuant to Sections
7 11-40-1, 11-40-2, 11-40-2a, and 11-40-3 of the Illinois
8 Municipal Code or any ordinance enacted by a municipality which
9 is similar to a provision of Chapter 11 of the Illinois Vehicle
10 Code.

11 (c) State's attorneys shall be entitled to a \$2 fee to be
12 paid by the defendant on a judgment of guilty or a grant of
13 supervision for a violation of any provision of the Illinois
14 Vehicle Code or any felony, misdemeanor, or petty offense to
15 discharge the expenses of the State's Attorney's office for
16 establishing and maintaining automated record keeping systems.
17 The fee shall be remitted monthly to the county treasurer, to
18 be deposited by him or her into a special fund designated as
19 the State's Attorney Records Automation Fund. Expenditures
20 from this fund may be made by the State's Attorney for
21 hardware, software, research, and development costs and
22 personnel related thereto.

23 (Source: P.A. 100-201, eff. 8-18-17.)

24 (55 ILCS 5/5-1101) (from Ch. 34, par. 5-1101)

25 Sec. 5-1101. Additional fees to finance court system. A

1 county board may enact by ordinance or resolution the following
2 fees:

3 (a) A \$5 fee to be paid by the defendant on a judgment of
4 guilty or a grant of supervision for violation of the Illinois
5 Vehicle Code other than Section 11-501 or violations of similar
6 provisions contained in county or municipal ordinances
7 committed in the county, and up to a \$30 fee to be paid by the
8 defendant on a judgment of guilty or a grant of supervision for
9 violation of Section 11-501 of the Illinois Vehicle Code or a
10 violation of a similar provision contained in county or
11 municipal ordinances committed in the county.

12 (b) In the case of a county having a population of
13 1,000,000 or less, a \$5 fee to be collected in all civil cases
14 by the clerk of the circuit court.

15 (c) A fee to be paid by the defendant on a judgment of
16 guilty or a grant of supervision, as follows:

- 17 (1) for a felony, \$50;
18 (2) for a class A misdemeanor, \$25;
19 (3) for a class B or class C misdemeanor, \$15;
20 (4) for a petty offense, \$10;
21 (5) for a business offense, \$10.

22 (d) A \$100 fee for the second and subsequent violations of
23 Section 11-501 of the Illinois Vehicle Code or violations of
24 similar provisions contained in county or municipal ordinances
25 committed in the county. The proceeds of this fee shall be
26 placed in the county general fund and used to finance education

1 programs related to driving under the influence of alcohol or
2 drugs.

3 (d-5) A \$10 fee to be paid by the defendant on a judgment
4 of guilty or a grant of supervision under Section 5-9-1 of the
5 Unified Code of Corrections to be placed in the county general
6 fund and used to finance the county mental health court, the
7 county drug court, the Veterans and Servicemembers Court, or
8 any or all of the above.

9 (e) In each county in which a teen court, peer court, peer
10 jury, youth court, or other youth diversion program has been
11 created, a county may adopt a mandatory fee of up to \$5 to be
12 assessed as provided in this subsection. Assessments collected
13 by the clerk of the circuit court pursuant to this subsection
14 must be deposited into an account specifically for the
15 operation and administration of a teen court, peer court, peer
16 jury, youth court, or other youth diversion program. The clerk
17 of the circuit court shall collect the fees established in this
18 subsection and must remit the fees to the teen court, peer
19 court, peer jury, youth court, or other youth diversion program
20 monthly, less 5%, which is to be retained as fee income to the
21 office of the clerk of the circuit court. The fees are to be
22 paid as follows:

23 (1) a fee of up to \$5 paid by the defendant on a
24 judgment of guilty or grant of supervision for violation of
25 the Illinois Vehicle Code or violations of similar
26 provisions contained in county or municipal ordinances

1 committed in the county;

2 (2) a fee of up to \$5 paid by the defendant on a
3 judgment of guilty or grant of supervision under Section
4 5-9-1 of the Unified Code of Corrections for a felony; for
5 a Class A, Class B, or Class C misdemeanor; for a petty
6 offense; and for a business offense.

7 (f) In each county in which a drug court has been created,
8 the county may adopt a mandatory fee of up to \$5 to be assessed
9 as provided in this subsection. Assessments collected by the
10 clerk of the circuit court pursuant to this subsection must be
11 deposited into an account specifically for the operation and
12 administration of the drug court. The clerk of the circuit
13 court shall collect the fees established in this subsection and
14 must remit the fees to the drug court, less 5%, which is to be
15 retained as fee income to the office of the clerk of the
16 circuit court. The fees are to be paid as follows:

17 (1) a fee of up to \$5 paid by the defendant on a
18 judgment of guilty or grant of supervision for a violation
19 of the Illinois Vehicle Code or a violation of a similar
20 provision contained in a county or municipal ordinance
21 committed in the county; or

22 (2) a fee of up to \$5 paid by the defendant on a
23 judgment of guilty or a grant of supervision under Section
24 5-9-1 of the Unified Code of Corrections for a felony; for
25 a Class A, Class B, or Class C misdemeanor; for a petty
26 offense; and for a business offense.

1 The clerk of the circuit court shall deposit the 5%
2 retained under this subsection into the Circuit Court Clerk
3 Operation and Administrative Fund to be used to defray the
4 costs of collection and disbursement of the drug court fee.

5 (f-5) In each county in which a Children's Advocacy Center
6 provides services, the county board may adopt a mandatory fee
7 of between \$5 and \$30 to be paid by the defendant on a judgment
8 of guilty or a grant of supervision under Section 5-9-1 of the
9 Unified Code of Corrections for a felony; for a Class A, Class
10 B, or Class C misdemeanor; for a petty offense; and for a
11 business offense. Assessments shall be collected by the clerk
12 of the circuit court and must be deposited into an account
13 specifically for the operation and administration of the
14 Children's Advocacy Center. The clerk of the circuit court
15 shall collect the fees as provided in this subsection, and must
16 remit the fees to the Children's Advocacy Center.

17 (f-10) In each county in which the Court Appointed Special
18 Advocates provide services, the county board may, in addition
19 to any fine imposed under Section 5-9-1 of the Unified Code of
20 Corrections, adopt a mandatory fee of between \$10 and \$30 to be
21 paid by the defendant on a judgment of guilty or a grant of
22 supervision for a felony; for a Class A, Class B, or Class C
23 misdemeanor; for a petty offense; and for a business offense;
24 where a court appearance is required. Assessments shall be
25 collected by the clerk of the circuit court and must be
26 deposited into an account specifically for the operations of

1 the Court Appointed Special Advocates. The clerk of the circuit
2 court shall collect the fees as provided in this subsection and
3 must remit the fees to the Court Appointed Special Advocates
4 Fund that the county board shall create for the receipt of
5 funds collected under this subsection, and from which the
6 county board shall make grants to support the activities and
7 services of the Court Appointed Special Advocates within that
8 county. The term "Court Appointed Special Advocates" is
9 copyrighted and is used with permission of the holder of the
10 copyright.

11 (g) The proceeds of all fees enacted under this Section
12 must, except as provided in subsections (d), (d-5), (e), (f),
13 and (f-10) be placed in the county general fund and used to
14 finance the court system in the county, unless the fee is
15 subject to disbursement by the circuit clerk as provided under
16 Section 27.5 of the Clerks of Courts Act.

17 (Source: P.A. 98-331, eff. 8-13-13.)

18 (55 ILCS 5/5-1101.5)

19 Sec. 5-1101.5. Metro East Police District. In addition to
20 any fine imposed under Section 5-9-1 of the Unified Code of
21 Corrections, St. Clair County may adopt a mandatory fine of
22 \$100 to be paid by the defendant on a judgment of guilty or a
23 grant of supervision for a felony or a violation of Section
24 11-501 of the Illinois Vehicle Code, when the offense was
25 committed within the corporate limits of a municipality that is

1 located within the Metro East Police District. The clerk of the
2 circuit court shall collect the fines as provided in this
3 subsection and must remit the fines to the Metro East Police
4 District Fund created under Section 15 of the Metro East Police
5 District Act. This Section is repealed on December 31, 2019.

6 (Source: P.A. 97-971, eff. 1-1-13.)

7 (55 ILCS 5/5-1103) (from Ch. 34, par. 5-1103)

8 Sec. 5-1103. Court services fee. A county board may enact
9 by ordinance or resolution a court services fee dedicated to
10 defraying court security expenses incurred by the sheriff in
11 providing court services or for any other court services deemed
12 necessary by the sheriff to provide for court security,
13 including without limitation court services provided pursuant
14 to Section 3-6023, as now or hereafter amended. Such fee shall
15 be paid in civil cases by each party at the time of filing the
16 first pleading, paper or other appearance; provided that no
17 additional fee shall be required if more than one party is
18 represented in a single pleading, paper or other appearance. In
19 criminal, local ordinance, county ordinance, traffic and
20 conservation cases, such fee shall be assessed against the
21 defendant upon a plea of guilty, stipulation of facts or
22 findings of guilty, resulting in a judgment of conviction, or
23 order of supervision, or sentence of probation without entry of
24 judgment pursuant to Section 10 of the Cannabis Control Act,
25 Section 410 of the Illinois Controlled Substances Act, Section

1 70 of the Methamphetamine Control and Community Protection Act,
2 Section 12-4.3 or subdivision (b) (1) of Section 12-3.05 of the
3 Criminal Code of 1961 or the Criminal Code of 2012, Section
4 10-102 of the Illinois Alcoholism and Other Drug Dependency
5 Act, Section 40-10 of the Substance Use Disorder Act, or
6 Section 10 of the Steroid Control Act. In setting such fee, the
7 county board may impose, with the concurrence of the Chief
8 Judge of the judicial circuit in which the county is located by
9 administrative order entered by the Chief Judge, differential
10 rates for the various types or categories of criminal and civil
11 cases, but the maximum rate shall not exceed \$25, unless the
12 fee is set according to an acceptable cost study in accordance
13 with Section 4-5001 of the Counties Code. All proceeds from
14 this fee must be used to defray court security expenses
15 incurred by the sheriff in providing court services. No fee
16 shall be imposed or collected, however, in traffic,
17 conservation, and ordinance cases in which fines are paid
18 without a court appearance. The fees shall be collected in the
19 manner in which all other court fees or costs are collected and
20 shall be deposited into the county general fund for payment
21 solely of costs incurred by the sheriff in providing court
22 security or for any other court services deemed necessary by
23 the sheriff to provide for court security.

24 (Source: P.A. 99-265, eff. 1-1-16; 100-759, eff. 1-1-19.)

25 Section 70. The Illinois Vehicle Code is amended by

1 changing Sections 2-120, 11-501.01, 11-605, 11-605.1,
2 11-605.3, 11-1002.5, 15-113, and 16-105 as follows:

3 (625 ILCS 5/2-120) (from Ch. 95 1/2, par. 2-120)

4 Sec. 2-120. Disposition of fines and forfeitures.

5 (a) ~~Fines~~ Except as provided in subsection (f) of Section
6 11-605 and subsection (c) of Section 11-1002.5 of this Code,
7 fines and penalties recovered under the provisions of this Act
8 administered by the Secretary of State, except those fines,
9 ~~assessments,~~ and penalties subject to disbursement by the
10 circuit clerk under ~~the Criminal and Traffic Assessment Act~~
11 Section 27.5 of the Clerks of Courts Act, shall be paid over
12 and used as follows:

13 1. For violations of this Act committed within the
14 limits of an incorporated city or village, to the treasurer
15 of the particular city or village, if arrested by the
16 authorities of the city or village and reasonably
17 prosecuted for all fines and penalties under this Act by
18 the police officers and officials of the city or village.

19 2. For violations of this Act committed outside the
20 limits of an incorporated city or village to the county
21 treasurer of the court where the offense was committed.

22 3. For the purposes of this Act an offense for
23 violation of any provision of this Act not committed upon
24 the highway shall be deemed to be committed where the
25 violator resides or where he has a place of business

1 requiring some registration, permit or license to operate
2 such business under this Act.

3 (b) Failure, refusal or neglect on the part of any judicial
4 or other officer or employee receiving or having custody of any
5 such fine or forfeiture either before or after a deposit with
6 the proper official as defined in paragraph (a) of this
7 Section, shall constitute misconduct in office and shall be
8 grounds for removal therefrom.

9 (Source: P.A. 95-302, eff. 1-1-08.)

10 (625 ILCS 5/11-501.01)

11 Sec. 11-501.01. Additional administrative sanctions.

12 (a) After a finding of guilt and prior to any final
13 sentencing or an order for supervision, for an offense based
14 upon an arrest for a violation of Section 11-501 or a similar
15 provision of a local ordinance, individuals shall be required
16 to undergo a professional evaluation to determine if an
17 alcohol, drug, or intoxicating compound abuse problem exists
18 and the extent of the problem, and undergo the imposition of
19 treatment as appropriate. Programs conducting these
20 evaluations shall be licensed by the Department of Human
21 Services. The cost of any professional evaluation shall be paid
22 for by the individual required to undergo the professional
23 evaluation.

24 (b) Any person who is found guilty of or pleads guilty to
25 violating Section 11-501, including any person receiving a

1 disposition of court supervision for violating that Section,
2 may be required by the Court to attend a victim impact panel
3 offered by, or under contract with, a county State's Attorney's
4 office, a probation and court services department, Mothers
5 Against Drunk Driving, or the Alliance Against Intoxicated
6 Motorists. All costs generated by the victim impact panel shall
7 be paid from fees collected from the offender or as may be
8 determined by the court.

9 (c) ~~(Blank)~~. Every person found guilty of violating Section
10 11-501, whose operation of a motor vehicle while in violation
11 of that Section proximately caused any incident resulting in an
12 appropriate emergency response, shall be liable for the expense
13 of an emergency response as provided in subsection (i) of this
14 Section.

15 (d) The Secretary of State shall revoke the driving
16 privileges of any person convicted under Section 11-501 or a
17 similar provision of a local ordinance.

18 (e) The Secretary of State shall require the use of
19 ignition interlock devices for a period not less than 5 years
20 on all vehicles owned by a person who has been convicted of a
21 second or subsequent offense of Section 11-501 or a similar
22 provision of a local ordinance. The person must pay to the
23 Secretary of State DUI Administration Fund an amount not to
24 exceed \$30 for each month that he or she uses the device. The
25 Secretary shall establish by rule and regulation the procedures
26 for certification and use of the interlock system, the amount

1 of the fee, and the procedures, terms, and conditions relating
2 to these fees. During the time period in which a person is
3 required to install an ignition interlock device under this
4 subsection (e), that person shall only operate vehicles in
5 which ignition interlock devices have been installed, except as
6 allowed by subdivision (c)(5) or (d)(5) of Section 6-205 of
7 this Code.

8 (f) ~~(Blank)~~. In addition to any other penalties and
9 liabilities, a person who is found guilty of or pleads guilty
10 to violating Section 11-501, including any person placed on
11 court supervision for violating Section 11-501, shall be
12 assessed \$750, payable to the circuit clerk, who shall
13 distribute the money as follows: \$350 to the law enforcement
14 agency that made the arrest, and \$400 shall be forwarded to the
15 State Treasurer for deposit into the General Revenue Fund. If
16 the person has been previously convicted of violating Section
17 11-501 or a similar provision of a local ordinance, the fine
18 shall be \$1,000, and the circuit clerk shall distribute \$200 to
19 the law enforcement agency that made the arrest and \$800 to the
20 State Treasurer for deposit into the General Revenue Fund. In
21 the event that more than one agency is responsible for the
22 arrest, the amount payable to law enforcement agencies shall be
23 shared equally. Any moneys received by a law enforcement agency
24 under this subsection (f) shall be used for enforcement and
25 prevention of driving while under the influence of alcohol,
26 other drug or drugs, intoxicating compound or compounds or any

1 combination thereof, as defined by Section 11-501 of this Code,
2 including but not limited to the purchase of law enforcement
3 equipment and commodities that will assist in the prevention of
4 alcohol related criminal violence throughout the State; police
5 officer training and education in areas related to alcohol
6 related crime, including but not limited to DUI training; and
7 police officer salaries, including but not limited to salaries
8 for hire back funding for safety checkpoints, saturation
9 patrols, and liquor store sting operations. Any moneys received
10 by the Department of State Police under this subsection (f)
11 shall be deposited into the State Police DUI Fund and shall be
12 used to purchase law enforcement equipment that will assist in
13 the prevention of alcohol related criminal violence throughout
14 the State.

15 (g) The Secretary of State Police DUI Fund is created as a
16 special fund in the State treasury. All moneys received by the
17 Secretary of State Police under subsection (f) of this Section
18 shall be deposited into the Secretary of State Police DUI Fund
19 and, subject to appropriation, shall be used for enforcement
20 and prevention of driving while under the influence of alcohol,
21 other drug or drugs, intoxicating compound or compounds or any
22 combination thereof, as defined by Section 11-501 of this Code,
23 including but not limited to the purchase of law enforcement
24 equipment and commodities to assist in the prevention of
25 alcohol related criminal violence throughout the State; police
26 officer training and education in areas related to alcohol

1 related crime, including but not limited to DUI training; and
2 police officer salaries, including but not limited to salaries
3 for hire back funding for safety checkpoints, saturation
4 patrols, and liquor store sting operations.

5 (h) Whenever an individual is sentenced for an offense
6 based upon an arrest for a violation of Section 11-501 or a
7 similar provision of a local ordinance, and the professional
8 evaluation recommends remedial or rehabilitative treatment or
9 education, neither the treatment nor the education shall be the
10 sole disposition and either or both may be imposed only in
11 conjunction with another disposition. The court shall monitor
12 compliance with any remedial education or treatment
13 recommendations contained in the professional evaluation.
14 Programs conducting alcohol or other drug evaluation or
15 remedial education must be licensed by the Department of Human
16 Services. If the individual is not a resident of Illinois,
17 however, the court may accept an alcohol or other drug
18 evaluation or remedial education program in the individual's
19 state of residence. Programs providing treatment must be
20 licensed under existing applicable alcoholism and drug
21 treatment licensure standards.

22 (i) ~~(Blank)~~. In addition to any other fine or penalty
23 required by law, an individual convicted of a violation of
24 Section 11-501, Section 5-7 of the Snowmobile Registration and
25 Safety Act, Section 5-16 of the Boat Registration and Safety
26 Act, or a similar provision, whose operation of a motor

1 vehicle, snowmobile, or watercraft while in violation of
2 Section 11-501, Section 5-7 of the Snowmobile Registration and
3 Safety Act, Section 5-16 of the Boat Registration and Safety
4 Act, or a similar provision proximately caused an incident
5 resulting in an appropriate emergency response, shall be
6 required to make restitution to a public agency for the costs
7 of that emergency response. The restitution may not exceed
8 \$1,000 per public agency for each emergency response. As used
9 in this subsection (i), "emergency response" means any incident
10 requiring a response by a police officer, a firefighter carried
11 on the rolls of a regularly constituted fire department, or an
12 ambulance. With respect to funds designated for the Department
13 of State Police, the moneys shall be remitted by the circuit
14 court clerk to the State Police within one month after receipt
15 for deposit into the State Police DUI Fund. With respect to
16 funds designated for the Department of Natural Resources, the
17 Department of Natural Resources shall deposit the moneys into
18 the Conservation Police Operations Assistance Fund.

19 (j) A person that is subject to a chemical test or tests of
20 blood under subsection (a) of Section 11-501.1 or subdivision
21 (c) (2) of Section 11-501.2 of this Code, whether or not that
22 person consents to testing, shall be liable for the expense up
23 to \$500 for blood withdrawal by a physician authorized to
24 practice medicine, a licensed physician assistant, a licensed
25 advanced practice registered nurse, a registered nurse, a
26 trained phlebotomist, a licensed paramedic, or a qualified

1 person other than a police officer approved by the Department
2 of State Police to withdraw blood, who responds, whether at a
3 law enforcement facility or a health care facility, to a police
4 department request for the drawing of blood based upon refusal
5 of the person to submit to a lawfully requested breath test or
6 probable cause exists to believe the test would disclose the
7 ingestion, consumption, or use of drugs or intoxicating
8 compounds if:

9 (1) the person is found guilty of violating Section
10 11-501 of this Code or a similar provision of a local
11 ordinance; or

12 (2) the person pleads guilty to or stipulates to facts
13 supporting a violation of Section 11-503 of this Code or a
14 similar provision of a local ordinance when the plea or
15 stipulation was the result of a plea agreement in which the
16 person was originally charged with violating Section
17 11-501 of this Code or a similar local ordinance.

18 (Source: P.A. 99-289, eff. 8-6-15; 99-296, eff. 1-1-16; 99-642,
19 eff. 7-28-16; 100-513, eff. 1-1-18.)

20 (625 ILCS 5/11-605) (from Ch. 95 1/2, par. 11-605)

21 Sec. 11-605. Special speed limit while passing schools.

22 (a) For the purpose of this Section, "school" means the
23 following entities:

24 (1) A public or private primary or secondary school.

25 (2) A primary or secondary school operated by a

1 religious institution.

2 (3) A public, private, or religious nursery school.

3 On a school day when school children are present and so
4 close thereto that a potential hazard exists because of the
5 close proximity of the motorized traffic, no person shall drive
6 a motor vehicle at a speed in excess of 20 miles per hour while
7 passing a school zone or while traveling on a roadway on public
8 school property or upon any public thoroughfare where children
9 pass going to and from school.

10 For the purpose of this Section a school day shall begin at
11 seven ante meridian and shall conclude at four post meridian.

12 This Section shall not be applicable unless appropriate
13 signs are posted upon streets and highways under their
14 respective jurisdiction and maintained by the Department,
15 township, county, park district, city, village or incorporated
16 town wherein the school zone is located. With regard to the
17 special speed limit while passing schools, such signs shall
18 give proper due warning that a school zone is being approached
19 and shall indicate the school zone and the maximum speed limit
20 in effect during school days when school children are present.

21 (b) (Blank).

22 (c) Nothing in this Chapter shall prohibit the use of
23 electronic speed-detecting devices within 500 feet of signs
24 within a special school speed zone indicating such zone, as
25 defined in this Section, nor shall evidence obtained thereby be
26 inadmissible in any prosecution for speeding provided the use

1 of such device shall apply only to the enforcement of the speed
2 limit in such special school speed zone.

3 (d) (Blank).

4 (e) Except as provided in subsection (e-5), a person who
5 violates this Section is guilty of a petty offense. Violations
6 of this Section are punishable with a minimum fine of \$150 for
7 the first violation and a minimum fine of \$300 for the second
8 or subsequent violation.

9 (e-5) A person committing a violation of this Section is
10 guilty of aggravated special speed limit while passing schools
11 when he or she drives a motor vehicle at a speed that is:

12 (1) 26 miles per hour or more but less than 35 miles
13 per hour in excess of the applicable special speed limit
14 established under this Section or a similar provision of a
15 local ordinance and is guilty of a Class B misdemeanor; or

16 (2) 35 miles per hour or more in excess of the
17 applicable special speed limit established under this
18 Section or a similar provision of a local ordinance and is
19 guilty of a Class A misdemeanor.

20 (f) ~~(Blank)~~. When a fine for a violation of subsection (a)
21 is \$150 or greater, the person who violates subsection (a)
22 shall be charged an additional \$50 to be paid to the unit
23 school district where the violation occurred for school safety
24 purposes. If the violation occurred in a dual school district,
25 \$25 of the surcharge shall be paid to the elementary school
26 district for school safety purposes and \$25 of the surcharge

1 shall be paid to the high school district for school safety
2 purposes. Notwithstanding any other provision of law, the
3 entire \$50 surcharge shall be paid to the appropriate school
4 district or districts.

5 For purposes of this subsection (f), "school safety
6 purposes" includes the costs associated with school zone safety
7 education, the Safe Routes to School Program under Section
8 2705-317 of the Department of Transportation Law of the Civil
9 Administrative Code of Illinois, safety programs within the
10 School Safety and Educational Improvement Block Grant Program
11 under Section 2-3.51.5 of the School Code, and the purchase,
12 installation, and maintenance of caution lights which are
13 mounted on school speed zone signs.

14 (g) (Blank).

15 (h) (Blank).

16 (Source: P.A. 99-212, eff. 1-1-16.)

17 (625 ILCS 5/11-605.1)

18 Sec. 11-605.1. Special limit while traveling through a
19 highway construction or maintenance speed zone.

20 (a) A person may not operate a motor vehicle in a
21 construction or maintenance speed zone at a speed in excess of
22 the posted speed limit when workers are present.

23 (a-5) A person may not operate a motor vehicle in a
24 construction or maintenance speed zone at a speed in excess of
25 the posted speed limit when workers are not present.

1 (b) Nothing in this Chapter prohibits the use of electronic
2 speed-detecting devices within 500 feet of signs within a
3 construction or maintenance speed zone indicating the zone, as
4 defined in this Section, nor shall evidence obtained by use of
5 those devices be inadmissible in any prosecution for speeding,
6 provided the use of the device shall apply only to the
7 enforcement of the speed limit in the construction or
8 maintenance speed zone.

9 (c) As used in this Section, a "construction or maintenance
10 speed zone" is an area in which the Department, Toll Highway
11 Authority, or local agency has posted signage advising drivers
12 that a construction or maintenance speed zone is being
13 approached, or in which the Department, Authority, or local
14 agency has posted a lower speed limit with a highway
15 construction or maintenance speed zone special speed limit sign
16 after determining that the preexisting established speed limit
17 through a highway construction or maintenance project is
18 greater than is reasonable or safe with respect to the
19 conditions expected to exist in the construction or maintenance
20 speed zone.

21 If it is determined that the preexisting established speed
22 limit is safe with respect to the conditions expected to exist
23 in the construction or maintenance speed zone, additional speed
24 limit signs which conform to the requirements of this
25 subsection (c) shall be posted.

26 Highway construction or maintenance speed zone special

1 speed limit signs shall be of a design approved by the
2 Department. The signs must give proper due warning that a
3 construction or maintenance speed zone is being approached and
4 must indicate the maximum speed limit in effect. The signs also
5 must state the amount of the minimum fine for a violation.

6 (d) Except as provided under subsection (d-5), a person who
7 violates this Section is guilty of a petty offense. Violations
8 of this Section are punishable with a minimum fine of \$250 for
9 the first violation and a minimum fine of \$750 for the second
10 or subsequent violation.

11 (d-5) A person committing a violation of this Section is
12 guilty of aggravated special speed limit while traveling
13 through a highway construction or maintenance speed zone when
14 he or she drives a motor vehicle at a speed that is:

15 (1) 26 miles per hour or more but less than 35 miles
16 per hour in excess of the applicable special speed limit
17 established under this Section or a similar provision of a
18 local ordinance and is guilty of a Class B misdemeanor; or

19 (2) 35 miles per hour or more in excess of the
20 applicable special speed limit established under this
21 Section or a similar provision of a local ordinance and is
22 guilty of a Class A misdemeanor.

23 (e) ~~(Blank)~~. If a fine for a violation of this Section is
24 \$250 or greater, the person who violated this Section shall be
25 charged an additional \$125, which shall be deposited into the
26 Transportation Safety Highway Hire-back Fund in the State

1 treasury, unless (i) the violation occurred on a highway other
2 than an interstate highway and (ii) a county police officer
3 wrote the ticket for the violation, in which case the \$125
4 shall be deposited into that county's Transportation Safety
5 Highway Hire-back Fund. In the case of a second or subsequent
6 violation of this Section, if the fine is \$750 or greater, the
7 person who violated this Section shall be charged an additional
8 \$250, which shall be deposited into the Transportation Safety
9 Highway Hire-back Fund in the State treasury, unless (i) the
10 violation occurred on a highway other than an interstate
11 highway and (ii) a county police officer wrote the ticket for
12 the violation, in which case the \$250 shall be deposited into
13 that county's Transportation Safety Highway Hire-back Fund.

14 (e-5) The Department of State Police and the local county
15 police department have concurrent jurisdiction over any
16 violation of this Section that occurs on an interstate highway.

17 (f) The Transportation Safety Highway Hire-back Fund,
18 which was created by Public Act 92-619, shall continue to be a
19 special fund in the State treasury. Subject to appropriation by
20 the General Assembly and approval by the Secretary, the
21 Secretary of Transportation shall use all moneys in the
22 Transportation Safety Highway Hire-back Fund to hire off-duty
23 Department of State Police officers to monitor construction or
24 maintenance zones.

25 (f-5) Each county shall create a Transportation Safety
26 Highway Hire-back Fund. The county shall use the moneys in its

1 Transportation Safety Highway Hire-back Fund to hire off-duty
2 county police officers to monitor construction or maintenance
3 zones in that county on highways other than interstate
4 highways. The county, in its discretion, may also use a portion
5 of the moneys in its Transportation Safety Highway Hire-back
6 Fund to purchase equipment for county law enforcement and fund
7 the production of materials to educate drivers on construction
8 zone safe driving habits.

9 (g) For a second or subsequent violation of this Section
10 within 2 years of the date of the previous violation, the
11 Secretary of State shall suspend the driver's license of the
12 violator for a period of 90 days. This suspension shall only be
13 imposed if the current violation of this Section and at least
14 one prior violation of this Section occurred during a period
15 when workers were present in the construction or maintenance
16 zone.

17 (Source: P.A. 98-337, eff. 1-1-14; 99-212, eff. 1-1-16; 99-280,
18 eff. 1-1-16; 99-642, eff. 7-28-16.)

19 (625 ILCS 5/11-605.3)

20 Sec. 11-605.3. Special traffic protections while passing
21 parks and recreation facilities and areas.

22 (a) As used in this Section:

23 (1) "Park district" means the following entities:

24 (A) any park district organized under the Park
25 District Code;

1 (B) any park district organized under the Chicago
2 Park District Act; and

3 (C) any municipality, county, forest district,
4 school district, township, or other unit of local
5 government that operates a public recreation
6 department or public recreation facilities that has
7 recreation facilities that are not on land owned by any
8 park district listed in subparagraphs (A) and (B) of
9 this subdivision (a) (1).

10 (2) "Park zone" means the recreation facilities and
11 areas on any land owned or operated by a park district that
12 are used for recreational purposes, including but not
13 limited to: parks; playgrounds; swimming pools; hiking
14 trails; bicycle paths; picnic areas; roads and streets; and
15 parking lots.

16 (3) "Park zone street" means that portion of any street
17 or intersection under the control of a local unit of
18 government, adjacent to a park zone, where the local unit
19 of government has, by ordinance or resolution, designated
20 and approved the street or intersection as a park zone
21 street. If, before the effective date of this amendatory
22 Act of the 94th General Assembly, a street already had a
23 posted speed limit lower than 20 miles per hour, then the
24 lower limit may be used for that park zone street.

25 (4) "Safety purposes" means the costs associated with:
26 park zone safety education; the purchase, installation,

1 and maintenance of signs, roadway painting, and caution
2 lights mounted on park zone signs; and any other expense
3 associated with park zones and park zone streets.

4 (b) On any day when children are present and within 50 feet
5 of motorized traffic, a person may not drive a motor vehicle at
6 a speed in excess of 20 miles per hour or any lower posted
7 speed while traveling on a park zone street that has been
8 designated for the posted reduced speed.

9 (c) On any day when children are present and within 50 feet
10 of motorized traffic, any driver traveling on a park zone
11 street who fails to come to a complete stop at a stop sign or
12 red light, including a driver who fails to come to a complete
13 stop at a red light before turning right onto a park zone
14 street, is in violation of this Section.

15 (d) This Section does not apply unless appropriate signs
16 are posted upon park zone streets maintained by the Department
17 or by the unit of local government in which the park zone is
18 located. With regard to the special speed limit on park zone
19 streets, the signs must give proper due warning that a park
20 zone is being approached and must indicate the maximum speed
21 limit on the park zone street.

22 (e) A first violation of this Section is a petty offense
23 with a minimum fine of \$250. A second or subsequent violation
24 of this Section is a petty offense with a minimum fine of \$500.

25 ~~(f) (Blank).~~ When a fine for a violation of this Section is
26 imposed, the person who violates this Section shall be charged

1 an additional \$50, to be paid to the park district for safety
2 purposes.

3 (g) The Department shall, within 6 months of the effective
4 date of this amendatory Act of the 94th General Assembly,
5 design a set of standardized traffic signs for park zones and
6 park zone streets, including but not limited to: "park zone",
7 "park zone speed limit", and "warning: approaching a park
8 zone". The design of these signs shall be made available to all
9 units of local government or manufacturers at no charge, except
10 for reproduction and postage.

11 (Source: P.A. 94-808, eff. 5-26-06.)

12 (625 ILCS 5/11-1002.5)

13 Sec. 11-1002.5. Pedestrians' right-of-way at crosswalks;
14 school zones.

15 (a) For the purpose of this Section, "school" has the
16 meaning ascribed to that term in Section 11-605.

17 On a school day when school children are present and so
18 close thereto that a potential hazard exists because of the
19 close proximity of the motorized traffic and when traffic
20 control signals are not in place or not in operation, the
21 driver of a vehicle shall stop and yield the right-of-way to a
22 pedestrian crossing the roadway within a crosswalk when the
23 pedestrian is upon the half of the roadway upon which the
24 vehicle is traveling, or when the pedestrian is approaching so
25 closely from the opposite half of the roadway as to be in

1 danger.

2 For the purpose of this Section, a school day shall begin
3 at seven ante meridian and shall conclude at four post
4 meridian.

5 This Section shall not be applicable unless appropriate
6 signs are posted in accordance with Section 11-605.

7 (b) A first violation of this Section is a petty offense
8 with a minimum fine of \$150. A second or subsequent violation
9 of this Section is a petty offense with a minimum fine of \$300.

10 (c) ~~(Blank)~~. When a fine for a violation of subsection (a)
11 is \$150 or greater, the person who violates subsection (a)
12 shall be charged an additional \$50 to be paid to the unit
13 school district where the violation occurred for school safety
14 purposes. If the violation occurred in a dual school district,
15 \$25 of the surcharge shall be paid to the elementary school
16 district for school safety purposes and \$25 of the surcharge
17 shall be paid to the high school district for school safety
18 purposes. Notwithstanding any other provision of law, the
19 entire \$50 surcharge shall be paid to the appropriate school
20 district or districts.

21 For purposes of this subsection (c), "school safety
22 purposes" has the meaning ascribed to that term in Section
23 11-605.

24 (Source: P.A. 95-302, eff. 1-1-08; 96-1165, eff. 7-22-10.)

25 (625 ILCS 5/15-113) (from Ch. 95 1/2, par. 15-113)

1 Sec. 15-113. Violations; Penalties.

2 (a) Whenever any vehicle is operated in violation of the
3 provisions of Section 15-111 or subsection (d) of Section
4 3-401, the owner or driver of such vehicle shall be deemed
5 guilty of such violation and either the owner or the driver of
6 such vehicle may be prosecuted for such violation. Any person
7 charged with a violation of any of these provisions who pleads
8 not guilty shall be present in court for the trial on the
9 charge. Any person, firm or corporation convicted of any
10 violation of Section 15-111 including, but not limited to, a
11 maximum axle or gross limit specified on a regulatory sign
12 posted in accordance with paragraph (e) or (f) of Section
13 15-111, shall be fined according to the following schedule:

14 Up to and including 2000 pounds overweight, the fine is \$100

15 From 2001 through 2500 pounds overweight, the fine is \$270

16 From 2501 through 3000 pounds overweight, the fine is \$330

17 From 3001 through 3500 pounds overweight, the fine is \$520

18 From 3501 through 4000 pounds overweight, the fine is \$600

19 From 4001 through 4500 pounds overweight, the fine is \$850

1 From 4501 through 5000 pounds overweight, the fine is \$950

2 From 5001 or more pounds overweight, the fine shall be computed
3 by assessing \$1500 for the first 5000 pounds overweight and
4 \$150 for each additional increment of 500 pounds overweight or
5 fraction thereof.

6 In addition any person, firm or corporation convicted of 4
7 or more violations of Section 15-111 within any 12 month period
8 shall be fined an additional amount of \$5,000 for the fourth
9 and each subsequent conviction within the 12 month period.
10 Provided, however, that with regard to a firm or corporation, a
11 fourth or subsequent conviction shall mean a fourth or
12 subsequent conviction attributable to any one employee-driver.

13 (b) Whenever any vehicle is operated in violation of the
14 provisions of Sections 15-102, 15-103 or 15-107, the owner or
15 driver of such vehicle shall be deemed guilty of such violation
16 and either may be prosecuted for such violation. Any person,
17 firm or corporation convicted of any violation of Sections
18 15-102, 15-103 or 15-107 shall be fined for the first or second
19 conviction an amount equal to not less than \$50 nor more than
20 \$500, and for the third and subsequent convictions by the same
21 person, firm or corporation within a period of one year after
22 the date of the first offense, not less than \$500 nor more than
23 \$1,000.

24 (c) All proceeds ~~equal to 50%~~ of the additional fines

1 imposed ~~under subsection (a) of this Section~~ by this amendatory
2 Act of the 96th General Assembly shall be ~~remitted to the State~~
3 ~~Treasurer and~~ deposited into the Capital Projects Fund.

4 (Source: P.A. 96-34, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-201,
5 eff. 1-1-12.)

6 (625 ILCS 5/16-105) (from Ch. 95 1/2, par. 16-105)

7 Sec. 16-105. Disposition of fines and forfeitures.

8 (a) Except as provided in Section 15-113 and Section
9 16-104a of this Act and except for those amounts required to be
10 paid into the Traffic and Criminal Conviction Surcharge Fund in
11 the State Treasury pursuant to Section 9.1 of the Illinois
12 Police Training Act and Section 5-9-1 of the Unified Code of
13 Corrections and except those amounts subject to disbursement by
14 the circuit clerk under ~~the Criminal and Traffic Assessment Act~~
15 Section 27.5 of the Clerks of Courts Act, fines and penalties
16 recovered under the provisions of Chapters ~~3 11~~ through ~~17~~ and
17 ~~18~~ 16 inclusive of this Code shall be paid and used as
18 follows:

19 1. For offenses committed upon a highway within the
20 limits of a city, village, or incorporated town or under
21 the jurisdiction of any park district, to the treasurer of
22 the particular city, village, incorporated town or park
23 district, if the violator was arrested by the authorities
24 of the city, village, incorporated town or park district,
25 provided the police officers and officials of cities,

1 villages, incorporated towns and park districts shall
2 seasonably prosecute for all fines and penalties under this
3 Code. If the violation is prosecuted by the authorities of
4 the county, any fines or penalties recovered shall be paid
5 to the county treasurer, ~~except that fines and penalties~~
6 ~~recovered from violations arrested by the State Police~~
7 ~~shall be remitted to the State Police Law Enforcement~~
8 ~~Administration Fund.~~ Provided further that if the violator
9 was arrested by the State Police, fines and penalties
10 recovered under the provisions of paragraph (a) of Section
11 15-113 of this Code or paragraph (e) of Section 15-316 of
12 this Code shall be paid over to the Department of State
13 Police which shall thereupon remit the amount of the fines
14 and penalties so received to the State Treasurer who shall
15 deposit the amount so remitted in the special fund in the
16 State treasury known as the Road Fund except that if the
17 violation is prosecuted by the State's Attorney, 10% of the
18 fine or penalty recovered shall be paid to the State's
19 Attorney as a fee of his office and the balance shall be
20 paid over to the Department of State Police for remittance
21 to and deposit by the State Treasurer as hereinabove
22 provided.

23 2. Except as provided in paragraph 4, for offenses
24 committed upon any highway outside the limits of a city,
25 village, incorporated town or park district, to the county
26 treasurer of the county where the offense was committed

1 except if such offense was committed on a highway
2 maintained by or under the supervision of a township,
3 township district, or a road district to the Treasurer
4 thereof for deposit in the road and bridge fund of such
5 township or other district, ~~except that fines and penalties~~
6 ~~recovered from violations arrested by the State Police~~
7 ~~shall be remitted to the State Police Law Enforcement~~
8 ~~Administration Fund; provided; Provided, that fines and~~
9 penalties recovered under the provisions of paragraph (a)
10 of Section 15-113, paragraph (d) of Section 3-401, or
11 paragraph (e) of Section 15-316 of this Code shall be paid
12 over to the Department of State Police which shall
13 thereupon remit the amount of the fines and penalties so
14 received to the State Treasurer who shall deposit the
15 amount so remitted in the special fund in the State
16 treasury known as the Road Fund except that if the
17 violation is prosecuted by the State's Attorney, 10% of the
18 fine or penalty recovered shall be paid to the State's
19 Attorney as a fee of his office and the balance shall be
20 paid over to the Department of State Police for remittance
21 to and deposit by the State Treasurer as hereinabove
22 provided.

23 3. Notwithstanding subsections 1 and 2 of this
24 paragraph, for violations of overweight and overload
25 limits found in Sections 15-101 through 15-203 of this
26 Code, which are committed upon the highways belonging to

1 the Illinois State Toll Highway Authority, fines and
2 penalties shall be paid over to the Illinois State Toll
3 Highway Authority for deposit with the State Treasurer into
4 that special fund known as the Illinois State Toll Highway
5 Authority Fund, except that if the violation is prosecuted
6 by the State's Attorney, 10% of the fine or penalty
7 recovered shall be paid to the State's Attorney as a fee of
8 his office and the balance shall be paid over to the
9 Illinois State Toll Highway Authority for remittance to and
10 deposit by the State Treasurer as hereinabove provided.

11 4. With regard to violations of overweight and overload
12 limits found in Sections 15-101 through 15-203 of this Code
13 committed by operators of vehicles registered as Special
14 Hauling Vehicles, for offenses committed upon a highway
15 within the limits of a city, village, or incorporated town
16 or under the jurisdiction of any park district, all fines
17 and penalties shall be paid over or retained as required in
18 paragraph 1. However, with regard to the above offenses
19 committed by operators of vehicles registered as Special
20 Hauling Vehicles upon any highway outside the limits of a
21 city, village, incorporated town or park district, fines
22 and penalties shall be paid over or retained by the entity
23 having jurisdiction over the road or highway upon which the
24 offense occurred, except that if the violation is
25 prosecuted by the State's Attorney, 10% of the fine or
26 penalty recovered shall be paid to the State's Attorney as

1 a fee of his office.

2 (b) Failure, refusal or neglect on the part of any judicial
3 or other officer or employee receiving or having custody of any
4 such fine or forfeiture either before or after a deposit with
5 the proper official as defined in paragraph (a) of this
6 Section, shall constitute misconduct in office and shall be
7 grounds for removal therefrom.

8 (Source: P.A. 96-34, eff. 1-1-10.)

9 Section 75. The Illinois Vehicle Code is amended by
10 reenacting Sections 16-104a, 16-104b, 16-104c, 16-104d, and
11 16-104d-1 as follows:

12 (625 ILCS 5/16-104a) (from Ch. 95 1/2, par. 16-104a)

13 Sec. 16-104a. Additional penalty for certain violations.

14 (a) There is added to every fine imposed upon conviction of
15 an offense reportable to the Secretary of State under the
16 provisions of subdivision (a)(2) of Section 6-204 of this Act
17 an additional penalty of \$4 for each \$40, or fraction thereof,
18 of fine imposed. Each such additional penalty received shall be
19 remitted within one month to the State Treasurer to be
20 deposited into the Drivers Education Fund, unless the
21 additional penalty is subject to disbursement by the circuit
22 clerk under Section 27.5 of the Clerks of Courts Act. Such
23 additional amounts shall be assessed by the court and shall be
24 collected by the Clerk of the Circuit Court in addition to the

1 fine and costs in the case. Such additional penalty shall not
2 be considered a part of the fine for purposes of any reduction
3 made in the fine for time served either before or after
4 sentencing. Not later than March 1 of each year the Clerk of
5 the Circuit Court shall submit to the State Comptroller a
6 report of the amount of funds remitted by him to the State
7 Treasurer under this Section during the preceding calendar
8 year. Except as otherwise provided by Supreme Court Rules, if a
9 court in sentencing an offender levies a gross amount for fine,
10 costs, fees and penalties, the amount of the additional penalty
11 provided for herein shall be computed on the amount remaining
12 after deducting from the gross amount levied all fees of the
13 Circuit Clerk, the State's Attorney and the Sheriff. After
14 deducting from the gross amount levied the fees and additional
15 penalty provided for herein, less any other additional
16 penalties provided by law, the clerk shall remit the net
17 balance remaining to the entity authorized by law to receive
18 the fine imposed in the case. For purposes of this Section
19 "fees of the Circuit Clerk" shall include, if applicable, the
20 fee provided for under Section 27.3a of the Clerks of Courts
21 Act and the fee, if applicable, payable to the county in which
22 the violation occurred pursuant to Section 5-1101 of the
23 Counties Code.

24 When bail is forfeited for failure to appear in connection
25 with an offense reportable to the Secretary of State under
26 subdivision (a) (2) of Section 6-204 of this Act, and no fine is

1 imposed ex parte, \$4 of every \$40 cash deposit, or fraction
2 thereof, given to secure appearance shall be remitted within
3 one month to the State Treasurer to be deposited into the
4 Drivers Education Fund, unless the bail is subject to
5 disbursement by the circuit clerk under Section 27.5 of the
6 Clerks of Courts Act.

7 (b) In addition to any other fine or penalty required by
8 law for a person convicted of a violation of Section 11-503 or
9 11-601.5 of this Code or a similar provision of a local
10 ordinance, the court may, in its discretion, require the person
11 to pay an additional criminal penalty that shall be distributed
12 in its entirety to a public agency that provided an emergency
13 response related to the person's violation. The criminal
14 penalty may not exceed \$100 per public agency for each
15 emergency response provided for a first violation of Section
16 11-503 or 11-601.5 of this Code or a similar provision of a
17 local ordinance. The criminal penalty may not exceed \$500 per
18 public agency for each emergency response provided for a second
19 or subsequent violation of Section 11-503 or 11-601.5 of this
20 Code or a similar provision of a local ordinance. As used in
21 this subsection, "emergency response" means any incident
22 requiring a response by a police officer, an ambulance, a
23 firefighter carried on the rolls of a regularly constituted
24 fire department or fire protection district, a firefighter of a
25 volunteer fire department, or a member of a recognized
26 not-for-profit rescue or emergency medical service provider.

1 With respect to funds designated for the Department of State
2 Police, the moneys shall be remitted by the circuit court clerk
3 to the State Police within one month after receipt for deposit
4 into the State Police Operations Assistance Fund. With respect
5 to funds designated for the Department of Natural Resources,
6 the Department of Natural Resources shall deposit the moneys
7 into the Conservation Police Operations Assistance Fund.

8 (Source: P.A. 96-1173, eff. 7-22-10; 97-931, eff. 1-1-13.)

9 (625 ILCS 5/16-104b)

10 Sec. 16-104b. Amounts for Trauma Center Fund. In counties
11 that have elected not to distribute moneys under the
12 disbursement formulas in Sections 27.5 and 27.6 of the Clerks
13 of Courts Act, the Circuit Clerk of the County, when collecting
14 fees, fines, costs, additional penalties, bail balances
15 assessed or forfeited, and any other amount imposed upon a
16 conviction of or an order of supervision for a violation of
17 laws or ordinances regulating the movement of traffic that
18 amounts to \$55 or more, shall remit \$5 of the total amount
19 collected, less 2 1/2% of the \$5 to help defray the
20 administrative costs incurred by the Clerk, except that upon a
21 conviction or order of supervision for driving under the
22 influence of alcohol or drugs the Clerk shall remit \$105 of the
23 total amount collected (\$5 for a traffic violation that amounts
24 to \$55 or more and an additional fee of \$100 to be collected by
25 the Circuit Clerk for a conviction or order of supervision for

1 driving under the influence of alcohol or drugs), less the 2
2 1/2%, within 60 days to the State Treasurer to be deposited
3 into the Trauma Center Fund. Of the amounts deposited into the
4 Trauma Center Fund under this Section, 50% shall be disbursed
5 to the Department of Public Health and 50% shall be disbursed
6 to the Department of Healthcare and Family Services. Not later
7 than March 1 of each year the Circuit Clerk shall submit a
8 report of the amount of funds remitted to the State Treasurer
9 under this Section during the preceding calendar year.

10 (Source: P.A. 95-331, eff. 8-21-07.)

11 (625 ILCS 5/16-104c)

12 Sec. 16-104c. Court supervision fees.

13 (a) Any person who receives a disposition of court
14 supervision for a violation of any provision of this Code or a
15 similar provision of a local ordinance shall pay an additional
16 fee of \$29, which shall be disbursed as follows:

17 (1) if an officer of the Department of State Police
18 arrested the person for the violation, \$20 of the \$29 fee
19 shall be deposited into the State Police Vehicle Fund in
20 the State treasury; or

21 (2) if an officer of any law enforcement agency in the
22 State other than the Department of State Police arrested
23 the person for the violation, \$20 of the \$29 fee shall be
24 paid to the law enforcement agency that employed the
25 arresting officer and shall be used for the acquisition or

1 maintenance of police vehicles; and

2 (3) \$9 of the \$29 fee shall be deposited into the
3 Drivers Education Fund.

4 (b) In addition to the fee provided for in subsection (a),
5 a person who receives a disposition of court supervision for
6 any violation of this Code or a similar provision of a local
7 ordinance shall also pay an additional fee of \$6, if not waived
8 by the court. Of this \$6 fee, \$5.50 shall be deposited into the
9 Circuit Court Clerk Operation and Administrative Fund created
10 by the Clerk of the Circuit Court and 50 cents shall be
11 deposited into the Prisoner Review Board Vehicle and Equipment
12 Fund in the State treasury.

13 (c) The Prisoner Review Board Vehicle and Equipment Fund is
14 created as a special fund in the State treasury. The Prisoner
15 Review Board shall, subject to appropriation by the General
16 Assembly and approval by the Secretary, use all moneys in the
17 Prisoner Review Board Vehicle and Equipment Fund for the
18 purchase and operation of vehicles and equipment.

19 (Source: P.A. 95-428, eff. 8-24-07; 96-625, eff. 1-1-10.)

20 (625 ILCS 5/16-104d)

21 Sec. 16-104d. Additional fee; serious traffic violation.
22 Any person who is convicted of, pleads guilty to, or is placed
23 on supervision for a serious traffic violation, as defined in
24 Section 1-187.001 of this Code, a violation of Section 11-501
25 of this Code, or a violation of a similar provision of a local

1 ordinance shall pay an additional fee of \$35. Of that fee, \$15
2 shall be deposited into the Fire Prevention Fund in the State
3 treasury, \$14 shall be deposited into the Fire Truck Revolving
4 Loan Fund in the State treasury, \$1 shall be deposited into the
5 George Bailey Memorial Fund in the State treasury, and \$5 shall
6 be deposited into the Circuit Court Clerk Operation and
7 Administrative Fund created by the Clerk of the Circuit Court.

8 This Section becomes inoperative on January 1, 2017.

9 (Source: P.A. 98-658, eff. 6-23-14; 99-455, eff. 1-1-16.)

10 (625 ILCS 5/16-104d-1)

11 Sec. 16-104d-1. Additional fee. Beginning on January 1,
12 2017, any person who is convicted of, pleads guilty to, or is
13 placed on supervision for a serious traffic violation, as
14 defined in Section 1-187.001 of this Code, a violation of
15 Section 11-501 of this Code, or a violation of a similar
16 provision of a local ordinance shall pay an additional fee of
17 \$35. Of that fee, \$15 shall be deposited into the Fire
18 Prevention Fund in the State treasury, \$15 shall be deposited
19 into the Fire Truck Revolving Loan Fund in the State treasury,
20 and \$5 shall be deposited into the Circuit Court Clerk
21 Operation and Administrative Fund.

22 This Section becomes inoperative on January 1, 2020.

23 (Source: P.A. 99-455, eff. 1-1-16.)

24 Section 80. The Access to Justice Act is amended by

1 changing Section 15 as follows:

2 (705 ILCS 95/15)

3 Sec. 15. Access to Justice Fund.

4 (a) The Access to Justice Fund is created as a special fund
5 in the State treasury. The Fund shall consist of fees collected
6 under Section 27.3g of the Clerks of Courts Act. Moneys in the
7 Access to Justice Fund shall be appropriated to the Attorney
8 General for disbursements to the Foundation. The Foundation
9 shall use the moneys to make grants and distributions for the
10 administration of the pilot programs created under this Act.
11 Grants or distributions made under this Act to the Foundation
12 are subject to the requirements of the Illinois Grant Funds
13 Recovery Act.

14 (b) In accordance with the requirements of the Illinois
15 Equal Justice Act, the Foundation may make grants, enter into
16 contracts, and take other actions recommended by the Council to
17 effectuate the pilot programs and comply with the other
18 requirements of this Act.

19 (c) The governing board of the Foundation must prepare and
20 submit an annual report to the Governor, the President of the
21 Senate, the Minority Leader of the Senate, the Speaker of the
22 House of Representatives, the Minority Leader of the House of
23 Representatives, and the Justices of the Illinois Supreme
24 Court. The report must include: (i) a statement of the total
25 receipts and a breakdown by source during each of the previous

1 2 calendar years; (ii) a list of the names and addresses of the
2 recipients that are currently receiving grants or
3 distributions and that received grants or distributions in the
4 previous year and the amounts committed to recipients for the
5 current year and paid in the previous year; (iii) a breakdown
6 of the amounts of grants or distributions paid during the
7 previous year to recipients and the amounts committed to each
8 recipient for the current year; (iv) a breakdown of the
9 Foundation's costs in administering the Fund; (v) a statement
10 of the Fund balance at the start and at the close of the
11 previous year and the interest earned during the previous year;
12 and (vi) any notices the Foundation issued denying applications
13 for grants or distributions under this Act. The report, in its
14 entirety, is a public record, and the Foundation and the
15 Governor shall make the report available for inspection upon
16 request.

17 (d) The Foundation may annually retain a portion of the
18 disbursements it receives under this Section to reimburse the
19 Foundation for the actual cost of administering the Council and
20 for making the grants and distributions pursuant to this Act
21 during that year.

22 (e) No moneys distributed by the Foundation from the Access
23 to Justice Fund may be directly or indirectly used for lobbying
24 activities, as defined in Section 2 of the Lobbyist
25 Registration Act or as defined in any ordinance or resolution
26 of a municipality, county, or other unit of local government in

1 Illinois.

2 (f) The Foundation may make, enter into, and execute
3 contracts, agreements, leases, and other instruments with any
4 person, including without limitation any federal, State, or
5 local governmental agency, and may take other actions that may
6 be necessary or convenient to accomplish any purpose authorized
7 by this Act.

8 (g) The Foundation has the authority to receive and accept
9 any and all grants, loans, subsidies, matching funds,
10 reimbursements, federal grant moneys, fees for services, and
11 other things of value from the federal or State government or
12 any agency of any other state or from any institution, person,
13 firm, or corporation, public or private, to be used to carry
14 out the purposes of this Act.

15 (Source: P.A. 98-351, eff. 8-15-13; 99-281, eff. 8-5-15.)

16 (705 ILCS 105/27.1b rep.) (as added by Public Act 100-987)

17 (705 ILCS 105/27.3b-1 rep.) (as added by Public Act
18 100-987)

19 Section 85. The Clerks of Courts Act is amended by
20 repealing Sections 27.1b, as added by Public Act 100-987, and
21 27.3b-1, as added by Public Act 100-987.

22 Section 90. The Clerks of Courts Act is amended by changing
23 Sections 27.2b and 27.3 as follows:

1 (705 ILCS 105/27.2b)

2 Sec. 27.2b. State income tax refund intercept. The Clerk
3 of the Circuit Court may enter into an agreement with the
4 Illinois Department of Revenue to establish a pilot program for
5 the purpose of collecting certain ~~balances owed~~ fees. The
6 purpose shall be to intercept, in whole or in part, State
7 income tax refunds due the persons who owe past due fees to the
8 Clerk of the Circuit Court in order to satisfy unpaid
9 ~~assessments under the Criminal and Traffic Assessment Act and~~
10 ~~finer as ordered by the court~~ fees pursuant to the fee
11 requirements of Sections 27.1a, 27.2, and 27.2a of this Act.

12 The agreement shall include, but may not be limited to, a
13 certification by the Clerk of the Circuit Court that the debt
14 claims forwarded to the Department of Revenue are valid and
15 that reasonable efforts have been made to notify persons of the
16 delinquency of the debt. The agreement shall include provisions
17 for payment of the intercept by the Department of Revenue to
18 the Clerk of the Circuit Court and procedures for an
19 appeal/protest by the debtor when an intercept occurs. The
20 agreement may also include provisions to allow the Department
21 of Revenue to recover its cost for administering the program.

22 Intercepts made pursuant to this Section shall not
23 interfere with the collection of debts related to child
24 support. During the collection of debts under this Section,
25 when there are 2 or more debt claims certified to the
26 Department at the same time, priority of collection shall be as

1 provided in Section 911.3 of the Illinois Income Tax Act.

2 (Source: P.A. 93-836, eff. 1-1-05.)

3 (705 ILCS 105/27.3) (from Ch. 25, par. 27.3)

4 Sec. 27.3. Compensation.

5 (a) The county board shall provide the compensation of
6 Clerks of the Circuit Court, and the amount necessary for clerk
7 hire, stationery, fuel and other expenses. Beginning December
8 1, 1989, the compensation per annum for Clerks of the Circuit
9 Court shall be as follows:

10 In counties where the population is:

11	Less than 14,000	at least \$13,500
12	14,001-30,000.....	at least \$14,500
13	30,001-60,000.....	at least \$15,000
14	60,001-100,000	at least \$15,000
15	100,001-200,000.....	at least \$16,500
16	200,001-300,000.....	at least \$18,000
17	300,001- 3,000,000	at least \$20,000
18	Over 3,000,000	at least \$55,000

19 (b) In counties in which the population is 3,000,000 or
20 less, "base salary" is the compensation paid for each Clerk of
21 the Circuit Court, respectively, before July 1, 1989.

22 (c) The Clerks of the Circuit Court, in counties in which
23 the population is 3,000,000 or less, shall be compensated as
24 follows:

25 (1) Beginning December 1, 1989, base salary plus at

1 least 3% of base salary.

2 (2) Beginning December 1, 1990, base salary plus at
3 least 6% of base salary.

4 (3) Beginning December 1, 1991, base salary plus at
5 least 9% of base salary.

6 (4) Beginning December 1, 1992, base salary plus at
7 least 12% of base salary.

8 (d) In addition to the compensation provided by the county
9 board, each Clerk of the Circuit Court shall receive an award
10 from the State for the additional duties imposed by Sections
11 5-9-1 and 5-9-1.2 of the Unified Code of Corrections, Section
12 10 of the Violent Crime Victims Assistance Act, Section 16-104a
13 of the Illinois Vehicle Code, and other laws, in the following
14 amount:

15 (1) \$3,500 per year before January 1, 1997.

16 (2) \$4,500 per year beginning January 1, 1997.

17 (3) \$5,500 per year beginning January 1, 1998.

18 (4) \$6,500 per year beginning January 1, 1999.

19 The total amount required for such awards shall be appropriated
20 each year by the General Assembly to the Supreme Court, which
21 shall distribute such awards in annual lump sum payments to the
22 Clerks of the Circuit Court in all counties. This annual award,
23 and any other award or stipend paid out of State funds to the
24 Clerks of the Circuit Court, shall not affect any other
25 compensation provided by law to be paid to Clerks of the
26 Circuit Court.

1 (e) (Blank).

2 (f) No county board may reduce or otherwise impair the
3 compensation payable from county funds to a Clerk of the
4 Circuit Court if the reduction or impairment is the result of
5 the Clerk of the Circuit Court receiving an award or stipend
6 payable from State funds.

7 (Source: P.A. 98-24, eff. 6-19-13.)

8 Section 95. The Clerks of Courts Act is amended by
9 reenacting Sections 27.1a, 27.2, 27.2a, 27.3a, 27.3c, 27.3e,
10 27.3g, 27.4, 27.5, 27.6, and 27.7 as follows:

11 (705 ILCS 105/27.1a) (from Ch. 25, par. 27.1a)

12 Sec. 27.1a. The fees of the clerks of the circuit court in
13 all counties having a population of not more than 500,000
14 inhabitants in the instances described in this Section shall be
15 as provided in this Section. In those instances where a minimum
16 and maximum fee is stated, the clerk of the circuit court must
17 charge the minimum fee listed and may charge up to the maximum
18 fee if the county board has by resolution increased the fee.
19 The fees shall be paid in advance and shall be as follows:

20 (a) Civil Cases.

21 With the following exceptions, the fee for filing a
22 complaint, petition, or other pleading initiating a civil
23 action shall be a minimum of \$40 and shall be a maximum of
24 \$160 through December 31, 2021 and a maximum of \$154 on and

1 after January 1, 2022.

2 (A) When the amount of money or damages or the
3 value of personal property claimed does not exceed
4 \$250, \$10.

5 (B) When that amount exceeds \$250 but does not
6 exceed \$500, a minimum of \$10 and a maximum of \$20.

7 (C) When that amount exceeds \$500 but does not
8 exceed \$2500, a minimum of \$25 and a maximum of \$40.

9 (D) When that amount exceeds \$2500 but does not
10 exceed \$15,000, a minimum of \$25 and a maximum of \$75.

11 (E) For the exercise of eminent domain, a minimum
12 of \$45 and a maximum of \$150. For each additional lot
13 or tract of land or right or interest therein subject
14 to be condemned, the damages in respect to which shall
15 require separate assessment by a jury, a minimum of \$45
16 and a maximum of \$150.

17 (a-1) Family.

18 For filing a petition under the Juvenile Court Act of
19 1987, \$25.

20 For filing a petition for a marriage license, \$10.

21 For performing a marriage in court, \$10.

22 For filing a petition under the Illinois Parentage Act
23 of 2015, \$40.

24 (b) Eviction.

25 In each eviction case when the plaintiff seeks eviction
26 only or unites with his or her claim for eviction a claim

1 for rent or damages or both in the amount of \$15,000 or
2 less, a minimum of \$10 and a maximum of \$50. When the
3 plaintiff unites his or her claim for eviction with a claim
4 for rent or damages or both exceeding \$15,000, a minimum of
5 \$40 and a maximum of \$160.

6 (c) Counterclaim or Joining Third Party Defendant.

7 When any defendant files a counterclaim as part of his
8 or her answer or otherwise or joins another party as a
9 third party defendant, or both, the defendant shall pay a
10 fee for each counterclaim or third party action in an
11 amount equal to the fee he or she would have had to pay had
12 he or she brought a separate action for the relief sought
13 in the counterclaim or against the third party defendant,
14 less the amount of the appearance fee, if that has been
15 paid.

16 (d) Confession of Judgment.

17 In a confession of judgment when the amount does not
18 exceed \$1500, a minimum of \$20 and a maximum of \$50. When
19 the amount exceeds \$1500, but does not exceed \$15,000, a
20 minimum of \$40 and a maximum of \$115. When the amount
21 exceeds \$15,000, a minimum of \$40 and a maximum of \$200.

22 (e) Appearance.

23 The fee for filing an appearance in each civil case
24 shall be a minimum of \$15 and a maximum of \$60, except as
25 follows:

26 (A) When the plaintiff in an eviction case seeks

1 eviction only, a minimum of \$10 and a maximum of \$50.

2 (B) When the amount in the case does not exceed
3 \$1500, a minimum of \$10 and a maximum of \$30.

4 (C) When that amount exceeds \$1500 but does not
5 exceed \$15,000, a minimum of \$15 and a maximum of \$60.

6 (f) Garnishment, Wage Deduction, and Citation.

7 In garnishment affidavit, wage deduction affidavit,
8 and citation petition when the amount does not exceed
9 \$1,000, a minimum of \$5 and a maximum of \$15; when the
10 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
11 of \$5 and a maximum of \$30; and when the amount exceeds
12 \$5,000, a minimum of \$5 and a maximum of \$50.

13 (g) Petition to Vacate or Modify.

14 (1) Petition to vacate or modify any final judgment or
15 order of court, except in eviction cases and small claims
16 cases or a petition to reopen an estate, to modify,
17 terminate, or enforce a judgment or order for child or
18 spousal support, or to modify, suspend, or terminate an
19 order for withholding, if filed before 30 days after the
20 entry of the judgment or order, a minimum of \$20 and a
21 maximum of \$50.

22 (2) Petition to vacate or modify any final judgment or
23 order of court, except a petition to modify, terminate, or
24 enforce a judgment or order for child or spousal support or
25 to modify, suspend, or terminate an order for withholding,
26 if filed later than 30 days after the entry of the judgment

1 or order, a minimum of \$20 and a maximum of \$75.

2 (3) Petition to vacate order of bond forfeiture, a
3 minimum of \$10 and a maximum of \$40.

4 (h) Mailing.

5 When the clerk is required to mail, the fee will be a
6 minimum of \$2 and a maximum of \$10, plus the cost of
7 postage.

8 (i) Certified Copies.

9 Each certified copy of a judgment after the first,
10 except in small claims and eviction cases, a minimum of \$2
11 and a maximum of \$10.

12 (j) Habeas Corpus.

13 For filing a petition for relief by habeas corpus, a
14 minimum of \$60 and a maximum of \$100.

15 (k) Certification, Authentication, and Reproduction.

16 (1) Each certification or authentication for taking
17 the acknowledgment of a deed or other instrument in writing
18 with the seal of office, a minimum of \$2 and a maximum of
19 \$6.

20 (2) Court appeals when original documents are
21 forwarded, under 100 pages, plus delivery and costs, a
22 minimum of \$20 and a maximum of \$60.

23 (3) Court appeals when original documents are
24 forwarded, over 100 pages, plus delivery and costs, a
25 minimum of \$50 and a maximum of \$150.

26 (4) Court appeals when original documents are

1 forwarded, over 200 pages, an additional fee of a minimum
2 of 20 cents and a maximum of 25 cents per page.

3 (5) For reproduction of any document contained in the
4 clerk's files:

5 (A) First page, a minimum of \$1 and a maximum of
6 \$2.

7 (B) Next 19 pages, 50 cents per page.

8 (C) All remaining pages, 25 cents per page.

9 (l) Remands.

10 In any cases remanded to the Circuit Court from the
11 Supreme Court or the Appellate Court for a new trial, the
12 clerk shall file the remanding order and reinstate the case
13 with either its original number or a new number. The Clerk
14 shall not charge any new or additional fee for the
15 reinstatement. Upon reinstatement the Clerk shall advise
16 the parties of the reinstatement. A party shall have the
17 same right to a jury trial on remand and reinstatement as
18 he or she had before the appeal, and no additional or new
19 fee or charge shall be made for a jury trial after remand.

20 (m) Record Search.

21 For each record search, within a division or municipal
22 district, the clerk shall be entitled to a search fee of a
23 minimum of \$4 and a maximum of \$6 for each year searched.

24 (n) Hard Copy.

25 For each page of hard copy print output, when case
26 records are maintained on an automated medium, the clerk

1 shall be entitled to a fee of a minimum of \$4 and a maximum
2 of \$6.

3 (o) Index Inquiry and Other Records.

4 No fee shall be charged for a single
5 plaintiff/defendant index inquiry or single case record
6 inquiry when this request is made in person and the records
7 are maintained in a current automated medium, and when no
8 hard copy print output is requested. The fees to be charged
9 for management records, multiple case records, and
10 multiple journal records may be specified by the Chief
11 Judge pursuant to the guidelines for access and
12 dissemination of information approved by the Supreme
13 Court.

14 (p) (Blank).

15 (q) Alias Summons.

16 For each alias summons or citation issued by the clerk,
17 a minimum of \$2 and a maximum of \$5.

18 (r) Other Fees.

19 Any fees not covered in this Section shall be set by
20 rule or administrative order of the Circuit Court with the
21 approval of the Administrative Office of the Illinois
22 Courts.

23 The clerk of the circuit court may provide additional
24 services for which there is no fee specified by statute in
25 connection with the operation of the clerk's office as may
26 be requested by the public and agreed to by the clerk and

1 approved by the chief judge of the circuit court. Any
2 charges for additional services shall be as agreed to
3 between the clerk and the party making the request and
4 approved by the chief judge of the circuit court. Nothing
5 in this subsection shall be construed to require any clerk
6 to provide any service not otherwise required by law.

7 (s) Jury Services.

8 The clerk shall be entitled to receive, in addition to
9 other fees allowed by law, the sum of a minimum of \$62.50
10 and a maximum of \$212.50, as a fee for the services of a
11 jury in every civil action not quasi-criminal in its nature
12 and not a proceeding for the exercise of the right of
13 eminent domain and in every other action wherein the right
14 of trial by jury is or may be given by law. The jury fee
15 shall be paid by the party demanding a jury at the time of
16 filing the jury demand. If the fee is not paid by either
17 party, no jury shall be called in the action or proceeding,
18 and the same shall be tried by the court without a jury.

19 (t) Voluntary Assignment.

20 For filing each deed of voluntary assignment, a minimum
21 of \$10 and a maximum of \$20; for recording the same, a
22 minimum of 25 cents and a maximum of 50 cents for each 100
23 words. Exceptions filed to claims presented to an assignee
24 of a debtor who has made a voluntary assignment for the
25 benefit of creditors shall be considered and treated, for
26 the purpose of taxing costs therein, as actions in which

1 the party or parties filing the exceptions shall be
2 considered as party or parties plaintiff, and the claimant
3 or claimants as party or parties defendant, and those
4 parties respectively shall pay to the clerk the same fees
5 as provided by this Section to be paid in other actions.

6 (u) Expungement Petition.

7 The clerk shall be entitled to receive a fee of a
8 minimum of \$15 and a maximum of \$60 for each expungement
9 petition filed and an additional fee of a minimum of \$2 and
10 a maximum of \$4 for each certified copy of an order to
11 expunge arrest records.

12 (v) Probate.

13 The clerk is entitled to receive the fees specified in
14 this subsection (v), which shall be paid in advance, except
15 that, for good cause shown, the court may suspend, reduce,
16 or release the costs payable under this subsection:

17 (1) For administration of the estate of a decedent
18 (whether testate or intestate) or of a missing person, a
19 minimum of \$50 and a maximum of \$150, plus the fees
20 specified in subsection (v) (3), except:

21 (A) When the value of the real and personal
22 property does not exceed \$15,000, the fee shall be a
23 minimum of \$25 and a maximum of \$40.

24 (B) When (i) proof of heirship alone is made, (ii)
25 a domestic or foreign will is admitted to probate
26 without administration (including proof of heirship),

1 or (iii) letters of office are issued for a particular
2 purpose without administration of the estate, the fee
3 shall be a minimum of \$10 and a maximum of \$40.

4 (C) For filing a petition to sell Real Estate, \$50.

5 (2) For administration of the estate of a ward, a
6 minimum of \$50 and a maximum of \$75, plus the fees
7 specified in subsection (v) (3), except:

8 (A) When the value of the real and personal
9 property does not exceed \$15,000, the fee shall be a
10 minimum of \$25 and a maximum of \$40.

11 (B) When (i) letters of office are issued to a
12 guardian of the person or persons, but not of the
13 estate or (ii) letters of office are issued in the
14 estate of a ward without administration of the estate,
15 including filing or joining in the filing of a tax
16 return or releasing a mortgage or consenting to the
17 marriage of the ward, the fee shall be a minimum of \$10
18 and a maximum of \$20.

19 (C) For filing a Petition to sell Real Estate, \$50.

20 (3) In addition to the fees payable under subsection
21 (v) (1) or (v) (2) of this Section, the following fees are
22 payable:

23 (A) For each account (other than one final account)
24 filed in the estate of a decedent, or ward, a minimum
25 of \$10 and a maximum of \$25.

26 (B) For filing a claim in an estate when the amount

1 claimed is \$150 or more but less than \$500, a minimum
2 of \$10 and a maximum of \$25; when the amount claimed is
3 \$500 or more but less than \$10,000, a minimum of \$10
4 and a maximum of \$40; when the amount claimed is
5 \$10,000 or more, a minimum of \$10 and a maximum of \$60;
6 provided that the court in allowing a claim may add to
7 the amount allowed the filing fee paid by the claimant.

8 (C) For filing in an estate a claim, petition, or
9 supplemental proceeding based upon an action seeking
10 equitable relief including the construction or contest
11 of a will, enforcement of a contract to make a will,
12 and proceedings involving testamentary trusts or the
13 appointment of testamentary trustees, a minimum of \$40
14 and a maximum of \$60.

15 (D) For filing in an estate (i) the appearance of
16 any person for the purpose of consent or (ii) the
17 appearance of an executor, administrator,
18 administrator to collect, guardian, guardian ad litem,
19 or special administrator, no fee.

20 (E) Except as provided in subsection (v) (3) (D),
21 for filing the appearance of any person or persons, a
22 minimum of \$10 and a maximum of \$30.

23 (F) For each jury demand, a minimum of \$62.50 and a
24 maximum of \$137.50.

25 (G) For disposition of the collection of a judgment
26 or settlement of an action or claim for wrongful death

1 of a decedent or of any cause of action of a ward, when
2 there is no other administration of the estate, a
3 minimum of \$30 and a maximum of \$50, less any amount
4 paid under subsection (v) (1) (B) or (v) (2) (B) except
5 that if the amount involved does not exceed \$5,000, the
6 fee, including any amount paid under subsection
7 (v) (1) (B) or (v) (2) (B), shall be a minimum of \$10 and a
8 maximum of \$20.

9 (H) For each certified copy of letters of office,
10 of court order or other certification, a minimum of \$1
11 and a maximum of \$2, plus a minimum of 50 cents and a
12 maximum of \$1 per page in excess of 3 pages for the
13 document certified.

14 (I) For each exemplification, a minimum of \$1 and a
15 maximum of \$2, plus the fee for certification.

16 (4) The executor, administrator, guardian, petitioner,
17 or other interested person or his or her attorney shall pay
18 the cost of publication by the clerk directly to the
19 newspaper.

20 (5) The person on whose behalf a charge is incurred for
21 witness, court reporter, appraiser, or other miscellaneous
22 fee shall pay the same directly to the person entitled
23 thereto.

24 (6) The executor, administrator, guardian, petitioner,
25 or other interested person or his or her attorney shall pay
26 to the clerk all postage charges incurred by the clerk in

1 mailing petitions, orders, notices, or other documents
2 pursuant to the provisions of the Probate Act of 1975.

3 (w) Criminal and Quasi-Criminal Costs and Fees.

4 (1) The clerk shall be entitled to costs in all
5 criminal and quasi-criminal cases from each person
6 convicted or sentenced to supervision therein as follows:

7 (A) Felony complaints, a minimum of \$40 and a
8 maximum of \$100.

9 (B) Misdemeanor complaints, a minimum of \$25 and a
10 maximum of \$75.

11 (C) Business offense complaints, a minimum of \$25
12 and a maximum of \$75.

13 (D) Petty offense complaints, a minimum of \$25 and
14 a maximum of \$75.

15 (E) Minor traffic or ordinance violations, \$10.

16 (F) When court appearance required, \$15.

17 (G) Motions to vacate or amend final orders, a
18 minimum of \$20 and a maximum of \$40.

19 (H) Motions to vacate bond forfeiture orders, a
20 minimum of \$20 and a maximum of \$40.

21 (I) Motions to vacate ex parte judgments, whenever
22 filed, a minimum of \$20 and a maximum of \$40.

23 (J) Motions to vacate judgment on forfeitures,
24 whenever filed, a minimum of \$20 and a maximum of \$40.

25 (K) Motions to vacate "failure to appear" or
26 "failure to comply" notices sent to the Secretary of

1 State, a minimum of \$20 and a maximum of \$40.

2 (2) In counties having a population of not more than
3 500,000 inhabitants, when the violation complaint is
4 issued by a municipal police department, the clerk shall be
5 entitled to costs from each person convicted therein as
6 follows:

7 (A) Minor traffic or ordinance violations, \$10.

8 (B) When court appearance required, \$15.

9 (3) In ordinance violation cases punishable by fine
10 only, the clerk of the circuit court shall be entitled to
11 receive, unless the fee is excused upon a finding by the
12 court that the defendant is indigent, in addition to other
13 fees or costs allowed or imposed by law, the sum of a
14 minimum of \$62.50 and a maximum of \$137.50 as a fee for the
15 services of a jury. The jury fee shall be paid by the
16 defendant at the time of filing his or her jury demand. If
17 the fee is not so paid by the defendant, no jury shall be
18 called, and the case shall be tried by the court without a
19 jury.

20 (x) Transcripts of Judgment.

21 For the filing of a transcript of judgment, the clerk
22 shall be entitled to the same fee as if it were the
23 commencement of a new suit.

24 (y) Change of Venue.

25 (1) For the filing of a change of case on a change of
26 venue, the clerk shall be entitled to the same fee as if it

1 were the commencement of a new suit.

2 (2) The fee for the preparation and certification of a
3 record on a change of venue to another jurisdiction, when
4 original documents are forwarded, a minimum of \$10 and a
5 maximum of \$40.

6 (z) Tax objection complaints.

7 For each tax objection complaint containing one or more
8 tax objections, regardless of the number of parcels
9 involved or the number of taxpayers joining on the
10 complaint, a minimum of \$10 and a maximum of \$50.

11 (aa) Tax Deeds.

12 (1) Petition for tax deed, if only one parcel is
13 involved, a minimum of \$45 and a maximum of \$200.

14 (2) For each additional parcel, add a fee of a minimum
15 of \$10 and a maximum of \$60.

16 (bb) Collections.

17 (1) For all collections made of others, except the
18 State and county and except in maintenance or child support
19 cases, a sum equal to a minimum of 2% and a maximum of 2.5%
20 of the amount collected and turned over.

21 (2) Interest earned on any funds held by the clerk
22 shall be turned over to the county general fund as an
23 earning of the office.

24 (3) For any check, draft, or other bank instrument
25 returned to the clerk for non-sufficient funds, account
26 closed, or payment stopped, \$25.

1 (4) In child support and maintenance cases, the clerk,
2 if authorized by an ordinance of the county board, may
3 collect an annual fee of up to \$36 from the person making
4 payment for maintaining child support records and the
5 processing of support orders to the State of Illinois KIDS
6 system and the recording of payments issued by the State
7 Disbursement Unit for the official record of the Court.
8 This fee shall be in addition to and separate from amounts
9 ordered to be paid as maintenance or child support and
10 shall be deposited into a Separate Maintenance and Child
11 Support Collection Fund, of which the clerk shall be the
12 custodian, ex-officio, to be used by the clerk to maintain
13 child support orders and record all payments issued by the
14 State Disbursement Unit for the official record of the
15 Court. The clerk may recover from the person making the
16 maintenance or child support payment any additional cost
17 incurred in the collection of this annual fee.

18 The clerk shall also be entitled to a fee of \$5 for
19 certifications made to the Secretary of State as provided
20 in Section 7-703 of the Family Financial Responsibility Law
21 and these fees shall also be deposited into the Separate
22 Maintenance and Child Support Collection Fund.

23 (cc) Corrections of Numbers.

24 For correction of the case number, case title, or
25 attorney computer identification number, if required by
26 rule of court, on any document filed in the clerk's office,

1 to be charged against the party that filed the document, a
2 minimum of \$10 and a maximum of \$25.

3 (dd) Exceptions.

4 (1) The fee requirements of this Section shall not
5 apply to police departments or other law enforcement
6 agencies. In this Section, "law enforcement agency" means
7 an agency of the State or a unit of local government which
8 is vested by law or ordinance with the duty to maintain
9 public order and to enforce criminal laws or ordinances.
10 "Law enforcement agency" also means the Attorney General or
11 any state's attorney.

12 (2) No fee provided herein shall be charged to any unit
13 of local government or school district.

14 (3) The fee requirements of this Section shall not
15 apply to any action instituted under subsection (b) of
16 Section 11-31-1 of the Illinois Municipal Code by a private
17 owner or tenant of real property within 1200 feet of a
18 dangerous or unsafe building seeking an order compelling
19 the owner or owners of the building to take any of the
20 actions authorized under that subsection.

21 (4) The fee requirements of this Section shall not
22 apply to the filing of any commitment petition or petition
23 for an order authorizing the administration of
24 psychotropic medication or electroconvulsive therapy under
25 the Mental Health and Developmental Disabilities Code.

26 (ee) Adoptions.

1 (1) For an adoption \$65

2 (2) Upon good cause shown, the court may waive the
3 adoption filing fee in a special needs adoption. The term
4 "special needs adoption" shall have the meaning ascribed to
5 it by the Illinois Department of Children and Family
6 Services.

7 (ff) Adoption exemptions.

8 No fee other than that set forth in subsection (ee)
9 shall be charged to any person in connection with an
10 adoption proceeding nor may any fee be charged for
11 proceedings for the appointment of a confidential
12 intermediary under the Adoption Act.

13 (Source: P.A. 99-85, eff. 1-1-16; 99-859, eff. 8-19-16;
14 100-173, eff. 1-1-18.)

15 (705 ILCS 105/27.2) (from Ch. 25, par. 27.2)

16 Sec. 27.2. The fees of the clerks of the circuit court in
17 all counties having a population in excess of 500,000
18 inhabitants but less than 3,000,000 inhabitants in the
19 instances described in this Section shall be as provided in
20 this Section. In those instances where a minimum and maximum
21 fee is stated, counties with more than 500,000 inhabitants but
22 less than 3,000,000 inhabitants must charge the minimum fee
23 listed in this Section and may charge up to the maximum fee if
24 the county board has by resolution increased the fee. In
25 addition, the minimum fees authorized in this Section shall

1 apply to all units of local government and school districts in
2 counties with more than 3,000,000 inhabitants. The fees shall
3 be paid in advance and shall be as follows:

4 (a) Civil Cases.

5 With the following exceptions, the fee for filing a
6 complaint, petition, or other pleading initiating a civil
7 action shall be a minimum of \$150 and shall be a maximum of
8 \$190 through December 31, 2021 and a maximum of \$184 on and
9 after January 1, 2022.

10 (A) When the amount of money or damages or the
11 value of personal property claimed does not exceed
12 \$250, a minimum of \$10 and a maximum of \$15.

13 (B) When that amount exceeds \$250 but does not
14 exceed \$1,000, a minimum of \$20 and a maximum of \$40.

15 (C) When that amount exceeds \$1,000 but does not
16 exceed \$2500, a minimum of \$30 and a maximum of \$50.

17 (D) When that amount exceeds \$2500 but does not
18 exceed \$5,000, a minimum of \$75 and a maximum of \$100.

19 (D-5) When the amount exceeds \$5,000 but does not
20 exceed \$15,000, a minimum of \$75 and a maximum of \$150.

21 (E) For the exercise of eminent domain, \$150. For
22 each additional lot or tract of land or right or
23 interest therein subject to be condemned, the damages
24 in respect to which shall require separate assessment
25 by a jury, \$150.

26 (F) No fees shall be charged by the clerk to a

1 petitioner in any order of protection including, but
2 not limited to, filing, modifying, withdrawing,
3 certifying, or photocopying petitions for orders of
4 protection, or for issuing alias summons, or for any
5 related filing service, certifying, modifying,
6 vacating, or photocopying any orders of protection.

7 (b) Eviction.

8 In each eviction case when the plaintiff seeks eviction
9 only or unites with his or her claim for eviction a claim
10 for rent or damages or both in the amount of \$15,000 or
11 less, a minimum of \$40 and a maximum of \$75. When the
12 plaintiff unites his or her claim for eviction with a claim
13 for rent or damages or both exceeding \$15,000, a minimum of
14 \$150 and a maximum of \$225.

15 (c) Counterclaim or Joining Third Party Defendant.

16 When any defendant files a counterclaim as part of his
17 or her answer or otherwise or joins another party as a
18 third party defendant, or both, the defendant shall pay a
19 fee for each counterclaim or third party action in an
20 amount equal to the fee he or she would have had to pay had
21 he or she brought a separate action for the relief sought
22 in the counterclaim or against the third party defendant,
23 less the amount of the appearance fee, if that has been
24 paid.

25 (d) Confession of Judgment.

26 In a confession of judgment when the amount does not

1 exceed \$1500, a minimum of \$50 and a maximum of \$60. When
2 the amount exceeds \$1500, but does not exceed \$5,000, \$75.
3 When the amount exceeds \$5,000, but does not exceed
4 \$15,000, \$175. When the amount exceeds \$15,000, a minimum
5 of \$200 and a maximum of \$250.

6 (e) Appearance.

7 The fee for filing an appearance in each civil case
8 shall be a minimum of \$50 and a maximum of \$75, except as
9 follows:

10 (A) When the plaintiff in an eviction case seeks
11 eviction only, a minimum of \$20 and a maximum of \$40.

12 (B) When the amount in the case does not exceed
13 \$1500, a minimum of \$20 and a maximum of \$40.

14 (C) When the amount in the case exceeds \$1500 but
15 does not exceed \$15,000, a minimum of \$40 and a maximum
16 of \$60.

17 (f) Garnishment, Wage Deduction, and Citation.

18 In garnishment affidavit, wage deduction affidavit,
19 and citation petition when the amount does not exceed
20 \$1,000, a minimum of \$10 and a maximum of \$15; when the
21 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
22 of \$20 and a maximum of \$30; and when the amount exceeds
23 \$5,000, a minimum of \$30 and a maximum of \$50.

24 (g) Petition to Vacate or Modify.

25 (1) Petition to vacate or modify any final judgment or
26 order of court, except in eviction cases and small claims

1 cases or a petition to reopen an estate, to modify,
2 terminate, or enforce a judgment or order for child or
3 spousal support, or to modify, suspend, or terminate an
4 order for withholding, if filed before 30 days after the
5 entry of the judgment or order, a minimum of \$40 and a
6 maximum of \$50.

7 (2) Petition to vacate or modify any final judgment or
8 order of court, except a petition to modify, terminate, or
9 enforce a judgment or order for child or spousal support or
10 to modify, suspend, or terminate an order for withholding,
11 if filed later than 30 days after the entry of the judgment
12 or order, a minimum of \$60 and a maximum of \$75.

13 (3) Petition to vacate order of bond forfeiture, a
14 minimum of \$20 and a maximum of \$40.

15 (h) Mailing.

16 When the clerk is required to mail, the fee will be a
17 minimum of \$6 and a maximum of \$10, plus the cost of
18 postage.

19 (i) Certified Copies.

20 Each certified copy of a judgment after the first,
21 except in small claims and eviction cases, a minimum of \$10
22 and a maximum of \$15.

23 (j) Habeas Corpus.

24 For filing a petition for relief by habeas corpus, a
25 minimum of \$80 and a maximum of \$125.

26 (k) Certification, Authentication, and Reproduction.

1 (1) Each certification or authentication for taking
2 the acknowledgment of a deed or other instrument in writing
3 with the seal of office, a minimum of \$4 and a maximum of
4 \$6.

5 (2) Court appeals when original documents are
6 forwarded, under 100 pages, plus delivery and costs, a
7 minimum of \$50 and a maximum of \$75.

8 (3) Court appeals when original documents are
9 forwarded, over 100 pages, plus delivery and costs, a
10 minimum of \$120 and a maximum of \$150.

11 (4) Court appeals when original documents are
12 forwarded, over 200 pages, an additional fee of a minimum
13 of 20 and a maximum of 25 cents per page.

14 (5) For reproduction of any document contained in the
15 clerk's files:

16 (A) First page, \$2.

17 (B) Next 19 pages, 50 cents per page.

18 (C) All remaining pages, 25 cents per page.

19 (1) Remands.

20 In any cases remanded to the Circuit Court from the
21 Supreme Court or the Appellate Court for a new trial, the
22 clerk shall file the remanding order and reinstate the case
23 with either its original number or a new number. The Clerk
24 shall not charge any new or additional fee for the
25 reinstatement. Upon reinstatement the Clerk shall advise
26 the parties of the reinstatement. A party shall have the

1 same right to a jury trial on remand and reinstatement as
2 he or she had before the appeal, and no additional or new
3 fee or charge shall be made for a jury trial after remand.

4 (m) Record Search.

5 For each record search, within a division or municipal
6 district, the clerk shall be entitled to a search fee of a
7 minimum of \$4 and a maximum of \$6 for each year searched.

8 (n) Hard Copy.

9 For each page of hard copy print output, when case
10 records are maintained on an automated medium, the clerk
11 shall be entitled to a fee of a minimum of \$4 and a maximum
12 of \$6.

13 (o) Index Inquiry and Other Records.

14 No fee shall be charged for a single
15 plaintiff/defendant index inquiry or single case record
16 inquiry when this request is made in person and the records
17 are maintained in a current automated medium, and when no
18 hard copy print output is requested. The fees to be charged
19 for management records, multiple case records, and
20 multiple journal records may be specified by the Chief
21 Judge pursuant to the guidelines for access and
22 dissemination of information approved by the Supreme
23 Court.

24 (p) (Blank).

25 (q) Alias Summons.

26 For each alias summons or citation issued by the clerk,

1 a minimum of \$4 and a maximum of \$5.

2 (r) Other Fees.

3 Any fees not covered in this Section shall be set by
4 rule or administrative order of the Circuit Court with the
5 approval of the Administrative Office of the Illinois
6 Courts.

7 The clerk of the circuit court may provide additional
8 services for which there is no fee specified by statute in
9 connection with the operation of the clerk's office as may
10 be requested by the public and agreed to by the clerk and
11 approved by the chief judge of the circuit court. Any
12 charges for additional services shall be as agreed to
13 between the clerk and the party making the request and
14 approved by the chief judge of the circuit court. Nothing
15 in this subsection shall be construed to require any clerk
16 to provide any service not otherwise required by law.

17 (s) Jury Services.

18 The clerk shall be entitled to receive, in addition to
19 other fees allowed by law, the sum of a minimum of \$192.50
20 and a maximum of \$212.50, as a fee for the services of a
21 jury in every civil action not quasi-criminal in its nature
22 and not a proceeding for the exercise of the right of
23 eminent domain and in every other action wherein the right
24 of trial by jury is or may be given by law. The jury fee
25 shall be paid by the party demanding a jury at the time of
26 filing the jury demand. If the fee is not paid by either

1 party, no jury shall be called in the action or proceeding,
2 and the same shall be tried by the court without a jury.

3 (t) Voluntary Assignment.

4 For filing each deed of voluntary assignment, a minimum
5 of \$10 and a maximum of \$20; for recording the same, a
6 minimum of 25¢ and a maximum of 50¢ for each 100 words.
7 Exceptions filed to claims presented to an assignee of a
8 debtor who has made a voluntary assignment for the benefit
9 of creditors shall be considered and treated, for the
10 purpose of taxing costs therein, as actions in which the
11 party or parties filing the exceptions shall be considered
12 as party or parties plaintiff, and the claimant or
13 claimants as party or parties defendant, and those parties
14 respectively shall pay to the clerk the same fees as
15 provided by this Section to be paid in other actions.

16 (u) Expungement Petition.

17 The clerk shall be entitled to receive a fee of a
18 minimum of \$30 and a maximum of \$60 for each expungement
19 petition filed and an additional fee of a minimum of \$2 and
20 a maximum of \$4 for each certified copy of an order to
21 expunge arrest records.

22 (v) Probate.

23 The clerk is entitled to receive the fees specified in
24 this subsection (v), which shall be paid in advance, except
25 that, for good cause shown, the court may suspend, reduce,
26 or release the costs payable under this subsection:

1 (1) For administration of the estate of a decedent
2 (whether testate or intestate) or of a missing person, a
3 minimum of \$100 and a maximum of \$150, plus the fees
4 specified in subsection (v) (3), except:

5 (A) When the value of the real and personal
6 property does not exceed \$15,000, the fee shall be a
7 minimum of \$25 and a maximum of \$40.

8 (B) When (i) proof of heirship alone is made, (ii)
9 a domestic or foreign will is admitted to probate
10 without administration (including proof of heirship),
11 or (iii) letters of office are issued for a particular
12 purpose without administration of the estate, the fee
13 shall be a minimum of \$25 and a maximum of \$40.

14 (2) For administration of the estate of a ward, a
15 minimum of \$50 and a maximum of \$75, plus the fees
16 specified in subsection (v) (3), except:

17 (A) When the value of the real and personal
18 property does not exceed \$15,000, the fee shall be a
19 minimum of \$25 and a maximum of \$40.

20 (B) When (i) letters of office are issued to a
21 guardian of the person or persons, but not of the
22 estate or (ii) letters of office are issued in the
23 estate of a ward without administration of the estate,
24 including filing or joining in the filing of a tax
25 return or releasing a mortgage or consenting to the
26 marriage of the ward, the fee shall be a minimum of \$10

1 and a maximum of \$20.

2 (3) In addition to the fees payable under subsection
3 (v) (1) or (v) (2) of this Section, the following fees are
4 payable:

5 (A) For each account (other than one final account)
6 filed in the estate of a decedent, or ward, a minimum
7 of \$15 and a maximum of \$25.

8 (B) For filing a claim in an estate when the amount
9 claimed is \$150 or more but less than \$500, a minimum
10 of \$10 and a maximum of \$20; when the amount claimed is
11 \$500 or more but less than \$10,000, a minimum of \$25
12 and a maximum of \$40; when the amount claimed is
13 \$10,000 or more, a minimum of \$40 and a maximum of \$60;
14 provided that the court in allowing a claim may add to
15 the amount allowed the filing fee paid by the claimant.

16 (C) For filing in an estate a claim, petition, or
17 supplemental proceeding based upon an action seeking
18 equitable relief including the construction or contest
19 of a will, enforcement of a contract to make a will,
20 and proceedings involving testamentary trusts or the
21 appointment of testamentary trustees, a minimum of \$40
22 and a maximum of \$60.

23 (D) For filing in an estate (i) the appearance of
24 any person for the purpose of consent or (ii) the
25 appearance of an executor, administrator,
26 administrator to collect, guardian, guardian ad litem,

1 or special administrator, no fee.

2 (E) Except as provided in subsection (v) (3) (D),
3 for filing the appearance of any person or persons, a
4 minimum of \$10 and a maximum of \$30.

5 (F) For each jury demand, a minimum of \$102.50 and
6 a maximum of \$137.50.

7 (G) For disposition of the collection of a judgment
8 or settlement of an action or claim for wrongful death
9 of a decedent or of any cause of action of a ward, when
10 there is no other administration of the estate, a
11 minimum of \$30 and a maximum of \$50, less any amount
12 paid under subsection (v) (1) (B) or (v) (2) (B) except
13 that if the amount involved does not exceed \$5,000, the
14 fee, including any amount paid under subsection
15 (v) (1) (B) or (v) (2) (B), shall be a minimum of \$10 and a
16 maximum of \$20.

17 (H) For each certified copy of letters of office,
18 of court order or other certification, a minimum of \$1
19 and a maximum of \$2, plus a minimum of 50¢ and a
20 maximum of \$1 per page in excess of 3 pages for the
21 document certified.

22 (I) For each exemplification, a minimum of \$1 and a
23 maximum of \$2, plus the fee for certification.

24 (4) The executor, administrator, guardian, petitioner,
25 or other interested person or his or her attorney shall pay
26 the cost of publication by the clerk directly to the

1 newspaper.

2 (5) The person on whose behalf a charge is incurred for
3 witness, court reporter, appraiser, or other miscellaneous
4 fee shall pay the same directly to the person entitled
5 thereto.

6 (6) The executor, administrator, guardian, petitioner,
7 or other interested person or his attorney shall pay to the
8 clerk all postage charges incurred by the clerk in mailing
9 petitions, orders, notices, or other documents pursuant to
10 the provisions of the Probate Act of 1975.

11 (w) Criminal and Quasi-Criminal Costs and Fees.

12 (1) The clerk shall be entitled to costs in all
13 criminal and quasi-criminal cases from each person
14 convicted or sentenced to supervision therein as follows:

15 (A) Felony complaints, a minimum of \$80 and a
16 maximum of \$125.

17 (B) Misdemeanor complaints, a minimum of \$50 and a
18 maximum of \$75.

19 (C) Business offense complaints, a minimum of \$50
20 and a maximum of \$75.

21 (D) Petty offense complaints, a minimum of \$50 and
22 a maximum of \$75.

23 (E) Minor traffic or ordinance violations, \$20.

24 (F) When court appearance required, \$30.

25 (G) Motions to vacate or amend final orders, a
26 minimum of \$20 and a maximum of \$40.

1 (H) Motions to vacate bond forfeiture orders, a
2 minimum of \$20 and a maximum of \$30.

3 (I) Motions to vacate ex parte judgments, whenever
4 filed, a minimum of \$20 and a maximum of \$30.

5 (J) Motions to vacate judgment on forfeitures,
6 whenever filed, a minimum of \$20 and a maximum of \$25.

7 (K) Motions to vacate "failure to appear" or
8 "failure to comply" notices sent to the Secretary of
9 State, a minimum of \$20 and a maximum of \$40.

10 (2) In counties having a population of more than
11 500,000 but fewer than 3,000,000 inhabitants, when the
12 violation complaint is issued by a municipal police
13 department, the clerk shall be entitled to costs from each
14 person convicted therein as follows:

15 (A) Minor traffic or ordinance violations, \$10.

16 (B) When court appearance required, \$15.

17 (3) In ordinance violation cases punishable by fine
18 only, the clerk of the circuit court shall be entitled to
19 receive, unless the fee is excused upon a finding by the
20 court that the defendant is indigent, in addition to other
21 fees or costs allowed or imposed by law, the sum of a
22 minimum of \$50 and a maximum of \$112.50 as a fee for the
23 services of a jury. The jury fee shall be paid by the
24 defendant at the time of filing his or her jury demand. If
25 the fee is not so paid by the defendant, no jury shall be
26 called, and the case shall be tried by the court without a

1 jury.

2 (x) Transcripts of Judgment.

3 For the filing of a transcript of judgment, the clerk
4 shall be entitled to the same fee as if it were the
5 commencement of new suit.

6 (y) Change of Venue.

7 (1) For the filing of a change of case on a change of
8 venue, the clerk shall be entitled to the same fee as if it
9 were the commencement of a new suit.

10 (2) The fee for the preparation and certification of a
11 record on a change of venue to another jurisdiction, when
12 original documents are forwarded, a minimum of \$25 and a
13 maximum of \$40.

14 (z) Tax objection complaints.

15 For each tax objection complaint containing one or more
16 tax objections, regardless of the number of parcels
17 involved or the number of taxpayers joining in the
18 complaint, a minimum of \$25 and a maximum of \$50.

19 (aa) Tax Deeds.

20 (1) Petition for tax deed, if only one parcel is
21 involved, a minimum of \$150 and a maximum of \$250.

22 (2) For each additional parcel, add a fee of a minimum
23 of \$50 and a maximum of \$100.

24 (bb) Collections.

25 (1) For all collections made of others, except the
26 State and county and except in maintenance or child support

1 cases, a sum equal to a minimum of 2.5% and a maximum of
2 3.0% of the amount collected and turned over.

3 (2) Interest earned on any funds held by the clerk
4 shall be turned over to the county general fund as an
5 earning of the office.

6 (3) For any check, draft, or other bank instrument
7 returned to the clerk for non-sufficient funds, account
8 closed, or payment stopped, \$25.

9 (4) In child support and maintenance cases, the clerk,
10 if authorized by an ordinance of the county board, may
11 collect an annual fee of up to \$36 from the person making
12 payment for maintaining child support records and the
13 processing of support orders to the State of Illinois KIDS
14 system and the recording of payments issued by the State
15 Disbursement Unit for the official record of the Court.
16 This fee shall be in addition to and separate from amounts
17 ordered to be paid as maintenance or child support and
18 shall be deposited into a Separate Maintenance and Child
19 Support Collection Fund, of which the clerk shall be the
20 custodian, ex-officio, to be used by the clerk to maintain
21 child support orders and record all payments issued by the
22 State Disbursement Unit for the official record of the
23 Court. The clerk may recover from the person making the
24 maintenance or child support payment any additional cost
25 incurred in the collection of this annual fee.

26 The clerk shall also be entitled to a fee of \$5 for

1 certifications made to the Secretary of State as provided
2 in Section 7-703 of the Family Financial Responsibility Law
3 and these fees shall also be deposited into the Separate
4 Maintenance and Child Support Collection Fund.

5 (cc) Corrections of Numbers.

6 For correction of the case number, case title, or
7 attorney computer identification number, if required by
8 rule of court, on any document filed in the clerk's office,
9 to be charged against the party that filed the document, a
10 minimum of \$15 and a maximum of \$25.

11 (dd) Exceptions.

12 The fee requirements of this Section shall not apply to
13 police departments or other law enforcement agencies. In
14 this Section, "law enforcement agency" means an agency of
15 the State or a unit of local government which is vested by
16 law or ordinance with the duty to maintain public order and
17 to enforce criminal laws or ordinances. "Law enforcement
18 agency" also means the Attorney General or any state's
19 attorney. The fee requirements of this Section shall not
20 apply to any action instituted under subsection (b) of
21 Section 11-31-1 of the Illinois Municipal Code by a private
22 owner or tenant of real property within 1200 feet of a
23 dangerous or unsafe building seeking an order compelling
24 the owner or owners of the building to take any of the
25 actions authorized under that subsection.

26 The fee requirements of this Section shall not apply to

1 the filing of any commitment petition or petition for an
2 order authorizing the administration of psychotropic
3 medication or electroconvulsive therapy under the Mental
4 Health and Developmental Disabilities Code.

5 (ee) Adoptions.

6 (1) For an adoption \$65

7 (2) Upon good cause shown, the court may waive the
8 adoption filing fee in a special needs adoption. The term
9 "special needs adoption" shall have the meaning ascribed to
10 it by the Illinois Department of Children and Family
11 Services.

12 (ff) Adoption exemptions.

13 No fee other than that set forth in subsection (ee)
14 shall be charged to any person in connection with an
15 adoption proceeding nor may any fee be charged for
16 proceedings for the appointment of a confidential
17 intermediary under the Adoption Act.

18 (gg) Unpaid fees.

19 Unless a court ordered payment schedule is implemented
20 or the fee requirements of this Section are waived pursuant
21 to court order, the clerk of the court may add to any
22 unpaid fees and costs under this Section a delinquency
23 amount equal to 5% of the unpaid fees that remain unpaid
24 after 30 days, 10% of the unpaid fees that remain unpaid
25 after 60 days, and 15% of the unpaid fees that remain
26 unpaid after 90 days. Notice to those parties may be made

1 by signage posting or publication. The additional
2 delinquency amounts collected under this Section shall be
3 used to defray additional administrative costs incurred by
4 the clerk of the circuit court in collecting unpaid fees
5 and costs.

6 (Source: P.A. 99-859, eff. 8-19-16; 100-173, eff. 1-1-18.)

7 (705 ILCS 105/27.2a) (from Ch. 25, par. 27.2a)

8 Sec. 27.2a. The fees of the clerks of the circuit court in
9 all counties having a population of 3,000,000 or more
10 inhabitants in the instances described in this Section shall be
11 as provided in this Section. In those instances where a minimum
12 and maximum fee is stated, the clerk of the circuit court must
13 charge the minimum fee listed and may charge up to the maximum
14 fee if the county board has by resolution increased the fee.
15 The fees shall be paid in advance and shall be as follows:

16 (a) Civil Cases.

17 With the following exceptions, the fee for filing a
18 complaint, petition, or other pleading initiating a civil
19 action shall be a minimum of \$190 and shall be a maximum of
20 \$240 through December 31, 2021 and a maximum of \$234 on and
21 after January 1, 2022.

22 (A) When the amount of money or damages or the
23 value of personal property claimed does not exceed
24 \$250, a minimum of \$15 and a maximum of \$22.

25 (B) When that amount exceeds \$250 but does not

1 exceed \$1000, a minimum of \$40 and a maximum of \$75.

2 (C) When that amount exceeds \$1000 but does not
3 exceed \$2500, a minimum of \$50 and a maximum of \$80.

4 (D) When that amount exceeds \$2500 but does not
5 exceed \$5000, a minimum of \$100 and a maximum of \$130.

6 (E) When that amount exceeds \$5000 but does not
7 exceed \$15,000, \$150.

8 (F) For the exercise of eminent domain, \$150. For
9 each additional lot or tract of land or right or
10 interest therein subject to be condemned, the damages
11 in respect to which shall require separate assessment
12 by a jury, \$150.

13 (G) For the final determination of parking,
14 standing, and compliance violations and final
15 administrative decisions issued after hearings
16 regarding vehicle immobilization and impoundment made
17 pursuant to Sections 3-704.1, 6-306.5, and 11-208.3 of
18 the Illinois Vehicle Code, \$25.

19 (H) No fees shall be charged by the clerk to a
20 petitioner in any order of protection including, but
21 not limited to, filing, modifying, withdrawing,
22 certifying, or photocopying petitions for orders of
23 protection, or for issuing alias summons, or for any
24 related filing service, certifying, modifying,
25 vacating, or photocopying any orders of protection.

26 (b) Eviction.

1 In each eviction case when the plaintiff seeks eviction
2 only or unites with his or her claim for eviction a claim
3 for rent or damages or both in the amount of \$15,000 or
4 less, a minimum of \$75 and a maximum of \$140. When the
5 plaintiff unites his or her claim for eviction with a claim
6 for rent or damages or both exceeding \$15,000, a minimum of
7 \$225 and a maximum of \$335.

8 (c) Counterclaim or Joining Third Party Defendant.

9 When any defendant files a counterclaim as part of his
10 or her answer or otherwise or joins another party as a
11 third party defendant, or both, the defendant shall pay a
12 fee for each counterclaim or third party action in an
13 amount equal to the fee he or she would have had to pay had
14 he or she brought a separate action for the relief sought
15 in the counterclaim or against the third party defendant,
16 less the amount of the appearance fee, if that has been
17 paid.

18 (d) Confession of Judgment.

19 In a confession of judgment when the amount does not
20 exceed \$1500, a minimum of \$60 and a maximum of \$70. When
21 the amount exceeds \$1500, but does not exceed \$5000, a
22 minimum of \$75 and a maximum of \$150. When the amount
23 exceeds \$5000, but does not exceed \$15,000, a minimum of
24 \$175 and a maximum of \$260. When the amount exceeds
25 \$15,000, a minimum of \$250 and a maximum of \$310.

26 (e) Appearance.

1 The fee for filing an appearance in each civil case
2 shall be a minimum of \$75 and a maximum of \$110, except as
3 follows:

4 (A) When the plaintiff in an eviction case seeks
5 possession only, a minimum of \$40 and a maximum of \$80.

6 (B) When the amount in the case does not exceed
7 \$1500, a minimum of \$40 and a maximum of \$80.

8 (C) When that amount exceeds \$1500 but does not
9 exceed \$15,000, a minimum of \$60 and a maximum of \$90.

10 (f) Garnishment, Wage Deduction, and Citation.

11 In garnishment affidavit, wage deduction affidavit,
12 and citation petition when the amount does not exceed
13 \$1,000, a minimum of \$15 and a maximum of \$25; when the
14 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
15 of \$30 and a maximum of \$45; and when the amount exceeds
16 \$5,000, a minimum of \$50 and a maximum of \$80.

17 (g) Petition to Vacate or Modify.

18 (1) Petition to vacate or modify any final judgment or
19 order of court, except in eviction cases and small claims
20 cases or a petition to reopen an estate, to modify,
21 terminate, or enforce a judgment or order for child or
22 spousal support, or to modify, suspend, or terminate an
23 order for withholding, if filed before 30 days after the
24 entry of the judgment or order, a minimum of \$50 and a
25 maximum of \$60.

26 (2) Petition to vacate or modify any final judgment or

1 order of court, except a petition to modify, terminate, or
2 enforce a judgment or order for child or spousal support or
3 to modify, suspend, or terminate an order for withholding,
4 if filed later than 30 days after the entry of the judgment
5 or order, a minimum of \$75 and a maximum of \$90.

6 (3) Petition to vacate order of bond forfeiture, a
7 minimum of \$40 and a maximum of \$80.

8 (h) Mailing.

9 When the clerk is required to mail, the fee will be a
10 minimum of \$10 and a maximum of \$15, plus the cost of
11 postage.

12 (i) Certified Copies.

13 Each certified copy of a judgment after the first,
14 except in small claims and eviction cases, a minimum of \$15
15 and a maximum of \$20.

16 (j) Habeas Corpus.

17 For filing a petition for relief by habeas corpus, a
18 minimum of \$125 and a maximum of \$190.

19 (k) Certification, Authentication, and Reproduction.

20 (1) Each certification or authentication for taking
21 the acknowledgment of a deed or other instrument in writing
22 with the seal of office, a minimum of \$6 and a maximum of
23 \$9.

24 (2) Court appeals when original documents are
25 forwarded, under 100 pages, plus delivery and costs, a
26 minimum of \$75 and a maximum of \$110.

1 (3) Court appeals when original documents are
2 forwarded, over 100 pages, plus delivery and costs, a
3 minimum of \$150 and a maximum of \$185.

4 (4) Court appeals when original documents are
5 forwarded, over 200 pages, an additional fee of a minimum
6 of 25 and a maximum of 30 cents per page.

7 (5) For reproduction of any document contained in the
8 clerk's files:

9 (A) First page, \$2.

10 (B) Next 19 pages, 50 cents per page.

11 (C) All remaining pages, 25 cents per page.

12 (1) Remands.

13 In any cases remanded to the Circuit Court from the
14 Supreme Court or the Appellate Court for a new trial, the
15 clerk shall file the remanding order and reinstate the case
16 with either its original number or a new number. The Clerk
17 shall not charge any new or additional fee for the
18 reinstatement. Upon reinstatement the Clerk shall advise
19 the parties of the reinstatement. A party shall have the
20 same right to a jury trial on remand and reinstatement as
21 he or she had before the appeal, and no additional or new
22 fee or charge shall be made for a jury trial after remand.

23 (m) Record Search.

24 For each record search, within a division or municipal
25 district, the clerk shall be entitled to a search fee of a
26 minimum of \$6 and a maximum of \$9 for each year searched.

1 (n) Hard Copy.

2 For each page of hard copy print output, when case
3 records are maintained on an automated medium, the clerk
4 shall be entitled to a fee of a minimum of \$6 and a maximum
5 of \$9.

6 (o) Index Inquiry and Other Records.

7 No fee shall be charged for a single
8 plaintiff/defendant index inquiry or single case record
9 inquiry when this request is made in person and the records
10 are maintained in a current automated medium, and when no
11 hard copy print output is requested. The fees to be charged
12 for management records, multiple case records, and
13 multiple journal records may be specified by the Chief
14 Judge pursuant to the guidelines for access and
15 dissemination of information approved by the Supreme
16 Court.

17 (p) (Blank).

18 (q) Alias Summons.

19 For each alias summons or citation issued by the clerk,
20 a minimum of \$5 and a maximum of \$6.

21 (r) Other Fees.

22 Any fees not covered in this Section shall be set by
23 rule or administrative order of the Circuit Court with the
24 approval of the Administrative Office of the Illinois
25 Courts.

26 The clerk of the circuit court may provide additional

1 services for which there is no fee specified by statute in
2 connection with the operation of the clerk's office as may
3 be requested by the public and agreed to by the clerk and
4 approved by the chief judge of the circuit court. Any
5 charges for additional services shall be as agreed to
6 between the clerk and the party making the request and
7 approved by the chief judge of the circuit court. Nothing
8 in this subsection shall be construed to require any clerk
9 to provide any service not otherwise required by law.

10 (s) Jury Services.

11 The clerk shall be entitled to receive, in addition to
12 other fees allowed by law, the sum of a minimum of \$212.50
13 and maximum of \$230, as a fee for the services of a jury in
14 every civil action not quasi-criminal in its nature and not
15 a proceeding for the exercise of the right of eminent
16 domain and in every other action wherein the right of trial
17 by jury is or may be given by law. The jury fee shall be
18 paid by the party demanding a jury at the time of filing
19 the jury demand. If the fee is not paid by either party, no
20 jury shall be called in the action or proceeding, and the
21 same shall be tried by the court without a jury.

22 (t) Voluntary Assignment.

23 For filing each deed of voluntary assignment, a minimum
24 of \$20 and a maximum of \$40; for recording the same, a
25 minimum of 50¢ and a maximum of \$0.80 for each 100 words.
26 Exceptions filed to claims presented to an assignee of a

1 debtor who has made a voluntary assignment for the benefit
2 of creditors shall be considered and treated, for the
3 purpose of taxing costs therein, as actions in which the
4 party or parties filing the exceptions shall be considered
5 as party or parties plaintiff, and the claimant or
6 claimants as party or parties defendant, and those parties
7 respectively shall pay to the clerk the same fees as
8 provided by this Section to be paid in other actions.

9 (u) Expungement Petition.

10 The clerk shall be entitled to receive a fee of a
11 minimum of \$60 and a maximum of \$120 for each expungement
12 petition filed and an additional fee of a minimum of \$4 and
13 a maximum of \$8 for each certified copy of an order to
14 expunge arrest records.

15 (v) Probate.

16 The clerk is entitled to receive the fees specified in
17 this subsection (v), which shall be paid in advance, except
18 that, for good cause shown, the court may suspend, reduce,
19 or release the costs payable under this subsection:

20 (1) For administration of the estate of a decedent
21 (whether testate or intestate) or of a missing person, a
22 minimum of \$150 and a maximum of \$225, plus the fees
23 specified in subsection (v) (3), except:

24 (A) When the value of the real and personal
25 property does not exceed \$15,000, the fee shall be a
26 minimum of \$40 and a maximum of \$65.

1 (B) When (i) proof of heirship alone is made, (ii)
2 a domestic or foreign will is admitted to probate
3 without administration (including proof of heirship),
4 or (iii) letters of office are issued for a particular
5 purpose without administration of the estate, the fee
6 shall be a minimum of \$40 and a maximum of \$65.

7 (2) For administration of the estate of a ward, a
8 minimum of \$75 and a maximum of \$110, plus the fees
9 specified in subsection (v) (3), except:

10 (A) When the value of the real and personal
11 property does not exceed \$15,000, the fee shall be a
12 minimum of \$40 and a maximum of \$65.

13 (B) When (i) letters of office are issued to a
14 guardian of the person or persons, but not of the
15 estate or (ii) letters of office are issued in the
16 estate of a ward without administration of the estate,
17 including filing or joining in the filing of a tax
18 return or releasing a mortgage or consenting to the
19 marriage of the ward, the fee shall be a minimum of \$20
20 and a maximum of \$40.

21 (3) In addition to the fees payable under subsection
22 (v) (1) or (v) (2) of this Section, the following fees are
23 payable:

24 (A) For each account (other than one final account)
25 filed in the estate of a decedent, or ward, a minimum
26 of \$25 and a maximum of \$40.

1 (B) For filing a claim in an estate when the amount
2 claimed is \$150 or more but less than \$500, a minimum
3 of \$20 and a maximum of \$40; when the amount claimed is
4 \$500 or more but less than \$10,000, a minimum of \$40
5 and a maximum of \$65; when the amount claimed is
6 \$10,000 or more, a minimum of \$60 and a maximum of \$90;
7 provided that the court in allowing a claim may add to
8 the amount allowed the filing fee paid by the claimant.

9 (C) For filing in an estate a claim, petition, or
10 supplemental proceeding based upon an action seeking
11 equitable relief including the construction or contest
12 of a will, enforcement of a contract to make a will,
13 and proceedings involving testamentary trusts or the
14 appointment of testamentary trustees, a minimum of \$60
15 and a maximum of \$90.

16 (D) For filing in an estate (i) the appearance of
17 any person for the purpose of consent or (ii) the
18 appearance of an executor, administrator,
19 administrator to collect, guardian, guardian ad litem,
20 or special administrator, no fee.

21 (E) Except as provided in subsection (v) (3) (D),
22 for filing the appearance of any person or persons, a
23 minimum of \$30 and a maximum of \$90.

24 (F) For each jury demand, a minimum of \$137.50 and
25 a maximum of \$180.

26 (G) For disposition of the collection of a judgment

1 or settlement of an action or claim for wrongful death
2 of a decedent or of any cause of action of a ward, when
3 there is no other administration of the estate, a
4 minimum of \$50 and a maximum of \$80, less any amount
5 paid under subsection (v) (1) (B) or (v) (2) (B) except
6 that if the amount involved does not exceed \$5,000, the
7 fee, including any amount paid under subsection
8 (v) (1) (B) or (v) (2) (B), shall be a minimum of \$20 and a
9 maximum of \$40.

10 (H) For each certified copy of letters of office,
11 of court order or other certification, a minimum of \$2
12 and a maximum of \$4, plus \$1 per page in excess of 3
13 pages for the document certified.

14 (I) For each exemplification, \$2, plus the fee for
15 certification.

16 (4) The executor, administrator, guardian, petitioner,
17 or other interested person or his or her attorney shall pay
18 the cost of publication by the clerk directly to the
19 newspaper.

20 (5) The person on whose behalf a charge is incurred for
21 witness, court reporter, appraiser, or other miscellaneous
22 fee shall pay the same directly to the person entitled
23 thereto.

24 (6) The executor, administrator, guardian, petitioner,
25 or other interested person or his or her attorney shall pay
26 to the clerk all postage charges incurred by the clerk in

1 mailing petitions, orders, notices, or other documents
2 pursuant to the provisions of the Probate Act of 1975.

3 (w) Criminal and Quasi-Criminal Costs and Fees.

4 (1) The clerk shall be entitled to costs in all
5 criminal and quasi-criminal cases from each person
6 convicted or sentenced to supervision therein as follows:

7 (A) Felony complaints, a minimum of \$125 and a
8 maximum of \$190.

9 (B) Misdemeanor complaints, a minimum of \$75 and a
10 maximum of \$110.

11 (C) Business offense complaints, a minimum of \$75
12 and a maximum of \$110.

13 (D) Petty offense complaints, a minimum of \$75 and
14 a maximum of \$110.

15 (E) Minor traffic or ordinance violations, \$30.

16 (F) When court appearance required, \$50.

17 (G) Motions to vacate or amend final orders, a
18 minimum of \$40 and a maximum of \$80.

19 (H) Motions to vacate bond forfeiture orders, a
20 minimum of \$30 and a maximum of \$45.

21 (I) Motions to vacate ex parte judgments, whenever
22 filed, a minimum of \$30 and a maximum of \$45.

23 (J) Motions to vacate judgment on forfeitures,
24 whenever filed, a minimum of \$25 and a maximum of \$30.

25 (K) Motions to vacate "failure to appear" or
26 "failure to comply" notices sent to the Secretary of

1 State, a minimum of \$40 and a maximum of \$50.

2 (2) In counties having a population of 3,000,000 or
3 more, when the violation complaint is issued by a municipal
4 police department, the clerk shall be entitled to costs
5 from each person convicted therein as follows:

6 (A) Minor traffic or ordinance violations, \$30.

7 (B) When court appearance required, \$50.

8 (3) In ordinance violation cases punishable by fine
9 only, the clerk of the circuit court shall be entitled to
10 receive, unless the fee is excused upon a finding by the
11 court that the defendant is indigent, in addition to other
12 fees or costs allowed or imposed by law, the sum of a
13 minimum of \$112.50 and a maximum of \$250 as a fee for the
14 services of a jury. The jury fee shall be paid by the
15 defendant at the time of filing his or her jury demand. If
16 the fee is not so paid by the defendant, no jury shall be
17 called, and the case shall be tried by the court without a
18 jury.

19 (x) Transcripts of Judgment.

20 For the filing of a transcript of judgment, the clerk
21 shall be entitled to the same fee as if it were the
22 commencement of a new suit.

23 (y) Change of Venue.

24 (1) For the filing of a change of case on a change of
25 venue, the clerk shall be entitled to the same fee as if it
26 were the commencement of a new suit.

1 (2) The fee for the preparation and certification of a
2 record on a change of venue to another jurisdiction, when
3 original documents are forwarded, a minimum of \$40 and a
4 maximum of \$65.

5 (z) Tax objection complaints.

6 For each tax objection complaint containing one or more
7 tax objections, regardless of the number of parcels
8 involved or the number of taxpayers joining in the
9 complaint, a minimum of \$50 and a maximum of \$100.

10 (aa) Tax Deeds.

11 (1) Petition for tax deed, if only one parcel is
12 involved, a minimum of \$250 and a maximum of \$400.

13 (2) For each additional parcel, add a fee of a minimum
14 of \$100 and a maximum of \$200.

15 (bb) Collections.

16 (1) For all collections made of others, except the
17 State and county and except in maintenance or child support
18 cases, a sum equal to 3.0% of the amount collected and
19 turned over.

20 (2) Interest earned on any funds held by the clerk
21 shall be turned over to the county general fund as an
22 earning of the office.

23 (3) For any check, draft, or other bank instrument
24 returned to the clerk for non-sufficient funds, account
25 closed, or payment stopped, \$25.

26 (4) In child support and maintenance cases, the clerk,

1 if authorized by an ordinance of the county board, may
2 collect an annual fee of up to \$36 from the person making
3 payment for maintaining child support records and the
4 processing of support orders to the State of Illinois KIDS
5 system and the recording of payments issued by the State
6 Disbursement Unit for the official record of the Court.
7 This fee shall be in addition to and separate from amounts
8 ordered to be paid as maintenance or child support and
9 shall be deposited into a Separate Maintenance and Child
10 Support Collection Fund, of which the clerk shall be the
11 custodian, ex-officio, to be used by the clerk to maintain
12 child support orders and record all payments issued by the
13 State Disbursement Unit for the official record of the
14 Court. The clerk may recover from the person making the
15 maintenance or child support payment any additional cost
16 incurred in the collection of this annual fee.

17 The clerk shall also be entitled to a fee of \$5 for
18 certifications made to the Secretary of State as provided
19 in Section 7-703 of the Family Financial Responsibility Law
20 and these fees shall also be deposited into the Separate
21 Maintenance and Child Support Collection Fund.

22 (cc) Corrections of Numbers.

23 For correction of the case number, case title, or
24 attorney computer identification number, if required by
25 rule of court, on any document filed in the clerk's office,
26 to be charged against the party that filed the document, a

1 minimum of \$25 and a maximum of \$40.

2 (dd) Exceptions.

3 (1) The fee requirements of this Section shall not
4 apply to police departments or other law enforcement
5 agencies. In this Section, "law enforcement agency" means
6 an agency of the State or a unit of local government which
7 is vested by law or ordinance with the duty to maintain
8 public order and to enforce criminal laws or ordinances.
9 "Law enforcement agency" also means the Attorney General or
10 any state's attorney.

11 (2) No fee provided herein shall be charged to any unit
12 of local government or school district. The fee
13 requirements of this Section shall not apply to any action
14 instituted under subsection (b) of Section 11-31-1 of the
15 Illinois Municipal Code by a private owner or tenant of
16 real property within 1200 feet of a dangerous or unsafe
17 building seeking an order compelling the owner or owners of
18 the building to take any of the actions authorized under
19 that subsection.

20 (3) The fee requirements of this Section shall not
21 apply to the filing of any commitment petition or petition
22 for an order authorizing the administration of
23 psychotropic medication or electroconvulsive therapy under
24 the Mental Health and Developmental Disabilities Code.

25 (ee) Adoption.

26 (1) For an adoption \$65

1 (2) Upon good cause shown, the court may waive the
2 adoption filing fee in a special needs adoption. The term
3 "special needs adoption" shall have the meaning ascribed to
4 it by the Illinois Department of Children and Family
5 Services.

6 (ff) Adoption exemptions.

7 No fee other than that set forth in subsection (ee)
8 shall be charged to any person in connection with an
9 adoption proceeding nor may any fee be charged for
10 proceedings for the appointment of a confidential
11 intermediary under the Adoption Act.

12 (gg) Unpaid fees.

13 Unless a court ordered payment schedule is implemented
14 or the fee requirements of this Section are waived pursuant
15 to court order, the clerk of the court may add to any
16 unpaid fees and costs under this Section a delinquency
17 amount equal to 5% of the unpaid fees that remain unpaid
18 after 30 days, 10% of the unpaid fees that remain unpaid
19 after 60 days, and 15% of the unpaid fees that remain
20 unpaid after 90 days. Notice to those parties may be made
21 by signage posting or publication. The additional
22 delinquency amounts collected under this Section shall be
23 used to defray additional administrative costs incurred by
24 the clerk of the circuit court in collecting unpaid fees
25 and costs.

26 (Source: P.A. 99-859, eff. 8-19-16; 100-173, eff. 1-1-18.)

1 (705 ILCS 105/27.3a)

2 Sec. 27.3a. Fees for automated record keeping, probation
3 and court services operations, State and Conservation Police
4 operations, and e-business programs.

5 1. The expense of establishing and maintaining automated
6 record keeping systems in the offices of the clerks of the
7 circuit court shall be borne by the county. To defray such
8 expense in any county having established such an automated
9 system or which elects to establish such a system, the county
10 board may require the clerk of the circuit court in their
11 county to charge and collect a court automation fee of not less
12 than \$1 nor more than \$25 to be charged and collected by the
13 clerk of the court. Such fee shall be paid at the time of
14 filing the first pleading, paper or other appearance filed by
15 each party in all civil cases or by the defendant in any
16 felony, traffic, misdemeanor, municipal ordinance, or
17 conservation case upon a judgment of guilty or grant of
18 supervision, provided that the record keeping system which
19 processes the case category for which the fee is charged is
20 automated or has been approved for automation by the county
21 board, and provided further that no additional fee shall be
22 required if more than one party is presented in a single
23 pleading, paper or other appearance. Such fee shall be
24 collected in the manner in which all other fees or costs are
25 collected.

1 1.1. Starting on July 6, 2012 (the effective date of Public
2 Act 97-761) and pursuant to an administrative order from the
3 chief judge of the circuit or the presiding judge of the county
4 authorizing such collection, a clerk of the circuit court in
5 any county that imposes a fee pursuant to subsection 1 of this
6 Section shall also charge and collect an additional \$10
7 operations fee for probation and court services department
8 operations.

9 This additional fee shall be paid by the defendant in any
10 felony, traffic, misdemeanor, local ordinance, or conservation
11 case upon a judgment of guilty or grant of supervision, except
12 such \$10 operations fee shall not be charged and collected in
13 cases governed by Supreme Court Rule 529 in which the bail
14 amount is \$120 or less.

15 1.2. With respect to the fee imposed and collected under
16 subsection 1.1 of this Section, each clerk shall transfer all
17 fees monthly to the county treasurer for deposit into the
18 probation and court services fund created under Section 15.1 of
19 the Probation and Probation Officers Act, and such monies shall
20 be disbursed from the fund only at the direction of the chief
21 judge of the circuit or another judge designated by the Chief
22 Circuit Judge in accordance with the policies and guidelines
23 approved by the Supreme Court.

24 1.5. Starting on June 1, 2014, a clerk of the circuit court
25 in any county that imposes a fee pursuant to subsection 1 of
26 this Section, shall charge and collect an additional fee in an

1 amount equal to the amount of the fee imposed pursuant to
2 subsection 1 of this Section, except the fee imposed under this
3 subsection may not be more than \$15. This additional fee shall
4 be paid by the defendant in any felony, traffic, misdemeanor,
5 or local ordinance case upon a judgment of guilty or grant of
6 supervision. This fee shall not be paid by the defendant for
7 any violation listed in subsection 1.6 of this Section.

8 1.6. Starting on June 1, 2014, a clerk of the circuit court
9 in any county that imposes a fee pursuant to subsection 1 of
10 this Section shall charge and collect an additional fee in an
11 amount equal to the amount of the fee imposed pursuant to
12 subsection 1 of this Section, except the fee imposed under this
13 subsection may not be more than \$15. This additional fee shall
14 be paid by the defendant upon a judgment of guilty or grant of
15 supervision for a violation under the State Parks Act, the
16 Recreational Trails of Illinois Act, the Illinois Explosives
17 Act, the Timber Buyers Licensing Act, the Forest Products
18 Transportation Act, the Firearm Owners Identification Card
19 Act, the Environmental Protection Act, the Fish and Aquatic
20 Life Code, the Wildlife Code, the Cave Protection Act, the
21 Illinois Exotic Weed Act, the Illinois Forestry Development
22 Act, the Ginseng Harvesting Act, the Illinois Lake Management
23 Program Act, the Illinois Natural Areas Preservation Act, the
24 Illinois Open Land Trust Act, the Open Space Lands Acquisition
25 and Development Act, the Illinois Prescribed Burning Act, the
26 State Forest Act, the Water Use Act of 1983, the Illinois

1 Veteran, Youth, and Young Adult Conservation Jobs Act, the
2 Snowmobile Registration and Safety Act, the Boat Registration
3 and Safety Act, the Illinois Dangerous Animals Act, the Hunter
4 and Fishermen Interference Prohibition Act, the Wrongful Tree
5 Cutting Act, or Section 11-1426.1, 11-1426.2, 11-1427,
6 11-1427.1, 11-1427.2, 11-1427.3, 11-1427.4, or 11-1427.5 of
7 the Illinois Vehicle Code, or Section 48-3 or 48-10 of the
8 Criminal Code of 2012.

9 1.7. Starting on the 30th day after the effective date of
10 this amendatory Act of the 99th General Assembly, a clerk of
11 the circuit court in any county that imposes a fee pursuant to
12 subsection 1 of this Section shall also charge and collect an
13 additional \$9 e-business fee. The fee shall be paid at the time
14 of filing the first pleading, paper, or other appearance filed
15 by each party in all civil cases, except no additional fee
16 shall be required if more than one party is presented in a
17 single pleading, paper, or other appearance. The fee shall be
18 collected in the manner in which all other fees or costs are
19 collected. The fee shall be in addition to all other fees and
20 charges of the clerk, and assessable as costs, and may be
21 waived only if the judge specifically provides for the waiver
22 of the e-business fee. The fee shall not be charged in any
23 matter coming to the clerk on a change of venue, nor in any
24 proceeding to review the decision of any administrative
25 officer, agency, or body.

26 2. With respect to the fee imposed under subsection 1 of

1 this Section, each clerk shall commence such charges and
2 collections upon receipt of written notice from the chairman of
3 the county board together with a certified copy of the board's
4 resolution, which the clerk shall file of record in his office.

5 3. With respect to the fee imposed under subsection 1 of
6 this Section, such fees shall be in addition to all other fees
7 and charges of such clerks, and assessable as costs, and may be
8 waived only if the judge specifically provides for the waiver
9 of the court automation fee. The fees shall be remitted monthly
10 by such clerk to the county treasurer, to be retained by him in
11 a special fund designated as the court automation fund. The
12 fund shall be audited by the county auditor, and the board
13 shall make expenditure from the fund in payment of any cost
14 related to the automation of court records, including hardware,
15 software, research and development costs and personnel related
16 thereto, provided that the expenditure is approved by the clerk
17 of the court and by the chief judge of the circuit court or his
18 designate.

19 4. With respect to the fee imposed under subsection 1 of
20 this Section, such fees shall not be charged in any matter
21 coming to any such clerk on change of venue, nor in any
22 proceeding to review the decision of any administrative
23 officer, agency or body.

24 5. With respect to the additional fee imposed under
25 subsection 1.5 of this Section, the fee shall be remitted by
26 the circuit clerk to the State Treasurer within one month after

1 receipt for deposit into the State Police Operations Assistance
2 Fund.

3 6. With respect to the additional fees imposed under
4 subsection 1.5 of this Section, the Director of State Police
5 may direct the use of these fees for homeland security purposes
6 by transferring these fees on a quarterly basis from the State
7 Police Operations Assistance Fund into the Illinois Law
8 Enforcement Alarm Systems (ILEAS) Fund for homeland security
9 initiatives programs. The transferred fees shall be allocated,
10 subject to the approval of the ILEAS Executive Board, as
11 follows: (i) 66.6% shall be used for homeland security
12 initiatives and (ii) 33.3% shall be used for airborne
13 operations. The ILEAS Executive Board shall annually supply the
14 Director of State Police with a report of the use of these
15 fees.

16 7. With respect to the additional fee imposed under
17 subsection 1.6 of this Section, the fee shall be remitted by
18 the circuit clerk to the State Treasurer within one month after
19 receipt for deposit into the Conservation Police Operations
20 Assistance Fund.

21 8. With respect to the fee imposed under subsection 1.7 of
22 this Section, the clerk shall remit the fee to the State
23 Treasurer within one month after receipt for deposit into the
24 Supreme Court Special Purposes Fund. Unless otherwise
25 authorized by this Act, the moneys deposited into the Supreme
26 Court Special Purposes Fund under this subsection are not

1 subject to administrative charges or chargebacks under Section
2 20 of the State Treasurer Act.

3 (Source: P.A. 98-375, eff. 8-16-13; 98-606, eff. 6-1-14;
4 98-1016, eff. 8-22-14; 99-859, eff. 8-19-16.)

5 (705 ILCS 105/27.3c) (from Ch. 25, par. 27.3c)

6 Sec. 27.3c. Document storage system.

7 (a) The expense of establishing and maintaining a document
8 storage system in the offices of the circuit court clerks in
9 the several counties of this State shall be borne by the
10 county. To defray the expense in any county that elects to
11 establish a document storage system and convert the records of
12 the circuit court clerk to electronic or micrographic storage,
13 the county board may require the clerk of the circuit court in
14 its county to collect a court document fee of not less than \$1
15 nor more than \$25, to be charged and collected by the clerk of
16 the court. The fee shall be paid at the time of filing the
17 first pleading, paper, or other appearance filed by each party
18 in all civil cases or by the defendant in any felony,
19 misdemeanor, traffic, ordinance, or conservation matter on a
20 judgment of guilty or grant of supervision, provided that the
21 document storage system is in place or has been authorized by
22 the county board and further that no additional fee shall be
23 required if more than one party is presented in a single
24 pleading, paper, or other appearance. The fee shall be
25 collected in the manner in which all other fees or costs are

1 collected.

2 (b) Each clerk shall commence charges and collections of a
3 court document fee upon receipt of written notice from the
4 chairman of the county board together with a certified copy of
5 the board's resolution, which the clerk shall file of record in
6 his or her office.

7 (c) Court document fees shall be in addition to other fees
8 and charges of the clerk, shall be assessable as costs, and may
9 be waived only if the judge specifically provides for the
10 waiver of the court document storage fee. The fees shall be
11 remitted monthly by the clerk to the county treasurer, to be
12 retained by the treasurer in a special fund designated as the
13 Court Document Storage Fund. The fund shall be audited by the
14 county auditor, and the board shall make expenditures from the
15 fund in payment of any costs relative to the storage of court
16 records, including hardware, software, research and
17 development costs, and related personnel, provided that the
18 expenditure is approved by the clerk of the circuit court.

19 (d) A court document fee shall not be charged in any matter
20 coming to the clerk on change of venue or in any proceeding to
21 review the decision of any administrative officer, agency, or
22 body.

23 (705 ILCS 105/27.3e)

24 Sec. 27.3e. Electronic citation fee. As used in this
25 Section, "electronic citation" means the process of

1 transmitting traffic, misdemeanor, municipal ordinance,
2 conservation, or other citations and law enforcement data via
3 electronic means to a circuit court clerk.

4 To defray the expense of establishing and maintaining
5 electronic citations, each Circuit Court Clerk shall charge and
6 collect an electronic citation fee of \$5. Such fee shall be
7 paid by the defendant in any traffic, misdemeanor, municipal
8 ordinance, or conservation case upon a judgment of guilty or
9 grant of supervision. This fee shall be in addition to all
10 other fees and charges and assessable as costs and shall not be
11 subject to disbursement under Section 27.5 or 27.6 of this Act.
12 60% of the fee shall be deposited into the Circuit Court Clerk
13 Electronic Citation Fund and 40% of the fee shall be disbursed
14 to the arresting agency to defray expenses related to the
15 establishment and maintenance of electronic citations. The
16 Circuit Court Clerk shall be the custodian, ex officio, of the
17 Circuit Court Clerk Electronic Citation Fund and shall use the
18 Fund to perform the duties required by the office for
19 establishing and maintaining electronic citations. The Fund
20 shall be audited by the County's auditor. The Circuit Court
21 Clerk shall not charge and collect an electronic citation fee
22 if the County Board has by ordinance elected not to be subject
23 to this Section. Any funds collected under this Section before
24 such an ordinance takes effect shall be disbursed to the
25 Illinois State Police for expenses related to the establishment
26 and maintenance of electronic citations.

1 With respect to funds designated for, as well as citations
2 issued by, the Department of State Police, the moneys shall be
3 remitted by the circuit court clerk to the State Treasurer
4 within one month after receipt for deposit into the LEADS
5 Maintenance Fund.

6 (Source: P.A. 96-1210, eff. 1-1-11; 97-402, eff. 8-16-11.)

7 (705 ILCS 105/27.3g)

8 (Section scheduled to be repealed on July 1, 2020)

9 Sec. 27.3g. Pilot program; Access to Justice Act.

10 (a) On and after September 1, 2015, all clerks of the
11 circuit court shall charge and collect at the time of filing
12 the first pleading, paper, or other appearance filed by each
13 party in all civil cases, in addition to any other fees, a fee
14 of \$2, but no additional fee shall be required if more than one
15 party is represented in a single pleading, paper, or other
16 appearance. Fees received by the clerk of the circuit court
17 under this Section shall be remitted by the clerk of the
18 circuit court to the State Treasurer, within one month after
19 receipt, for deposit into the Access to Justice Fund created
20 under Section 15 of the Access to Justice Act.

21 (b) This Section is repealed on September 1, 2020.

22 (Source: P.A. 98-351, eff. 8-15-13; 99-281, eff. 8-5-15.)

23 (705 ILCS 105/27.4) (from Ch. 25, par. 27.4)

24 Sec. 27.4. The population of all counties for the purpose

1 of fixing fees and compensation under Sections 27.1 through
2 27.3 shall be based upon the results of the last Federal census
3 immediately previous to the election of the Clerk of the
4 Circuit Court in each county.

5 (Source: P.A. 79-1445.)

6 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

7 Sec. 27.5. (a) All fees, fines, costs, additional
8 penalties, bail balances assessed or forfeited, and any other
9 amount paid by a person to the circuit clerk that equals an
10 amount less than \$55, except restitution under Section 5-5-6 of
11 the Unified Code of Corrections, reimbursement for the costs of
12 an emergency response as provided under Section 11-501 of the
13 Illinois Vehicle Code, any fees collected for attending a
14 traffic safety program under paragraph (c) of Supreme Court
15 Rule 529, any fee collected on behalf of a State's Attorney
16 under Section 4-2002 of the Counties Code or a sheriff under
17 Section 4-5001 of the Counties Code, or any cost imposed under
18 Section 124A-5 of the Code of Criminal Procedure of 1963, for
19 convictions, orders of supervision, or any other disposition
20 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois
21 Vehicle Code, or a similar provision of a local ordinance, and
22 any violation of the Child Passenger Protection Act, or a
23 similar provision of a local ordinance, and except as otherwise
24 provided in this Section, shall be disbursed within 60 days
25 after receipt by the circuit clerk as follows: 47% shall be

1 disbursed to the entity authorized by law to receive the fine
2 imposed in the case; 12% shall be disbursed to the State
3 Treasurer; and 41% shall be disbursed to the county's general
4 corporate fund. Of the 12% disbursed to the State Treasurer,
5 1/6 shall be deposited by the State Treasurer into the Violent
6 Crime Victims Assistance Fund, 1/2 shall be deposited into the
7 Traffic and Criminal Conviction Surcharge Fund, and 1/3 shall
8 be deposited into the Drivers Education Fund. For fiscal years
9 1992 and 1993, amounts deposited into the Violent Crime Victims
10 Assistance Fund, the Traffic and Criminal Conviction Surcharge
11 Fund, or the Drivers Education Fund shall not exceed 110% of
12 the amounts deposited into those funds in fiscal year 1991. Any
13 amount that exceeds the 110% limit shall be distributed as
14 follows: 50% shall be disbursed to the county's general
15 corporate fund and 50% shall be disbursed to the entity
16 authorized by law to receive the fine imposed in the case. Not
17 later than March 1 of each year the circuit clerk shall submit
18 a report of the amount of funds remitted to the State Treasurer
19 under this Section during the preceding year based upon
20 independent verification of fines and fees. All counties shall
21 be subject to this Section, except that counties with a
22 population under 2,000,000 may, by ordinance, elect not to be
23 subject to this Section. For offenses subject to this Section,
24 judges shall impose one total sum of money payable for
25 violations. The circuit clerk may add on no additional amounts
26 except for amounts that are required by Sections 27.3a and

1 27.3c of this Act, Section 16-104c of the Illinois Vehicle
2 Code, and subsection (a) of Section 5-1101 of the Counties
3 Code, unless those amounts are specifically waived by the
4 judge. With respect to money collected by the circuit clerk as
5 a result of forfeiture of bail, ex parte judgment or guilty
6 plea pursuant to Supreme Court Rule 529, the circuit clerk
7 shall first deduct and pay amounts required by Sections 27.3a
8 and 27.3c of this Act. Unless a court ordered payment schedule
9 is implemented or fee requirements are waived pursuant to a
10 court order, the circuit clerk may add to any unpaid fees and
11 costs a delinquency amount equal to 5% of the unpaid fees that
12 remain unpaid after 30 days, 10% of the unpaid fees that remain
13 unpaid after 60 days, and 15% of the unpaid fees that remain
14 unpaid after 90 days. Notice to those parties may be made by
15 signage posting or publication. The additional delinquency
16 amounts collected under this Section shall be deposited in the
17 Circuit Court Clerk Operation and Administrative Fund to be
18 used to defray administrative costs incurred by the circuit
19 clerk in performing the duties required to collect and disburse
20 funds. This Section is a denial and limitation of home rule
21 powers and functions under subsection (h) of Section 6 of
22 Article VII of the Illinois Constitution.

23 (b) The following amounts must be remitted to the State
24 Treasurer for deposit into the Illinois Animal Abuse Fund:

- 25 (1) 50% of the amounts collected for felony offenses
26 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,

1 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
2 Animals Act and Section 26-5 or 48-1 of the Criminal Code
3 of 1961 or the Criminal Code of 2012;

4 (2) 20% of the amounts collected for Class A and Class
5 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
6 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
7 for Animals Act and Section 26-5 or 48-1 of the Criminal
8 Code of 1961 or the Criminal Code of 2012; and

9 (3) 50% of the amounts collected for Class C
10 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
11 for Animals Act and Section 26-5 or 48-1 of the Criminal
12 Code of 1961 or the Criminal Code of 2012.

13 (c) Any person who receives a disposition of court
14 supervision for a violation of the Illinois Vehicle Code or a
15 similar provision of a local ordinance shall, in addition to
16 any other fines, fees, and court costs, pay an additional fee
17 of \$29, to be disbursed as provided in Section 16-104c of the
18 Illinois Vehicle Code. In addition to the fee of \$29, the
19 person shall also pay a fee of \$6, if not waived by the court.
20 If this \$6 fee is collected, \$5.50 of the fee shall be
21 deposited into the Circuit Court Clerk Operation and
22 Administrative Fund created by the Clerk of the Circuit Court
23 and 50 cents of the fee shall be deposited into the Prisoner
24 Review Board Vehicle and Equipment Fund in the State treasury.

25 (d) Any person convicted of, pleading guilty to, or placed
26 on supervision for a serious traffic violation, as defined in

1 Section 1-187.001 of the Illinois Vehicle Code, a violation of
2 Section 11-501 of the Illinois Vehicle Code, or a violation of
3 a similar provision of a local ordinance shall pay an
4 additional fee of \$35, to be disbursed as provided in Section
5 16-104d of that Code.

6 This subsection (d) becomes inoperative on January 1, 2020.

7 (e) In all counties having a population of 3,000,000 or
8 more inhabitants:

9 (1) A person who is found guilty of or pleads guilty to
10 violating subsection (a) of Section 11-501 of the Illinois
11 Vehicle Code, including any person placed on court
12 supervision for violating subsection (a), shall be fined
13 \$750 as provided for by subsection (f) of Section 11-501.01
14 of the Illinois Vehicle Code, payable to the circuit clerk,
15 who shall distribute the money pursuant to subsection (f)
16 of Section 11-501.01 of the Illinois Vehicle Code.

17 (2) When a crime laboratory DUI analysis fee of \$150,
18 provided for by Section 5-9-1.9 of the Unified Code of
19 Corrections is assessed, it shall be disbursed by the
20 circuit clerk as provided by subsection (f) of Section
21 5-9-1.9 of the Unified Code of Corrections.

22 (3) When a fine for a violation of subsection (a) of
23 Section 11-605 of the Illinois Vehicle Code is \$150 or
24 greater, the additional \$50 which is charged as provided
25 for by subsection (f) of Section 11-605 of the Illinois
26 Vehicle Code shall be disbursed by the circuit clerk to a

1 school district or districts for school safety purposes as
2 provided by subsection (f) of Section 11-605.

3 (4) When a fine for a violation of subsection (a) of
4 Section 11-1002.5 of the Illinois Vehicle Code is \$150 or
5 greater, the additional \$50 which is charged as provided
6 for by subsection (c) of Section 11-1002.5 of the Illinois
7 Vehicle Code shall be disbursed by the circuit clerk to a
8 school district or districts for school safety purposes as
9 provided by subsection (c) of Section 11-1002.5 of the
10 Illinois Vehicle Code.

11 (5) When a mandatory drug court fee of up to \$5 is
12 assessed as provided in subsection (f) of Section 5-1101 of
13 the Counties Code, it shall be disbursed by the circuit
14 clerk as provided in subsection (f) of Section 5-1101 of
15 the Counties Code.

16 (6) When a mandatory teen court, peer jury, youth
17 court, or other youth diversion program fee is assessed as
18 provided in subsection (e) of Section 5-1101 of the
19 Counties Code, it shall be disbursed by the circuit clerk
20 as provided in subsection (e) of Section 5-1101 of the
21 Counties Code.

22 (7) When a Children's Advocacy Center fee is assessed
23 pursuant to subsection (f-5) of Section 5-1101 of the
24 Counties Code, it shall be disbursed by the circuit clerk
25 as provided in subsection (f-5) of Section 5-1101 of the
26 Counties Code.

1 (8) When a victim impact panel fee is assessed pursuant
2 to subsection (b) of Section 11-501.01 of the Illinois
3 Vehicle Code, it shall be disbursed by the circuit clerk to
4 the victim impact panel to be attended by the defendant.

5 (9) When a new fee collected in traffic cases is
6 enacted after January 1, 2010 (the effective date of Public
7 Act 96-735), it shall be excluded from the percentage
8 disbursement provisions of this Section unless otherwise
9 indicated by law.

10 (f) Any person who receives a disposition of court
11 supervision for a violation of Section 11-501 of the Illinois
12 Vehicle Code shall, in addition to any other fines, fees, and
13 court costs, pay an additional fee of \$50, which shall be
14 collected by the circuit clerk and then remitted to the State
15 Treasurer for deposit into the Roadside Memorial Fund, a
16 special fund in the State treasury. However, the court may
17 waive the fee if full restitution is complied with. Subject to
18 appropriation, all moneys in the Roadside Memorial Fund shall
19 be used by the Department of Transportation to pay fees imposed
20 under subsection (f) of Section 20 of the Roadside Memorial
21 Act. The fee shall be remitted by the circuit clerk within one
22 month after receipt to the State Treasurer for deposit into the
23 Roadside Memorial Fund.

24 (g) For any conviction or disposition of court supervision
25 for a violation of Section 11-1429 of the Illinois Vehicle
26 Code, the circuit clerk shall distribute the fines paid by the

1 person as specified by subsection (h) of Section 11-1429 of the
2 Illinois Vehicle Code.

3 (Source: P.A. 97-333, eff. 8-12-11; 97-1108, eff. 1-1-13;
4 97-1150, eff. 1-25-13; 98-658, eff. 6-23-14.)

5 (705 ILCS 105/27.6)

6 (Section as amended by P.A. 96-286, 96-576, 96-578, 96-625,
7 96-667, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, 97-1150,
8 98-658, 98-1013, 99-78, and 99-455)

9 Sec. 27.6. (a) All fees, fines, costs, additional
10 penalties, bail balances assessed or forfeited, and any other
11 amount paid by a person to the circuit clerk equalling an
12 amount of \$55 or more, except the fine imposed by Section
13 5-9-1.15 of the Unified Code of Corrections, the additional fee
14 required by subsections (b) and (c), restitution under Section
15 5-5-6 of the Unified Code of Corrections, contributions to a
16 local anti-crime program ordered pursuant to Section
17 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of
18 Corrections, reimbursement for the costs of an emergency
19 response as provided under Section 11-501 of the Illinois
20 Vehicle Code, any fees collected for attending a traffic safety
21 program under paragraph (c) of Supreme Court Rule 529, any fee
22 collected on behalf of a State's Attorney under Section 4-2002
23 of the Counties Code or a sheriff under Section 4-5001 of the
24 Counties Code, or any cost imposed under Section 124A-5 of the
25 Code of Criminal Procedure of 1963, for convictions, orders of

1 supervision, or any other disposition for a violation of
2 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a
3 similar provision of a local ordinance, and any violation of
4 the Child Passenger Protection Act, or a similar provision of a
5 local ordinance, and except as otherwise provided in this
6 Section shall be disbursed within 60 days after receipt by the
7 circuit clerk as follows: 44.5% shall be disbursed to the
8 entity authorized by law to receive the fine imposed in the
9 case; 16.825% shall be disbursed to the State Treasurer; and
10 38.675% shall be disbursed to the county's general corporate
11 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
12 shall be deposited by the State Treasurer into the Violent
13 Crime Victims Assistance Fund, 5.052/17 shall be deposited into
14 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall
15 be deposited into the Drivers Education Fund, and 6.948/17
16 shall be deposited into the Trauma Center Fund. Of the 6.948/17
17 deposited into the Trauma Center Fund from the 16.825%
18 disbursed to the State Treasurer, 50% shall be disbursed to the
19 Department of Public Health and 50% shall be disbursed to the
20 Department of Healthcare and Family Services. For fiscal year
21 1993, amounts deposited into the Violent Crime Victims
22 Assistance Fund, the Traffic and Criminal Conviction Surcharge
23 Fund, or the Drivers Education Fund shall not exceed 110% of
24 the amounts deposited into those funds in fiscal year 1991. Any
25 amount that exceeds the 110% limit shall be distributed as
26 follows: 50% shall be disbursed to the county's general

1 corporate fund and 50% shall be disbursed to the entity
2 authorized by law to receive the fine imposed in the case. Not
3 later than March 1 of each year the circuit clerk shall submit
4 a report of the amount of funds remitted to the State Treasurer
5 under this Section during the preceding year based upon
6 independent verification of fines and fees. All counties shall
7 be subject to this Section, except that counties with a
8 population under 2,000,000 may, by ordinance, elect not to be
9 subject to this Section. For offenses subject to this Section,
10 judges shall impose one total sum of money payable for
11 violations. The circuit clerk may add on no additional amounts
12 except for amounts that are required by Sections 27.3a and
13 27.3c of this Act, unless those amounts are specifically waived
14 by the judge. With respect to money collected by the circuit
15 clerk as a result of forfeiture of bail, ex parte judgment or
16 guilty plea pursuant to Supreme Court Rule 529, the circuit
17 clerk shall first deduct and pay amounts required by Sections
18 27.3a and 27.3c of this Act. This Section is a denial and
19 limitation of home rule powers and functions under subsection
20 (h) of Section 6 of Article VII of the Illinois Constitution.

21 (b) In addition to any other fines and court costs assessed
22 by the courts, any person convicted or receiving an order of
23 supervision for driving under the influence of alcohol or drugs
24 shall pay an additional fee of \$100 to the clerk of the circuit
25 court. This amount, less 2 1/2% that shall be used to defray
26 administrative costs incurred by the clerk, shall be remitted

1 by the clerk to the Treasurer within 60 days after receipt for
2 deposit into the Trauma Center Fund. This additional fee of
3 \$100 shall not be considered a part of the fine for purposes of
4 any reduction in the fine for time served either before or
5 after sentencing. Not later than March 1 of each year the
6 Circuit Clerk shall submit a report of the amount of funds
7 remitted to the State Treasurer under this subsection during
8 the preceding calendar year.

9 (b-1) In addition to any other fines and court costs
10 assessed by the courts, any person convicted or receiving an
11 order of supervision for driving under the influence of alcohol
12 or drugs shall pay an additional fee of \$5 to the clerk of the
13 circuit court. This amount, less 2 1/2% that shall be used to
14 defray administrative costs incurred by the clerk, shall be
15 remitted by the clerk to the Treasurer within 60 days after
16 receipt for deposit into the Spinal Cord Injury Paralysis Cure
17 Research Trust Fund. This additional fee of \$5 shall not be
18 considered a part of the fine for purposes of any reduction in
19 the fine for time served either before or after sentencing. Not
20 later than March 1 of each year the Circuit Clerk shall submit
21 a report of the amount of funds remitted to the State Treasurer
22 under this subsection during the preceding calendar year.

23 (c) In addition to any other fines and court costs assessed
24 by the courts, any person convicted for a violation of Sections
25 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the
26 Criminal Code of 2012 or a person sentenced for a violation of

1 the Cannabis Control Act, the Illinois Controlled Substances
2 Act, or the Methamphetamine Control and Community Protection
3 Act shall pay an additional fee of \$100 to the clerk of the
4 circuit court. This amount, less 2 1/2% that shall be used to
5 defray administrative costs incurred by the clerk, shall be
6 remitted by the clerk to the Treasurer within 60 days after
7 receipt for deposit into the Trauma Center Fund. This
8 additional fee of \$100 shall not be considered a part of the
9 fine for purposes of any reduction in the fine for time served
10 either before or after sentencing. Not later than March 1 of
11 each year the Circuit Clerk shall submit a report of the amount
12 of funds remitted to the State Treasurer under this subsection
13 during the preceding calendar year.

14 (c-1) In addition to any other fines and court costs
15 assessed by the courts, any person sentenced for a violation of
16 the Cannabis Control Act, the Illinois Controlled Substances
17 Act, or the Methamphetamine Control and Community Protection
18 Act shall pay an additional fee of \$5 to the clerk of the
19 circuit court. This amount, less 2 1/2% that shall be used to
20 defray administrative costs incurred by the clerk, shall be
21 remitted by the clerk to the Treasurer within 60 days after
22 receipt for deposit into the Spinal Cord Injury Paralysis Cure
23 Research Trust Fund. This additional fee of \$5 shall not be
24 considered a part of the fine for purposes of any reduction in
25 the fine for time served either before or after sentencing. Not
26 later than March 1 of each year the Circuit Clerk shall submit

1 a report of the amount of funds remitted to the State Treasurer
2 under this subsection during the preceding calendar year.

3 (d) The following amounts must be remitted to the State
4 Treasurer for deposit into the Illinois Animal Abuse Fund:

5 (1) 50% of the amounts collected for felony offenses
6 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
7 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
8 Animals Act and Section 26-5 or 48-1 of the Criminal Code
9 of 1961 or the Criminal Code of 2012;

10 (2) 20% of the amounts collected for Class A and Class
11 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
12 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
13 for Animals Act and Section 26-5 or 48-1 of the Criminal
14 Code of 1961 or the Criminal Code of 2012; and

15 (3) 50% of the amounts collected for Class C
16 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
17 for Animals Act and Section 26-5 or 48-1 of the Criminal
18 Code of 1961 or the Criminal Code of 2012.

19 (e) Any person who receives a disposition of court
20 supervision for a violation of the Illinois Vehicle Code or a
21 similar provision of a local ordinance shall, in addition to
22 any other fines, fees, and court costs, pay an additional fee
23 of \$29, to be disbursed as provided in Section 16-104c of the
24 Illinois Vehicle Code. In addition to the fee of \$29, the
25 person shall also pay a fee of \$6, if not waived by the court.
26 If this \$6 fee is collected, \$5.50 of the fee shall be

1 deposited into the Circuit Court Clerk Operation and
2 Administrative Fund created by the Clerk of the Circuit Court
3 and 50 cents of the fee shall be deposited into the Prisoner
4 Review Board Vehicle and Equipment Fund in the State treasury.

5 (f) This Section does not apply to the additional child
6 pornography fines assessed and collected under Section
7 5-9-1.14 of the Unified Code of Corrections.

8 (g) (Blank).

9 (h) (Blank).

10 (i) Of the amounts collected as fines under subsection (b)
11 of Section 3-712 of the Illinois Vehicle Code, 99% shall be
12 deposited into the Illinois Military Family Relief Fund and 1%
13 shall be deposited into the Circuit Court Clerk Operation and
14 Administrative Fund created by the Clerk of the Circuit Court
15 to be used to offset the costs incurred by the Circuit Court
16 Clerk in performing the additional duties required to collect
17 and disburse funds to entities of State and local government as
18 provided by law.

19 (j) Any person convicted of, pleading guilty to, or placed
20 on supervision for a serious traffic violation, as defined in
21 Section 1-187.001 of the Illinois Vehicle Code, a violation of
22 Section 11-501 of the Illinois Vehicle Code, or a violation of
23 a similar provision of a local ordinance shall pay an
24 additional fee of \$35, to be disbursed as provided in Section
25 16-104d of that Code.

26 This subsection (j) becomes inoperative on January 1, 2020.

1 (k) For any conviction or disposition of court supervision
2 for a violation of Section 11-1429 of the Illinois Vehicle
3 Code, the circuit clerk shall distribute the fines paid by the
4 person as specified by subsection (h) of Section 11-1429 of the
5 Illinois Vehicle Code.

6 (l) Any person who receives a disposition of court
7 supervision for a violation of Section 11-501 of the Illinois
8 Vehicle Code or a similar provision of a local ordinance shall,
9 in addition to any other fines, fees, and court costs, pay an
10 additional fee of \$50, which shall be collected by the circuit
11 clerk and then remitted to the State Treasurer for deposit into
12 the Roadside Memorial Fund, a special fund in the State
13 treasury. However, the court may waive the fee if full
14 restitution is complied with. Subject to appropriation, all
15 moneys in the Roadside Memorial Fund shall be used by the
16 Department of Transportation to pay fees imposed under
17 subsection (f) of Section 20 of the Roadside Memorial Act. The
18 fee shall be remitted by the circuit clerk within one month
19 after receipt to the State Treasurer for deposit into the
20 Roadside Memorial Fund.

21 (m) Of the amounts collected as fines under subsection (c)
22 of Section 411.4 of the Illinois Controlled Substances Act or
23 subsection (c) of Section 90 of the Methamphetamine Control and
24 Community Protection Act, 99% shall be deposited to the law
25 enforcement agency or fund specified and 1% shall be deposited
26 into the Circuit Court Clerk Operation and Administrative Fund

1 to be used to offset the costs incurred by the Circuit Court
2 Clerk in performing the additional duties required to collect
3 and disburse funds to entities of State and local government as
4 provided by law.

5 (n) In addition to any other fines and court costs assessed
6 by the courts, any person who is convicted of or pleads guilty
7 to a violation of the Criminal Code of 1961 or the Criminal
8 Code of 2012, or a similar provision of a local ordinance, or
9 who is convicted of, pleads guilty to, or receives a
10 disposition of court supervision for a violation of the
11 Illinois Vehicle Code, or a similar provision of a local
12 ordinance, shall pay an additional fee of \$15 to the clerk of
13 the circuit court. This additional fee of \$15 shall not be
14 considered a part of the fine for purposes of any reduction in
15 the fine for time served either before or after sentencing.
16 This amount, less 2.5% that shall be used to defray
17 administrative costs incurred by the clerk, shall be remitted
18 by the clerk to the State Treasurer within 60 days after
19 receipt for deposit into the State Police Merit Board Public
20 Safety Fund.

21 (o) The amounts collected as fines under Sections 10-9,
22 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall
23 be collected by the circuit clerk and distributed as provided
24 under Section 5-9-1.21 of the Unified Code of Corrections in
25 lieu of any disbursement under subsection (a) of this Section.

26 (p) In addition to any other fees and penalties imposed,

1 any person who is convicted of or pleads guilty to a violation
2 of Section 20-1 or Section 20-1.1 of the Criminal Code of 2012
3 shall pay an additional fee of \$250 to the clerk of the circuit
4 court. This additional fee of \$250 shall not be considered a
5 part of the fine for purposes of any reduction in the fine for
6 time served either before or after sentencing. This amount,
7 less 2.5% that shall be used to defray administrative costs
8 incurred by the clerk, shall be remitted by the clerk to the
9 Department of Insurance within 60 days after receipt for
10 deposit into the George Bailey Memorial Fund.

11 (Source: P.A. 98-658, eff. 6-23-14; 98-1013, eff. 1-1-15;
12 99-78, eff. 7-20-15; 99-455, eff. 1-1-16.)

13 (Section as amended by P.A. 96-576, 96-578, 96-625, 96-667,
14 96-735, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, 97-1150,
15 98-658, 98-1013, 99-78, and 99-455)

16 Sec. 27.6. (a) All fees, fines, costs, additional
17 penalties, bail balances assessed or forfeited, and any other
18 amount paid by a person to the circuit clerk equalling an
19 amount of \$55 or more, except the fine imposed by Section
20 5-9-1.15 of the Unified Code of Corrections, the additional fee
21 required by subsections (b) and (c), restitution under Section
22 5-5-6 of the Unified Code of Corrections, contributions to a
23 local anti-crime program ordered pursuant to Section
24 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of
25 Corrections, reimbursement for the costs of an emergency

1 response as provided under Section 11-501 of the Illinois
2 Vehicle Code, any fees collected for attending a traffic safety
3 program under paragraph (c) of Supreme Court Rule 529, any fee
4 collected on behalf of a State's Attorney under Section 4-2002
5 of the Counties Code or a sheriff under Section 4-5001 of the
6 Counties Code, or any cost imposed under Section 124A-5 of the
7 Code of Criminal Procedure of 1963, for convictions, orders of
8 supervision, or any other disposition for a violation of
9 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a
10 similar provision of a local ordinance, and any violation of
11 the Child Passenger Protection Act, or a similar provision of a
12 local ordinance, and except as otherwise provided in this
13 Section shall be disbursed within 60 days after receipt by the
14 circuit clerk as follows: 44.5% shall be disbursed to the
15 entity authorized by law to receive the fine imposed in the
16 case; 16.825% shall be disbursed to the State Treasurer; and
17 38.675% shall be disbursed to the county's general corporate
18 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
19 shall be deposited by the State Treasurer into the Violent
20 Crime Victims Assistance Fund, 5.052/17 shall be deposited into
21 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall
22 be deposited into the Drivers Education Fund, and 6.948/17
23 shall be deposited into the Trauma Center Fund. Of the 6.948/17
24 deposited into the Trauma Center Fund from the 16.825%
25 disbursed to the State Treasurer, 50% shall be disbursed to the
26 Department of Public Health and 50% shall be disbursed to the

1 Department of Healthcare and Family Services. For fiscal year
2 1993, amounts deposited into the Violent Crime Victims
3 Assistance Fund, the Traffic and Criminal Conviction Surcharge
4 Fund, or the Drivers Education Fund shall not exceed 110% of
5 the amounts deposited into those funds in fiscal year 1991. Any
6 amount that exceeds the 110% limit shall be distributed as
7 follows: 50% shall be disbursed to the county's general
8 corporate fund and 50% shall be disbursed to the entity
9 authorized by law to receive the fine imposed in the case. Not
10 later than March 1 of each year the circuit clerk shall submit
11 a report of the amount of funds remitted to the State Treasurer
12 under this Section during the preceding year based upon
13 independent verification of fines and fees. All counties shall
14 be subject to this Section, except that counties with a
15 population under 2,000,000 may, by ordinance, elect not to be
16 subject to this Section. For offenses subject to this Section,
17 judges shall impose one total sum of money payable for
18 violations. The circuit clerk may add on no additional amounts
19 except for amounts that are required by Sections 27.3a and
20 27.3c of this Act, Section 16-104c of the Illinois Vehicle
21 Code, and subsection (a) of Section 5-1101 of the Counties
22 Code, unless those amounts are specifically waived by the
23 judge. With respect to money collected by the circuit clerk as
24 a result of forfeiture of bail, ex parte judgment or guilty
25 plea pursuant to Supreme Court Rule 529, the circuit clerk
26 shall first deduct and pay amounts required by Sections 27.3a

1 and 27.3c of this Act. Unless a court ordered payment schedule
2 is implemented or fee requirements are waived pursuant to court
3 order, the clerk of the court may add to any unpaid fees and
4 costs a delinquency amount equal to 5% of the unpaid fees that
5 remain unpaid after 30 days, 10% of the unpaid fees that remain
6 unpaid after 60 days, and 15% of the unpaid fees that remain
7 unpaid after 90 days. Notice to those parties may be made by
8 signage posting or publication. The additional delinquency
9 amounts collected under this Section shall be deposited in the
10 Circuit Court Clerk Operation and Administrative Fund to be
11 used to defray administrative costs incurred by the circuit
12 clerk in performing the duties required to collect and disburse
13 funds. This Section is a denial and limitation of home rule
14 powers and functions under subsection (h) of Section 6 of
15 Article VII of the Illinois Constitution.

16 (b) In addition to any other fines and court costs assessed
17 by the courts, any person convicted or receiving an order of
18 supervision for driving under the influence of alcohol or drugs
19 shall pay an additional fee of \$100 to the clerk of the circuit
20 court. This amount, less 2 1/2% that shall be used to defray
21 administrative costs incurred by the clerk, shall be remitted
22 by the clerk to the Treasurer within 60 days after receipt for
23 deposit into the Trauma Center Fund. This additional fee of
24 \$100 shall not be considered a part of the fine for purposes of
25 any reduction in the fine for time served either before or
26 after sentencing. Not later than March 1 of each year the

1 Circuit Clerk shall submit a report of the amount of funds
2 remitted to the State Treasurer under this subsection during
3 the preceding calendar year.

4 (b-1) In addition to any other fines and court costs
5 assessed by the courts, any person convicted or receiving an
6 order of supervision for driving under the influence of alcohol
7 or drugs shall pay an additional fee of \$5 to the clerk of the
8 circuit court. This amount, less 2 1/2% that shall be used to
9 defray administrative costs incurred by the clerk, shall be
10 remitted by the clerk to the Treasurer within 60 days after
11 receipt for deposit into the Spinal Cord Injury Paralysis Cure
12 Research Trust Fund. This additional fee of \$5 shall not be
13 considered a part of the fine for purposes of any reduction in
14 the fine for time served either before or after sentencing. Not
15 later than March 1 of each year the Circuit Clerk shall submit
16 a report of the amount of funds remitted to the State Treasurer
17 under this subsection during the preceding calendar year.

18 (c) In addition to any other fines and court costs assessed
19 by the courts, any person convicted for a violation of Sections
20 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the
21 Criminal Code of 2012 or a person sentenced for a violation of
22 the Cannabis Control Act, the Illinois Controlled Substances
23 Act, or the Methamphetamine Control and Community Protection
24 Act shall pay an additional fee of \$100 to the clerk of the
25 circuit court. This amount, less 2 1/2% that shall be used to
26 defray administrative costs incurred by the clerk, shall be

1 remitted by the clerk to the Treasurer within 60 days after
2 receipt for deposit into the Trauma Center Fund. This
3 additional fee of \$100 shall not be considered a part of the
4 fine for purposes of any reduction in the fine for time served
5 either before or after sentencing. Not later than March 1 of
6 each year the Circuit Clerk shall submit a report of the amount
7 of funds remitted to the State Treasurer under this subsection
8 during the preceding calendar year.

9 (c-1) In addition to any other fines and court costs
10 assessed by the courts, any person sentenced for a violation of
11 the Cannabis Control Act, the Illinois Controlled Substances
12 Act, or the Methamphetamine Control and Community Protection
13 Act shall pay an additional fee of \$5 to the clerk of the
14 circuit court. This amount, less 2 1/2% that shall be used to
15 defray administrative costs incurred by the clerk, shall be
16 remitted by the clerk to the Treasurer within 60 days after
17 receipt for deposit into the Spinal Cord Injury Paralysis Cure
18 Research Trust Fund. This additional fee of \$5 shall not be
19 considered a part of the fine for purposes of any reduction in
20 the fine for time served either before or after sentencing. Not
21 later than March 1 of each year the Circuit Clerk shall submit
22 a report of the amount of funds remitted to the State Treasurer
23 under this subsection during the preceding calendar year.

24 (d) The following amounts must be remitted to the State
25 Treasurer for deposit into the Illinois Animal Abuse Fund:

26 (1) 50% of the amounts collected for felony offenses

1 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
2 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
3 Animals Act and Section 26-5 or 48-1 of the Criminal Code
4 of 1961 or the Criminal Code of 2012;

5 (2) 20% of the amounts collected for Class A and Class
6 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
7 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
8 for Animals Act and Section 26-5 or 48-1 of the Criminal
9 Code of 1961 or the Criminal Code of 2012; and

10 (3) 50% of the amounts collected for Class C
11 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
12 for Animals Act and Section 26-5 or 48-1 of the Criminal
13 Code of 1961 or the Criminal Code of 2012.

14 (e) Any person who receives a disposition of court
15 supervision for a violation of the Illinois Vehicle Code or a
16 similar provision of a local ordinance shall, in addition to
17 any other fines, fees, and court costs, pay an additional fee
18 of \$29, to be disbursed as provided in Section 16-104c of the
19 Illinois Vehicle Code. In addition to the fee of \$29, the
20 person shall also pay a fee of \$6, if not waived by the court.
21 If this \$6 fee is collected, \$5.50 of the fee shall be
22 deposited into the Circuit Court Clerk Operation and
23 Administrative Fund created by the Clerk of the Circuit Court
24 and 50 cents of the fee shall be deposited into the Prisoner
25 Review Board Vehicle and Equipment Fund in the State treasury.

26 (f) This Section does not apply to the additional child

1 pornography fines assessed and collected under Section
2 5-9-1.14 of the Unified Code of Corrections.

3 (g) Any person convicted of or pleading guilty to a serious
4 traffic violation, as defined in Section 1-187.001 of the
5 Illinois Vehicle Code, shall pay an additional fee of \$35, to
6 be disbursed as provided in Section 16-104d of that Code. This
7 subsection (g) becomes inoperative on January 1, 2020.

8 (h) In all counties having a population of 3,000,000 or
9 more inhabitants,

10 (1) A person who is found guilty of or pleads guilty to
11 violating subsection (a) of Section 11-501 of the Illinois
12 Vehicle Code, including any person placed on court
13 supervision for violating subsection (a), shall be fined
14 \$750 as provided for by subsection (f) of Section 11-501.01
15 of the Illinois Vehicle Code, payable to the circuit clerk,
16 who shall distribute the money pursuant to subsection (f)
17 of Section 11-501.01 of the Illinois Vehicle Code.

18 (2) When a crime laboratory DUI analysis fee of \$150,
19 provided for by Section 5-9-1.9 of the Unified Code of
20 Corrections is assessed, it shall be disbursed by the
21 circuit clerk as provided by subsection (f) of Section
22 5-9-1.9 of the Unified Code of Corrections.

23 (3) When a fine for a violation of Section 11-605.1 of
24 the Illinois Vehicle Code is \$250 or greater, the person
25 who violated that Section shall be charged an additional
26 \$125 as provided for by subsection (e) of Section 11-605.1

1 of the Illinois Vehicle Code, which shall be disbursed by
2 the circuit clerk to a State or county Transportation
3 Safety Highway Hire-back Fund as provided by subsection (e)
4 of Section 11-605.1 of the Illinois Vehicle Code.

5 (4) When a fine for a violation of subsection (a) of
6 Section 11-605 of the Illinois Vehicle Code is \$150 or
7 greater, the additional \$50 which is charged as provided
8 for by subsection (f) of Section 11-605 of the Illinois
9 Vehicle Code shall be disbursed by the circuit clerk to a
10 school district or districts for school safety purposes as
11 provided by subsection (f) of Section 11-605.

12 (5) When a fine for a violation of subsection (a) of
13 Section 11-1002.5 of the Illinois Vehicle Code is \$150 or
14 greater, the additional \$50 which is charged as provided
15 for by subsection (c) of Section 11-1002.5 of the Illinois
16 Vehicle Code shall be disbursed by the circuit clerk to a
17 school district or districts for school safety purposes as
18 provided by subsection (c) of Section 11-1002.5 of the
19 Illinois Vehicle Code.

20 (6) When a mandatory drug court fee of up to \$5 is
21 assessed as provided in subsection (f) of Section 5-1101 of
22 the Counties Code, it shall be disbursed by the circuit
23 clerk as provided in subsection (f) of Section 5-1101 of
24 the Counties Code.

25 (7) When a mandatory teen court, peer jury, youth
26 court, or other youth diversion program fee is assessed as

1 provided in subsection (e) of Section 5-1101 of the
2 Counties Code, it shall be disbursed by the circuit clerk
3 as provided in subsection (e) of Section 5-1101 of the
4 Counties Code.

5 (8) When a Children's Advocacy Center fee is assessed
6 pursuant to subsection (f-5) of Section 5-1101 of the
7 Counties Code, it shall be disbursed by the circuit clerk
8 as provided in subsection (f-5) of Section 5-1101 of the
9 Counties Code.

10 (9) When a victim impact panel fee is assessed pursuant
11 to subsection (b) of Section 11-501.01 of the Vehicle Code,
12 it shall be disbursed by the circuit clerk to the victim
13 impact panel to be attended by the defendant.

14 (10) When a new fee collected in traffic cases is
15 enacted after the effective date of this subsection (h), it
16 shall be excluded from the percentage disbursement
17 provisions of this Section unless otherwise indicated by
18 law.

19 (i) Of the amounts collected as fines under subsection (b)
20 of Section 3-712 of the Illinois Vehicle Code, 99% shall be
21 deposited into the Illinois Military Family Relief Fund and 1%
22 shall be deposited into the Circuit Court Clerk Operation and
23 Administrative Fund created by the Clerk of the Circuit Court
24 to be used to offset the costs incurred by the Circuit Court
25 Clerk in performing the additional duties required to collect
26 and disburse funds to entities of State and local government as

1 provided by law.

2 (j) (Blank).

3 (k) For any conviction or disposition of court supervision
4 for a violation of Section 11-1429 of the Illinois Vehicle
5 Code, the circuit clerk shall distribute the fines paid by the
6 person as specified by subsection (h) of Section 11-1429 of the
7 Illinois Vehicle Code.

8 (l) Any person who receives a disposition of court
9 supervision for a violation of Section 11-501 of the Illinois
10 Vehicle Code or a similar provision of a local ordinance shall,
11 in addition to any other fines, fees, and court costs, pay an
12 additional fee of \$50, which shall be collected by the circuit
13 clerk and then remitted to the State Treasurer for deposit into
14 the Roadside Memorial Fund, a special fund in the State
15 treasury. However, the court may waive the fee if full
16 restitution is complied with. Subject to appropriation, all
17 moneys in the Roadside Memorial Fund shall be used by the
18 Department of Transportation to pay fees imposed under
19 subsection (f) of Section 20 of the Roadside Memorial Act. The
20 fee shall be remitted by the circuit clerk within one month
21 after receipt to the State Treasurer for deposit into the
22 Roadside Memorial Fund.

23 (m) Of the amounts collected as fines under subsection (c)
24 of Section 411.4 of the Illinois Controlled Substances Act or
25 subsection (c) of Section 90 of the Methamphetamine Control and
26 Community Protection Act, 99% shall be deposited to the law

1 enforcement agency or fund specified and 1% shall be deposited
2 into the Circuit Court Clerk Operation and Administrative Fund
3 to be used to offset the costs incurred by the Circuit Court
4 Clerk in performing the additional duties required to collect
5 and disburse funds to entities of State and local government as
6 provided by law.

7 (n) In addition to any other fines and court costs assessed
8 by the courts, any person who is convicted of or pleads guilty
9 to a violation of the Criminal Code of 1961 or the Criminal
10 Code of 2012, or a similar provision of a local ordinance, or
11 who is convicted of, pleads guilty to, or receives a
12 disposition of court supervision for a violation of the
13 Illinois Vehicle Code, or a similar provision of a local
14 ordinance, shall pay an additional fee of \$15 to the clerk of
15 the circuit court. This additional fee of \$15 shall not be
16 considered a part of the fine for purposes of any reduction in
17 the fine for time served either before or after sentencing.
18 This amount, less 2.5% that shall be used to defray
19 administrative costs incurred by the clerk, shall be remitted
20 by the clerk to the State Treasurer within 60 days after
21 receipt for deposit into the State Police Merit Board Public
22 Safety Fund.

23 (o) The amounts collected as fines under Sections 10-9,
24 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall
25 be collected by the circuit clerk and distributed as provided
26 under Section 5-9-1.21 of the Unified Code of Corrections in

1 lieu of any disbursement under subsection (a) of this Section.

2 (p) In addition to any other fees and penalties imposed,
3 any person who is convicted of or pleads guilty to a violation
4 of Section 20-1 or Section 20-1.1 of the Criminal Code of 2012
5 shall pay an additional fee of \$250 to the clerk of the circuit
6 court. This additional fee of \$250 shall not be considered a
7 part of the fine for purposes of any reduction in the fine for
8 time served either before or after sentencing. This amount,
9 less 2.5% that shall be used to defray administrative costs
10 incurred by the clerk, shall be remitted by the clerk to the
11 Department of Insurance within 60 days after receipt for
12 deposit into the George Bailey Memorial Fund.

13 (Source: P.A. 98-658, eff. 6-23-14; 98-1013, eff. 1-1-15;
14 99-78, eff. 7-20-15; 99-455, eff. 1-1-16.)

15 (705 ILCS 105/27.7)

16 Sec. 27.7. Children's waiting room. The expense of
17 establishing and maintaining a children's waiting room for
18 children whose parents or guardians are attending a court
19 hearing as a litigant, witness, or for other court purposes as
20 determined by the court may be borne by the county. To defray
21 that expense in any county having established a children's
22 waiting room or that elects to establish such a system, the
23 county board may require the clerk of the circuit court in the
24 county to charge and collect a children's waiting room fee of
25 not more than \$10 through December 31, 2021 and not more than

1 \$8 on and after January 1, 2022. The fee shall be paid at the
2 time of filing the first pleading, paper, or other appearance
3 filed by each party in all civil cases. No additional fee shall
4 be required if more than one party is presented in a single
5 pleading, paper, or other appearance. The fee shall be
6 collected in the manner in which all other fees or costs are
7 collected.

8 Each clerk shall commence the charges and collection upon
9 receipt of written notice from the chairman of the county board
10 together with a certified copy of the board's resolution. The
11 clerk shall file the resolution of record in his or her office.

12 The fees shall be in addition to all other fees and charges
13 of the clerks, shall be assessable as costs, and may be waived
14 only if the judge specifically provides for the waiver of the
15 children's waiting room fee. The fees shall be remitted monthly
16 by the clerk to the county treasurer, to be retained by the
17 treasurer in a special fund designated as the children's
18 waiting room fund. The fund shall be audited by the county
19 auditor, and the county board shall make expenditure from the
20 fund in payment of any cost related to the establishment and
21 maintenance of the children's waiting room, including
22 personnel, heat, light, telephone, security, rental of space,
23 or any other item in connection with the operation of a
24 children's waiting room.

25 The fees shall not be charged in any matter coming to the
26 clerk on a change of venue, nor in any proceeding to review the

1 decision of any administrative officer, agency, or body.

2 (Source: P.A. 99-859, eff. 8-19-16.)

3 Section 100. The Juvenile Court Act of 1987 is amended by
4 changing Section 5-915 as follows:

5 (705 ILCS 405/5-915)

6 (Text of Section before amendment by P.A. 100-987)

7 Sec. 5-915. Expungement of juvenile law enforcement and
8 juvenile court records.

9 (0.05) (Blank).

10 (0.1) (a) Except as otherwise provided in subsection (0.15)
11 of this Section, the Department of State Police and all law
12 enforcement agencies within the State shall automatically
13 expunge, on or before January 1 of each year, all juvenile law
14 enforcement records relating to events occurring before an
15 individual's 18th birthday if:

16 (1) one year or more has elapsed since the date of the
17 arrest or law enforcement interaction documented in the
18 records;

19 (2) no petition for delinquency or criminal charges
20 were filed with the clerk of the circuit court relating to
21 the arrest or law enforcement interaction documented in the
22 records; and

23 (3) 6 months have elapsed since the date of the arrest
24 without an additional subsequent arrest or filing of a

1 petition for delinquency or criminal charges whether
2 related or not to the arrest or law enforcement interaction
3 documented in the records.

4 (b) If the law enforcement agency is unable to verify
5 satisfaction of conditions (2) and (3) of this subsection
6 (0.1), records that satisfy condition (1) of this subsection
7 (0.1) shall be automatically expunged if the records relate to
8 an offense that if committed by an adult would not be an
9 offense classified as Class 2 felony or higher, an offense
10 under Article 11 of the Criminal Code of 1961 or Criminal Code
11 of 2012, or an offense under Section 12-13, 12-14, 12-14.1,
12 12-15, or 12-16 of the Criminal Code of 1961.

13 (0.15) If a juvenile law enforcement record meets paragraph
14 (a) of subsection (0.1) of this Section, a juvenile law
15 enforcement record created:

16 (1) prior to January 1, 2018, but on or after January
17 1, 2013 shall be automatically expunged prior to January 1,
18 2020;

19 (2) prior to January 1, 2013, but on or after January
20 1, 2000, shall be automatically expunged prior to January
21 1, 2023; and

22 (3) prior to January 1, 2000 shall not be subject to
23 the automatic expungement provisions of this Act.

24 Nothing in this subsection (0.15) shall be construed to
25 restrict or modify an individual's right to have his or her
26 juvenile law enforcement records expunged except as otherwise

1 may be provided in this Act.

2 (0.2) (a) Upon dismissal of a petition alleging delinquency
3 or upon a finding of not delinquent, the successful termination
4 of an order of supervision, or the successful termination of an
5 adjudication for an offense which would be a Class B
6 misdemeanor, Class C misdemeanor, or a petty or business
7 offense if committed by an adult, the court shall automatically
8 order the expungement of the juvenile court records and
9 juvenile law enforcement records. The clerk shall deliver a
10 certified copy of the expungement order to the Department of
11 State Police and the arresting agency. Upon request, the
12 State's Attorney shall furnish the name of the arresting
13 agency. The expungement shall be completed within 60 business
14 days after the receipt of the expungement order.

15 (b) If the chief law enforcement officer of the agency, or
16 his or her designee, certifies in writing that certain
17 information is needed for a pending investigation involving the
18 commission of a felony, that information, and information
19 identifying the juvenile, may be retained until the statute of
20 limitations for the felony has expired. If the chief law
21 enforcement officer of the agency, or his or her designee,
22 certifies in writing that certain information is needed with
23 respect to an internal investigation of any law enforcement
24 office, that information and information identifying the
25 juvenile may be retained within an intelligence file until the
26 investigation is terminated or the disciplinary action,

1 including appeals, has been completed, whichever is later.
2 Retention of a portion of a juvenile's law enforcement record
3 does not disqualify the remainder of his or her record from
4 immediate automatic expungement.

5 (0.3) (a) Upon an adjudication of delinquency based on any
6 offense except a disqualified offense, the juvenile court shall
7 automatically order the expungement of the juvenile court and
8 law enforcement records 2 years after the juvenile's case was
9 closed if no delinquency or criminal proceeding is pending and
10 the person has had no subsequent delinquency adjudication or
11 criminal conviction. The clerk shall deliver a certified copy
12 of the expungement order to the Department of State Police and
13 the arresting agency. Upon request, the State's Attorney shall
14 furnish the name of the arresting agency. The expungement shall
15 be completed within 60 business days after the receipt of the
16 expungement order. In this subsection (0.3), "disqualified
17 offense" means any of the following offenses: Section 8-1.2,
18 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1, 10-2, 10-3, 10-3.1,
19 10-4, 10-5, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,
20 11-6, 11-6.5, 12-2, 12-3.05, 12-3.3, 12-4.4a, 12-5.02, 12-6.2,
21 12-6.5, 12-7.1, 12-7.5, 12-20.5, 12-32, 12-33, 12-34, 12-34.5,
22 18-1, 18-2, 18-3, 18-4, 18-6, 19-3, 19-6, 20-1, 20-1.1, 24-1.2,
23 24-1.2-5, 24-1.5, 24-3A, 24-3B, 24-3.2, 24-3.8, 24-3.9,
24 29D-14.9, 29D-20, 30-1, 31-1a, 32-4a, or 33A-2 of the Criminal
25 Code of 2012, or subsection (b) of Section 8-1, paragraph (4)
26 of subsection (a) of Section 11-14.4, subsection (a-5) of

1 Section 12-3.1, paragraph (1), (2), or (3) of subsection (a) of
2 Section 12-6, subsection (a-3) or (a-5) of Section 12-7.3,
3 paragraph (1) or (2) of subsection (a) of Section 12-7.4,
4 subparagraph (i) of paragraph (1) of subsection (a) of Section
5 12-9, subparagraph (H) of paragraph (3) of subsection (a) of
6 Section 24-1.6, paragraph (1) of subsection (a) of Section
7 25-1, or subsection (a-7) of Section 31-1 of the Criminal Code
8 of 2012.

9 (b) If the chief law enforcement officer of the agency, or
10 his or her designee, certifies in writing that certain
11 information is needed for a pending investigation involving the
12 commission of a felony, that information, and information
13 identifying the juvenile, may be retained in an intelligence
14 file until the investigation is terminated or for one
15 additional year, whichever is sooner. Retention of a portion of
16 a juvenile's juvenile law enforcement record does not
17 disqualify the remainder of his or her record from immediate
18 automatic expungement.

19 (0.4) Automatic expungement for the purposes of this
20 Section shall not require law enforcement agencies to
21 obliterate or otherwise destroy juvenile law enforcement
22 records that would otherwise need to be automatically expunged
23 under this Act, except after 2 years following the subject
24 arrest for purposes of use in civil litigation against a
25 governmental entity or its law enforcement agency or personnel
26 which created, maintained, or used the records. However these

1 juvenile law enforcement records shall be considered expunged
2 for all other purposes during this period and the offense,
3 which the records or files concern, shall be treated as if it
4 never occurred as required under Section 5-923.

5 (0.5) Subsection (0.1) or (0.2) of this Section does not
6 apply to violations of traffic, boating, fish and game laws, or
7 county or municipal ordinances.

8 (0.6) Juvenile law enforcement records of a plaintiff who
9 has filed civil litigation against the governmental entity or
10 its law enforcement agency or personnel that created,
11 maintained, or used the records or juvenile law enforcement
12 records that contain information related to the allegations set
13 forth in the civil litigation may not be expunged until after 2
14 years have elapsed after the conclusion of the lawsuit,
15 including any appeal.

16 (0.7) Officer-worn body camera recordings shall not be
17 automatically expunged except as otherwise authorized by the
18 Law Enforcement Officer-Worn Body Camera Act.

19 (1) Whenever a person has been arrested, charged, or
20 adjudicated delinquent for an incident occurring before his or
21 her 18th birthday that if committed by an adult would be an
22 offense, and that person's juvenile law enforcement and
23 juvenile court records are not eligible for automatic
24 expungement under subsection (0.1), (0.2), or (0.3), the person
25 may petition the court at any time for expungement of juvenile
26 law enforcement records and juvenile court records relating to

1 the incident and, upon termination of all juvenile court
2 proceedings relating to that incident, the court shall order
3 the expungement of all records in the possession of the
4 Department of State Police, the clerk of the circuit court, and
5 law enforcement agencies relating to the incident, but only in
6 any of the following circumstances:

7 (a) the minor was arrested and no petition for
8 delinquency was filed with the clerk of the circuit court;

9 (a-5) the minor was charged with an offense and the
10 petition or petitions were dismissed without a finding of
11 delinquency;

12 (b) the minor was charged with an offense and was found
13 not delinquent of that offense;

14 (c) the minor was placed under supervision under
15 Section 5-615, and the order of supervision has since been
16 successfully terminated; or

17 (d) the minor was adjudicated for an offense which
18 would be a Class B misdemeanor, Class C misdemeanor, or a
19 petty or business offense if committed by an adult.

20 (1.5) The Department of State Police shall allow a person
21 to use the Access and Review process, established in the
22 Department of State Police, for verifying that his or her
23 juvenile law enforcement records relating to incidents
24 occurring before his or her 18th birthday eligible under this
25 Act have been expunged.

26 (1.6) (Blank).

1 (1.7) (Blank).

2 (1.8) (Blank).

3 (2) Any person whose delinquency adjudications are not
4 eligible for automatic expungement under subsection (0.3) of
5 this Section may petition the court to expunge all juvenile law
6 enforcement records relating to any incidents occurring before
7 his or her 18th birthday which did not result in proceedings in
8 criminal court and all juvenile court records with respect to
9 any adjudications except those based upon first degree murder
10 or an offense under Article 11 of the Criminal Code of 2012 if
11 the person is required to register under the Sex Offender
12 Registration Act at the time he or she petitions the court for
13 expungement; provided that:

14 (a) (blank); or

15 (b) 2 years have elapsed since all juvenile court
16 proceedings relating to him or her have been terminated and
17 his or her commitment to the Department of Juvenile Justice
18 under this Act has been terminated.

19 (2.5) If a minor is arrested and no petition for
20 delinquency is filed with the clerk of the circuit court at the
21 time the minor is released from custody, the youth officer, if
22 applicable, or other designated person from the arresting
23 agency, shall notify verbally and in writing to the minor or
24 the minor's parents or guardians that the minor shall have an
25 arrest record and shall provide the minor and the minor's
26 parents or guardians with an expungement information packet,

1 information regarding this State's expungement laws including
2 a petition to expunge juvenile law enforcement and juvenile
3 court records obtained from the clerk of the circuit court.

4 (2.6) If a minor is referred to court then at the time of
5 sentencing or dismissal of the case, or successful completion
6 of supervision, the judge shall inform the delinquent minor of
7 his or her rights regarding expungement and the clerk of the
8 circuit court shall provide an expungement information packet
9 to the minor, written in plain language, including information
10 regarding this State's expungement laws and a petition for
11 expungement, a sample of a completed petition, expungement
12 instructions that shall include information informing the
13 minor that (i) once the case is expunged, it shall be treated
14 as if it never occurred, (ii) he or she may apply to have
15 petition fees waived, (iii) once he or she obtains an
16 expungement, he or she may not be required to disclose that he
17 or she had a juvenile law enforcement or juvenile court record,
18 and (iv) if petitioning he or she may file the petition on his
19 or her own or with the assistance of an attorney. The failure
20 of the judge to inform the delinquent minor of his or her right
21 to petition for expungement as provided by law does not create
22 a substantive right, nor is that failure grounds for: (i) a
23 reversal of an adjudication of delinquency, (ii) a new trial;
24 or (iii) an appeal.

25 (2.7) (Blank).

26 (2.8) (Blank).

1 (3) (Blank).

2 (3.1) (Blank).

3 (3.2) (Blank).

4 (3.3) (Blank).

5 (4) (Blank).

6 (5) (Blank).

7 (5.5) Whether or not expunged, records eligible for
8 automatic expungement under subdivision (0.1) (a), (0.2) (a), or
9 (0.3) (a) may be treated as expunged by the person who is the
10 subject of the records.

11 (6) (Blank).

12 (6.5) The Department of State Police or any employee of the
13 Department shall be immune from civil or criminal liability for
14 failure to expunge any records of arrest that are subject to
15 expungement under this Section because of inability to verify a
16 record. Nothing in this Section shall create Department of
17 State Police liability or responsibility for the expungement of
18 juvenile law enforcement records it does not possess.

19 (7) (Blank).

20 (7.5) (Blank).

21 (8) (a) (Blank).

22 (b) (Blank).

23 (c) The expungement of juvenile law enforcement or juvenile
24 court records under subsection (0.1), (0.2), or (0.3) of this
25 Section shall be funded by the additional fine imposed under
26 Section 5-9-1.17 of the Unified Code of Corrections.

1 (9) (Blank).

2 (10) (Blank).

3 (Source: P.A. 99-835, eff. 1-1-17; 99-881, eff. 1-1-17;
4 100-201, eff. 8-18-17; 100-285, eff. 1-1-18; 100-720, eff.
5 8-3-18; 100-863, eff. 8-14-18; 100-1162, eff. 12-20-18.)

6 (Text of Section after amendment by P.A. 100-987)

7 Sec. 5-915. Expungement of juvenile law enforcement and
8 juvenile court records.

9 (0.05) (Blank).

10 (0.1) (a) The Department of State Police and all law
11 enforcement agencies within the State shall automatically
12 expunge, on or before January 1 of each year, all juvenile law
13 enforcement records relating to events occurring before an
14 individual's 18th birthday if:

15 (1) one year or more has elapsed since the date of the
16 arrest or law enforcement interaction documented in the
17 records;

18 (2) no petition for delinquency or criminal charges
19 were filed with the clerk of the circuit court relating to
20 the arrest or law enforcement interaction documented in the
21 records; and

22 (3) 6 months have elapsed since the date of the arrest
23 without an additional subsequent arrest or filing of a
24 petition for delinquency or criminal charges whether
25 related or not to the arrest or law enforcement interaction

1 documented in the records.

2 (b) If the law enforcement agency is unable to verify
3 satisfaction of conditions (2) and (3) of this subsection
4 (0.1), records that satisfy condition (1) of this subsection
5 (0.1) shall be automatically expunged if the records relate to
6 an offense that if committed by an adult would not be an
7 offense classified as Class 2 felony or higher, an offense
8 under Article 11 of the Criminal Code of 1961 or Criminal Code
9 of 2012, or an offense under Section 12-13, 12-14, 12-14.1,
10 12-15, or 12-16 of the Criminal Code of 1961.

11 (0.15) If a juvenile law enforcement record meets paragraph
12 (a) of subsection (0.1) of this Section, a juvenile law
13 enforcement record created:

14 (1) prior to January 1, 2018, but on or after January
15 1, 2013 shall be automatically expunged prior to January 1,
16 2020;

17 (2) prior to January 1, 2013, but on or after January
18 1, 2000, shall be automatically expunged prior to January
19 1, 2023; and

20 (3) prior to January 1, 2000 shall not be subject to
21 the automatic expungement provisions of this Act.

22 Nothing in this subsection (0.15) shall be construed to
23 restrict or modify an individual's right to have his or her
24 juvenile law enforcement records expunged except as otherwise
25 may be provided in this Act.

26 (0.2) (a) Upon dismissal of a petition alleging delinquency

1 or upon a finding of not delinquent, the successful termination
2 of an order of supervision, or the successful termination of an
3 adjudication for an offense which would be a Class B
4 misdemeanor, Class C misdemeanor, or a petty or business
5 offense if committed by an adult, the court shall automatically
6 order the expungement of the juvenile court records and
7 juvenile law enforcement records. The clerk shall deliver a
8 certified copy of the expungement order to the Department of
9 State Police and the arresting agency. Upon request, the
10 State's Attorney shall furnish the name of the arresting
11 agency. The expungement shall be completed within 60 business
12 days after the receipt of the expungement order.

13 (b) If the chief law enforcement officer of the agency, or
14 his or her designee, certifies in writing that certain
15 information is needed for a pending investigation involving the
16 commission of a felony, that information, and information
17 identifying the juvenile, may be retained until the statute of
18 limitations for the felony has run. If the chief law
19 enforcement officer of the agency, or his or her designee,
20 certifies in writing that certain information is needed with
21 respect to an internal investigation of any law enforcement
22 office, that information and information identifying the
23 juvenile may be retained within an intelligence file until the
24 investigation is terminated or the disciplinary action,
25 including appeals, has been completed, whichever is later.
26 Retention of a portion of a juvenile's law enforcement record

1 does not disqualify the remainder of his or her record from
2 immediate automatic expungement.

3 (0.3) (a) Upon an adjudication of delinquency based on any
4 offense except a disqualified offense, the juvenile court shall
5 automatically order the expungement of the juvenile court and
6 law enforcement records 2 years after the juvenile's case was
7 closed if no delinquency or criminal proceeding is pending and
8 the person has had no subsequent delinquency adjudication or
9 criminal conviction. The clerk shall deliver a certified copy
10 of the expungement order to the Department of State Police and
11 the arresting agency. Upon request, the State's Attorney shall
12 furnish the name of the arresting agency. The expungement shall
13 be completed within 60 business days after the receipt of the
14 expungement order. In this subsection (0.3), "disqualified
15 offense" means any of the following offenses: Section 8-1.2,
16 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1, 10-2, 10-3, 10-3.1,
17 10-4, 10-5, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,
18 11-6, 11-6.5, 12-2, 12-3.05, 12-3.3, 12-4.4a, 12-5.02, 12-6.2,
19 12-6.5, 12-7.1, 12-7.5, 12-20.5, 12-32, 12-33, 12-34, 12-34.5,
20 18-1, 18-2, 18-3, 18-4, 18-6, 19-3, 19-6, 20-1, 20-1.1, 24-1.2,
21 24-1.2-5, 24-1.5, 24-3A, 24-3B, 24-3.2, 24-3.8, 24-3.9,
22 29D-14.9, 29D-20, 30-1, 31-1a, 32-4a, or 33A-2 of the Criminal
23 Code of 2012, or subsection (b) of Section 8-1, paragraph (4)
24 of subsection (a) of Section 11-14.4, subsection (a-5) of
25 Section 12-3.1, paragraph (1), (2), or (3) of subsection (a) of
26 Section 12-6, subsection (a-3) or (a-5) of Section 12-7.3,

1 paragraph (1) or (2) of subsection (a) of Section 12-7.4,
2 subparagraph (i) of paragraph (1) of subsection (a) of Section
3 12-9, subparagraph (H) of paragraph (3) of subsection (a) of
4 Section 24-1.6, paragraph (1) of subsection (a) of Section
5 25-1, or subsection (a-7) of Section 31-1 of the Criminal Code
6 of 2012.

7 (b) If the chief law enforcement officer of the agency, or
8 his or her designee, certifies in writing that certain
9 information is needed for a pending investigation involving the
10 commission of a felony, that information, and information
11 identifying the juvenile, may be retained in an intelligence
12 file until the investigation is terminated or for one
13 additional year, whichever is sooner. Retention of a portion of
14 a juvenile's juvenile law enforcement record does not
15 disqualify the remainder of his or her record from immediate
16 automatic expungement.

17 (0.4) Automatic expungement for the purposes of this
18 Section shall not require law enforcement agencies to
19 obliterate or otherwise destroy juvenile law enforcement
20 records that would otherwise need to be automatically expunged
21 under this Act, except after 2 years following the subject
22 arrest for purposes of use in civil litigation against a
23 governmental entity or its law enforcement agency or personnel
24 which created, maintained, or used the records. However these
25 juvenile law enforcement records shall be considered expunged
26 for all other purposes during this period and the offense,

1 which the records or files concern, shall be treated as if it
2 never occurred as required under Section 5-923.

3 (0.5) Subsection (0.1) or (0.2) of this Section does not
4 apply to violations of traffic, boating, fish and game laws, or
5 county or municipal ordinances.

6 (0.6) Juvenile law enforcement records of a plaintiff who
7 has filed civil litigation against the governmental entity or
8 its law enforcement agency or personnel that created,
9 maintained, or used the records, or juvenile law enforcement
10 records that contain information related to the allegations set
11 forth in the civil litigation may not be expunged until after 2
12 years have elapsed after the conclusion of the lawsuit,
13 including any appeal.

14 (0.7) Officer-worn body camera recordings shall not be
15 automatically expunged except as otherwise authorized by the
16 Law Enforcement Officer-Worn Body Camera Act.

17 (1) Whenever a person has been arrested, charged, or
18 adjudicated delinquent for an incident occurring before his or
19 her 18th birthday that if committed by an adult would be an
20 offense, and that person's juvenile law enforcement and
21 juvenile court records are not eligible for automatic
22 expungement under subsection (0.1), (0.2), or (0.3), the person
23 may petition the court at any time for expungement of juvenile
24 law enforcement records and juvenile court records relating to
25 the incident and, upon termination of all juvenile court
26 proceedings relating to that incident, the court shall order

1 the expungement of all records in the possession of the
2 Department of State Police, the clerk of the circuit court, and
3 law enforcement agencies relating to the incident, but only in
4 any of the following circumstances:

5 (a) the minor was arrested and no petition for
6 delinquency was filed with the clerk of the circuit court;

7 (a-5) the minor was charged with an offense and the
8 petition or petitions were dismissed without a finding of
9 delinquency;

10 (b) the minor was charged with an offense and was found
11 not delinquent of that offense;

12 (c) the minor was placed under supervision under
13 Section 5-615, and the order of supervision has since been
14 successfully terminated; or

15 (d) the minor was adjudicated for an offense which
16 would be a Class B misdemeanor, Class C misdemeanor, or a
17 petty or business offense if committed by an adult.

18 (1.5) The Department of State Police shall allow a person
19 to use the Access and Review process, established in the
20 Department of State Police, for verifying that his or her
21 juvenile law enforcement records relating to incidents
22 occurring before his or her 18th birthday eligible under this
23 Act have been expunged.

24 (1.6) (Blank).

25 (1.7) (Blank).

26 (1.8) (Blank).

1 (2) Any person whose delinquency adjudications are not
2 eligible for automatic expungement under subsection (0.3) of
3 this Section may petition the court to expunge all juvenile law
4 enforcement records relating to any incidents occurring before
5 his or her 18th birthday which did not result in proceedings in
6 criminal court and all juvenile court records with respect to
7 any adjudications except those based upon first degree murder
8 or an offense under Article 11 of the Criminal Code of 2012 if
9 the person is required to register under the Sex Offender
10 Registration Act at the time he or she petitions the court for
11 expungement; provided that:

12 (a) (blank); or

13 (b) 2 years have elapsed since all juvenile court
14 proceedings relating to him or her have been terminated and
15 his or her commitment to the Department of Juvenile Justice
16 under this Act has been terminated.

17 (2.5) If a minor is arrested and no petition for
18 delinquency is filed with the clerk of the circuit court at the
19 time the minor is released from custody, the youth officer, if
20 applicable, or other designated person from the arresting
21 agency, shall notify verbally and in writing to the minor or
22 the minor's parents or guardians that the minor shall have an
23 arrest record and shall provide the minor and the minor's
24 parents or guardians with an expungement information packet,
25 information regarding this State's expungement laws including
26 a petition to expunge juvenile law enforcement and juvenile

1 court records obtained from the clerk of the circuit court.

2 (2.6) If a minor is referred to court then at the time of
3 sentencing or dismissal of the case, or successful completion
4 of supervision, the judge shall inform the delinquent minor of
5 his or her rights regarding expungement and the clerk of the
6 circuit court shall provide an expungement information packet
7 to the minor, written in plain language, including information
8 regarding this State's expungement laws and a petition for
9 expungement, a sample of a completed petition, expungement
10 instructions that shall include information informing the
11 minor that (i) once the case is expunged, it shall be treated
12 as if it never occurred, (ii) he or she may apply to have
13 petition fees waived, (iii) once he or she obtains an
14 expungement, he or she may not be required to disclose that he
15 or she had a juvenile law enforcement or juvenile court record,
16 and (iv) if petitioning he or she may file the petition on his
17 or her own or with the assistance of an attorney. The failure
18 of the judge to inform the delinquent minor of his or her right
19 to petition for expungement as provided by law does not create
20 a substantive right, nor is that failure grounds for: (i) a
21 reversal of an adjudication of delinquency, (ii) a new trial;
22 or (iii) an appeal.

23 (2.7) (Blank).

24 (2.8) (Blank).

25 (3) (Blank).

26 (3.1) (Blank).

1 (3.2) (Blank).

2 (3.3) (Blank).

3 (4) (Blank).

4 (5) (Blank).

5 (5.5) Whether or not expunged, records eligible for
6 automatic expungement under subdivision (0.1) (a), (0.2) (a), or
7 (0.3) (a) may be treated as expunged by the individual subject
8 to the records.

9 (6) (Blank).

10 (6.5) The Department of State Police or any employee of the
11 Department shall be immune from civil or criminal liability for
12 failure to expunge any records of arrest that are subject to
13 expungement under this Section because of inability to verify a
14 record. Nothing in this Section shall create Department of
15 State Police liability or responsibility for the expungement of
16 juvenile law enforcement records it does not possess.

17 (7) (Blank).

18 (7.5) (Blank).

19 (8) (a) (Blank).

20 (b) (Blank).

21 (c) The expungement of juvenile law enforcement or juvenile
22 court records under subsection (0.1), (0.2), or (0.3) of this
23 Section shall be funded by the additional fine imposed under
24 Section 5-9-1.17 of the Unified Code of Corrections
25 ~~appropriation by the General Assembly for that purpose.~~

26 (9) (Blank).

1 (10) (Blank).

2 (Source: P.A. 99-835, eff. 1-1-17; 99-881, eff. 1-1-17;
3 100-201, eff. 8-18-17; 100-285, eff. 1-1-18; 100-720, eff.
4 8-3-18; 100-863, eff. 8-14-18; 100-987, eff. 7-1-19; 100-1162,
5 eff. 12-20-18.)

6 Section 105. The Criminal Code of 2012 is amended by
7 changing Section 12-3.4 as follows:

8 (720 ILCS 5/12-3.4) (was 720 ILCS 5/12-30)

9 Sec. 12-3.4. Violation of an order of protection.

10 (a) A person commits violation of an order of protection
11 if:

12 (1) He or she knowingly commits an act which was
13 prohibited by a court or fails to commit an act which was
14 ordered by a court in violation of:

15 (i) a remedy in a valid order of protection
16 authorized under paragraphs (1), (2), (3), (14), or
17 (14.5) of subsection (b) of Section 214 of the Illinois
18 Domestic Violence Act of 1986,

19 (ii) a remedy, which is substantially similar to
20 the remedies authorized under paragraphs (1), (2),
21 (3), (14) or (14.5) of subsection (b) of Section 214 of
22 the Illinois Domestic Violence Act of 1986, in a valid
23 order of protection, which is authorized under the laws
24 of another state, tribe or United States territory,

1 (iii) any other remedy when the act constitutes a
2 crime against the protected parties as the term
3 protected parties is defined in Section 112A-4 of the
4 Code of Criminal Procedure of 1963; and

5 (2) Such violation occurs after the offender has been
6 served notice of the contents of the order, pursuant to the
7 Illinois Domestic Violence Act of 1986 or any substantially
8 similar statute of another state, tribe or United States
9 territory, or otherwise has acquired actual knowledge of
10 the contents of the order.

11 An order of protection issued by a state, tribal or
12 territorial court related to domestic or family violence shall
13 be deemed valid if the issuing court had jurisdiction over the
14 parties and matter under the law of the state, tribe or
15 territory. There shall be a presumption of validity where an
16 order is certified and appears authentic on its face. For
17 purposes of this Section, an "order of protection" may have
18 been issued in a criminal or civil proceeding.

19 (a-5) Failure to provide reasonable notice and opportunity
20 to be heard shall be an affirmative defense to any charge or
21 process filed seeking enforcement of a foreign order of
22 protection.

23 (b) Nothing in this Section shall be construed to diminish
24 the inherent authority of the courts to enforce their lawful
25 orders through civil or criminal contempt proceedings.

26 (c) The limitations placed on law enforcement liability by

1 Section 305 of the Illinois Domestic Violence Act of 1986 apply
2 to actions taken under this Section.

3 (d) Violation of an order of protection is a Class A
4 misdemeanor. Violation of an order of protection is a Class 4
5 felony if the defendant has any prior conviction under this
6 Code for domestic battery (Section 12-3.2) or violation of an
7 order of protection (Section 12-3.4 or 12-30) or any prior
8 conviction under the law of another jurisdiction for an offense
9 that could be charged in this State as a domestic battery or
10 violation of an order of protection. Violation of an order of
11 protection is a Class 4 felony if the defendant has any prior
12 conviction under this Code for first degree murder (Section
13 9-1), attempt to commit first degree murder (Section 8-4),
14 aggravated domestic battery (Section 12-3.3), aggravated
15 battery (Section 12-3.05 or 12-4), heinous battery (Section
16 12-4.1), aggravated battery with a firearm (Section 12-4.2),
17 aggravated battery with a machine gun or a firearm equipped
18 with a silencer (Section 12-4.2-5), aggravated battery of a
19 child (Section 12-4.3), aggravated battery of an unborn child
20 (subsection (a-5) of Section 12-3.1, or Section 12-4.4),
21 aggravated battery of a senior citizen (Section 12-4.6),
22 stalking (Section 12-7.3), aggravated stalking (Section
23 12-7.4), criminal sexual assault (Section 11-1.20 or 12-13),
24 aggravated criminal sexual assault (Section 11-1.30 or 12-14),
25 kidnapping (Section 10-1), aggravated kidnapping (Section
26 10-2), predatory criminal sexual assault of a child (Section

1 11-1.40 or 12-14.1), aggravated criminal sexual abuse (Section
2 11-1.60 or 12-16), unlawful restraint (Section 10-3),
3 aggravated unlawful restraint (Section 10-3.1), aggravated
4 arson (Section 20-1.1), aggravated discharge of a firearm
5 (Section 24-1.2), or a violation of any former law of this
6 State that is substantially similar to any listed offense, or
7 any prior conviction under the law of another jurisdiction for
8 an offense that could be charged in this State as one of the
9 offenses listed in this Section, when any of these offenses
10 have been committed against a family or household member as
11 defined in Section 112A-3 of the Code of Criminal Procedure of
12 1963. The court shall impose a minimum penalty of 24 hours
13 imprisonment for defendant's second or subsequent violation of
14 any order of protection; unless the court explicitly finds that
15 an increased penalty or such period of imprisonment would be
16 manifestly unjust. In addition to any other penalties, the
17 court may order the defendant to pay a fine as authorized under
18 Section 5-9-1 of the Unified Code of Corrections or to make
19 restitution to the victim under Section 5-5-6 of the Unified
20 Code of Corrections. In addition to any other penalties,
21 including those imposed by Section 5-9-1.5 of the Unified Code
22 of Corrections, the court shall impose an additional fine of
23 \$20 as authorized by Section 5-9-1.11 of the Unified Code of
24 Corrections upon any person convicted of or placed on
25 supervision for a violation of this Section. The additional
26 fine shall be imposed for each violation of this Section.

1 (e) (Blank).

2 (f) A defendant who directed the actions of a third party
3 to violate this Section, under the principles of accountability
4 set forth in Article 5 of this Code, is guilty of violating
5 this Section as if the same had been personally done by the
6 defendant, without regard to the mental state of the third
7 party acting at the direction of the defendant.

8 (Source: P.A. 96-1551, Article 1, Section 5, eff. 7-1-11;
9 96-1551, Article 2, Section 1035, eff. 7-1-11; incorporates
10 97-311, eff. 8-11-11; 97-919, eff. 8-10-12; 97-1109, eff.
11 1-1-13.)

12 Section 110. The Cannabis Control Act is amended by
13 reenacting Section 10.3 as follows:

14 (720 ILCS 550/10.3) (from Ch. 56 1/2, par. 710.3)

15 Sec. 10.3. (a) Every person convicted of a violation of
16 this Act, and every person placed on probation, conditional
17 discharge, supervision or probation under Section 10 of this
18 Act, shall be assessed for each offense a sum fixed at:

19 (1) \$3,000 for a Class X felony;

20 (2) \$2,000 for a Class 1 felony;

21 (3) \$1,000 for a Class 2 felony;

22 (4) \$500 for a Class 3 or Class 4 felony;

23 (5) \$300 for a Class A misdemeanor;

24 (6) \$200 for a Class B or Class C misdemeanor.

1 (b) The assessment under this Section is in addition to and
2 not in lieu of any fines, restitution costs, forfeitures or
3 other assessments authorized or required by law.

4 (c) As a condition of the assessment, the court may require
5 that payment be made in specified installments or within a
6 specified period of time. If the assessment is not paid within
7 the period of probation, conditional discharge or supervision
8 to which the defendant was originally sentenced, the court may
9 extend the period of probation, conditional discharge or
10 supervision pursuant to Section 5-6-2 or 5-6-3.1 of the Unified
11 Code of Corrections, as applicable, until the assessment is
12 paid or until successful completion of public or community
13 service set forth in subsection (e) or the successful
14 completion of the substance abuse intervention or treatment
15 program set forth in subsection (f). If a term of probation,
16 conditional discharge or supervision is not imposed, the
17 assessment shall be payable upon judgment or as directed by the
18 court.

19 (d) If an assessment for a violation of this Act is imposed
20 on an organization, it is the duty of each individual
21 authorized to make disbursements of the assets of the
22 organization to pay the assessment from assets of the
23 organization.

24 (e) A defendant who has been ordered to pay an assessment
25 may petition the court to convert all or part of the assessment
26 into court-approved public or community service. One hour of

1 public or community service shall be equivalent to \$4 of
2 assessment. The performance of this public or community service
3 shall be a condition of the probation, conditional discharge or
4 supervision and shall be in addition to the performance of any
5 other period of public or community service ordered by the
6 court or required by law.

7 (f) The court may suspend the collection of the assessment
8 imposed under this Section; provided the defendant agrees to
9 enter a substance abuse intervention or treatment program
10 approved by the court; and further provided that the defendant
11 agrees to pay for all or some portion of the costs associated
12 with the intervention or treatment program. In this case, the
13 collection of the assessment imposed under this Section shall
14 be suspended during the defendant's participation in the
15 approved intervention or treatment program. Upon successful
16 completion of the program, the defendant may apply to the court
17 to reduce the assessment imposed under this Section by any
18 amount actually paid by the defendant for his participation in
19 the program. The court shall not reduce the penalty under this
20 subsection unless the defendant establishes to the
21 satisfaction of the court that he has successfully completed
22 the intervention or treatment program. If the defendant's
23 participation is for any reason terminated before his
24 successful completion of the intervention or treatment
25 program, collection of the entire assessment imposed under this
26 Section shall be enforced. Nothing in this Section shall be

1 deemed to affect or suspend any other fines, restitution costs,
2 forfeitures or assessments imposed under this or any other Act.

3 (g) The court shall not impose more than one assessment per
4 complaint, indictment or information. If the person is
5 convicted of more than one offense in a complaint, indictment
6 or information, the assessment shall be based on the highest
7 class offense for which the person is convicted.

8 (h) All moneys collected under this Section shall be
9 forwarded by the clerk of the circuit court to the State
10 Treasurer for deposit in the Drug Treatment Fund and expended
11 as provided in Section 411.2 of the Illinois Controlled
12 Substances Act.

13 (Source: P.A. 87-772.)

14 Section 115. The Illinois Controlled Substances Act is
15 amended by changing Section 411.2 as follows:

16 (720 ILCS 570/411.2) (from Ch. 56 1/2, par. 1411.2)

17 Sec. 411.2. ~~Drug Treatment Fund; drug treatment grants.~~

18 (a) ~~(Blank).~~ Every person convicted of a violation of this
19 Act, and every person placed on probation, conditional
20 discharge, supervision or probation under Section 410 of this
21 Act, shall be assessed for each offense a sum fixed at:

22 (1) \$3,000 for a Class X felony;

23 (2) \$2,000 for a Class 1 felony;

24 (3) \$1,000 for a Class 2 felony;

1 (4) \$500 for a Class 3 or Class 4 felony;

2 (5) \$300 for a Class A misdemeanor;

3 (6) \$200 for a Class B or Class C misdemeanor.

4 (b) ~~(Blank)~~. The assessment under this Section is in
5 addition to and not in lieu of any fines, restitution costs,
6 forfeitures or other assessments authorized or required by law.

7 (c) ~~(Blank)~~. As a condition of the assessment, the court
8 may require that payment be made in specified installments or
9 within a specified period of time. If the assessment is not
10 paid within the period of probation, conditional discharge or
11 supervision to which the defendant was originally sentenced,
12 the court may extend the period of probation, conditional
13 discharge or supervision pursuant to Section 5-6-2 or 5-6-3.1
14 of the Unified Code of Corrections, as applicable, until the
15 assessment is paid or until successful completion of public or
16 community service set forth in subsection (e) or the successful
17 completion of the substance abuse intervention or treatment
18 program set forth in subsection (f). If a term of probation,
19 conditional discharge or supervision is not imposed, the
20 assessment shall be payable upon judgment or as directed by the
21 court.

22 (d) ~~(Blank)~~. If an assessment for a violation of this Act
23 is imposed on an organization, it is the duty of each
24 individual authorized to make disbursements of the assets of
25 the organization to pay the assessment from assets of the
26 organization.

1 (e) ~~(Blank)~~. A defendant who has been ordered to pay an
2 assessment may petition the court to convert all or part of the
3 assessment into court-approved public or community service.
4 One hour of public or community service shall be equivalent to
5 \$4 of assessment. The performance of this public or community
6 service shall be a condition of the probation, conditional
7 discharge or supervision and shall be in addition to the
8 performance of any other period of public or community service
9 ordered by the court or required by law.

10 (f) ~~(Blank)~~. The court may suspend the collection of the
11 assessment imposed under this Section; provided the defendant
12 agrees to enter a substance abuse intervention or treatment
13 program approved by the court; and further provided that the
14 defendant agrees to pay for all or some portion of the costs
15 associated with the intervention or treatment program. In this
16 case, the collection of the assessment imposed under this
17 Section shall be suspended during the defendant's
18 participation in the approved intervention or treatment
19 program. Upon successful completion of the program, the
20 defendant may apply to the court to reduce the assessment
21 imposed under this Section by any amount actually paid by the
22 defendant for his or her participation in the program. The
23 court shall not reduce the penalty under this subsection unless
24 the defendant establishes to the satisfaction of the court that
25 he or she has successfully completed the intervention or
26 treatment program. If the defendant's participation is for any

1 reason terminated before his or her successful completion of
2 the intervention or treatment program, collection of the entire
3 assessment imposed under this Section shall be enforced.
4 Nothing in this Section shall be deemed to affect or suspend
5 any other fines, restitution costs, forfeitures or assessments
6 imposed under this or any other Act.

7 (g) ~~(Blank)~~. The court shall not impose more than one
8 assessment per complaint, indictment or information. If the
9 person is convicted of more than one offense in a complaint,
10 indictment or information, the assessment shall be based on the
11 highest class offense for which the person is convicted.

12 (h) ~~The~~ In counties under 3,000,000, all moneys collected
13 under this Section shall be forwarded by the clerk of the
14 circuit court to the State Treasurer for deposit in the Drug
15 Treatment Fund, which is hereby established as a special fund
16 within the State Treasury. The Department of Human Services may
17 make grants to persons licensed under Section 15-10 of the
18 Alcoholism and Other Drug Abuse and Dependency Act or to
19 municipalities or counties from funds appropriated to the
20 Department from the Drug Treatment Fund for the treatment of
21 pregnant women who are addicted to alcohol, cannabis or
22 controlled substances and for the needed care of minor,
23 unemancipated children of women undergoing residential drug
24 treatment. If the Department of Human Services grants funds to
25 a municipality or a county that the Department determines is
26 not experiencing a problem with pregnant women addicted to

1 alcohol, cannabis or controlled substances, or with care for
2 minor, unemancipated children of women undergoing residential
3 drug treatment, or intervention, the funds shall be used for
4 the treatment of any person addicted to alcohol, cannabis or
5 controlled substances. The Department may adopt such rules as
6 it deems appropriate for the administration of such grants.

7 (i) ~~(Blank)~~. In counties over 3,000,000, all moneys
8 collected under this Section shall be forwarded to the County
9 Treasurer for deposit into the County Health Fund. The County
10 Treasurer shall, no later than the 15th day of each month,
11 forward to the State Treasurer 30 percent of all moneys
12 collected under this Act and received into the County Health
13 Fund since the prior remittance to the State Treasurer. Funds
14 retained by the County shall be used for community-based
15 treatment of pregnant women who are addicted to alcohol,
16 cannabis, or controlled substances or for the needed care of
17 minor, unemancipated children of these women. Funds forwarded
18 to the State Treasurer shall be deposited into the State Drug
19 Treatment Fund maintained by the State Treasurer from which the
20 Department of Human Services may make grants to persons
21 licensed under Section 15-10 of the Alcoholism and Other Drug
22 Abuse and Dependency Act or to municipalities or counties from
23 funds appropriated to the Department from the Drug Treatment
24 Fund, provided that the moneys collected from each county be
25 returned proportionately to the counties through grants to
26 licensees located within the county from which the assessment

1 was received and moneys in the State Drug Treatment Fund shall
2 not supplant other local, State or federal funds. If the
3 Department of Human Services grants funds to a municipality or
4 county that the Department determines is not experiencing a
5 problem with pregnant women addicted to alcohol, cannabis or
6 controlled substances, or with care for minor, unemancipated
7 children or women undergoing residential drug treatment, the
8 funds shall be used for the treatment of any person addicted to
9 alcohol, cannabis or controlled substances. The Department may
10 adopt such rules as it deems appropriate for the administration
11 of such grants.

12 (Source: P.A. 97-334, eff. 1-1-12.)

13 Section 120. The Illinois Controlled Substances Act is
14 amended by reenacting Section 411.4 as follows:

15 (720 ILCS 570/411.4)

16 Sec. 411.4. Reimbursement of unit of government for
17 emergency response.

18 (a) As used in this Section, "emergency response" means the
19 act of collecting evidence from or securing a site where
20 controlled substances were manufactured, or where by-products
21 from the manufacture of controlled substances are present, and
22 cleaning up the site, whether these actions are performed by
23 public entities or private contractors paid by public entities.

24 (b) Every person convicted of violating Section 401, 407,

1 or 407.2 of this Act whose violation proximately caused any
2 incident resulting in an appropriate emergency response shall
3 be liable for the expense of an emergency response and shall be
4 assessed a fine of \$750, payable to the circuit clerk, who
5 shall distribute the money to the law enforcement agency that
6 made the arrest. If the person has been previously convicted of
7 violating Section 401, 407, or 407.2 of this Act, the fine
8 shall be \$1,000, and the circuit clerk shall distribute the
9 money to the law enforcement agency that made the arrest. In
10 the event that more than one agency is responsible for the
11 arrest, the amount payable to law enforcement agencies shall be
12 shared equally. Any moneys received by a law enforcement agency
13 under this Section shall be used for law enforcement expenses.

14 Any moneys collected for the Illinois State Police shall be
15 deposited into the Traffic and Criminal Conviction Surcharge
16 Fund.

17 (Source: P.A. 97-434, eff. 1-1-12.)

18 Section 125. The Methamphetamine Control and Community
19 Protection Act is amended by changing Sections 80 and 90 as
20 follows:

21 (720 ILCS 646/80)

22 Sec. 80. ~~Drug treatment grants~~ Assessment.

23 (a) ~~(Blank)~~. Every person convicted of a violation of this
24 Act, and every person placed on probation, conditional

1 discharge, supervision, or probation under this Act, shall be
2 assessed for each offense a sum fixed at:

3 (1) \$3,000 for a Class X felony;

4 (2) \$2,000 for a Class 1 felony;

5 (3) \$1,000 for a Class 2 felony;

6 (4) \$500 for a Class 3 or Class 4 felony.

7 (b) ~~(Blank)~~. The assessment under this Section is in
8 addition to and not in lieu of any fines, restitution, costs,
9 forfeitures, or other assessments authorized or required by
10 law.

11 (c) ~~(Blank)~~. As a condition of the assessment, the court
12 may require that payment be made in specified installments or
13 within a specified period of time. If the assessment is not
14 paid within the period of probation, conditional discharge, or
15 supervision to which the defendant was originally sentenced,
16 the court may extend the period of probation, conditional
17 discharge, or supervision pursuant to Section 5-6-2 or 5-6-3.1
18 of the Unified Code of Corrections, as applicable, until the
19 assessment is paid or until successful completion of public or
20 community service set forth in subsection (e) or the successful
21 completion of the substance abuse intervention or treatment
22 program set forth in subsection (f). If a term of probation,
23 conditional discharge, or supervision is not imposed, the
24 assessment shall be payable upon judgment or as directed by the
25 court.

26 (d) ~~(Blank)~~. If an assessment for a violation of this Act

1 is imposed on an organization, it is the duty of each
2 individual authorized to make disbursements of the assets of
3 the organization to pay the assessment from assets of the
4 organization.

5 (e) ~~(Blank)~~. A defendant who has been ordered to pay an
6 assessment may petition the court to convert all or part of the
7 assessment into court-approved public or community service.
8 One hour of public or community service shall be equivalent to
9 \$4 of assessment. The performance of this public or community
10 service shall be a condition of the probation, conditional
11 discharge, or supervision and shall be in addition to the
12 performance of any other period of public or community service
13 ordered by the court or required by law.

14 (f) ~~(Blank)~~. The court may suspend the collection of the
15 assessment imposed under this Section if the defendant agrees
16 to enter a substance abuse intervention or treatment program
17 approved by the court and the defendant agrees to pay for all
18 or some portion of the costs associated with the intervention
19 or treatment program. In this case, the collection of the
20 assessment imposed under this Section shall be suspended during
21 the defendant's participation in the approved intervention or
22 treatment program. Upon successful completion of the program,
23 the defendant may apply to the court to reduce the assessment
24 imposed under this Section by any amount actually paid by the
25 defendant for his or her participation in the program. The
26 court shall not reduce the penalty under this subsection unless

1 the defendant establishes to the satisfaction of the court that
2 he or she has successfully completed the intervention or
3 treatment program. If the defendant's participation is for any
4 reason terminated before his or her successful completion of
5 the intervention or treatment program, collection of the entire
6 assessment imposed under this Section shall be enforced.
7 Nothing in this Section shall be deemed to affect or suspend
8 any other fines, restitution costs, forfeitures, or
9 assessments imposed under this or any other Act.

10 (g) ~~(Blank)~~. The court shall not impose more than one
11 assessment per complaint, indictment, or information. If the
12 person is convicted of more than one offense in a complaint,
13 indictment, or information, the assessment shall be based on
14 the highest class offense for which the person is convicted.

15 (h) In counties with a population under 3,000,000, all
16 moneys collected under this Section shall be forwarded by the
17 clerk of the circuit court to the State Treasurer for deposit
18 in the Drug Treatment Fund. The Department of Human Services
19 may make grants to persons licensed under Section 15-10 of the
20 Alcoholism and Other Drug Abuse and Dependency Act or to
21 municipalities or counties from funds appropriated to the
22 Department from the Drug Treatment Fund for the treatment of
23 pregnant women who are addicted to alcohol, cannabis or
24 controlled substances and for the needed care of minor,
25 unemancipated children of women undergoing residential drug
26 treatment. If the Department of Human Services grants funds to

1 a municipality or a county that the Department determines is
2 not experiencing a problem with pregnant women addicted to
3 alcohol, cannabis or controlled substances, or with care for
4 minor, unemancipated children of women undergoing residential
5 drug treatment, or intervention, the funds shall be used for
6 the treatment of any person addicted to alcohol, cannabis, or
7 controlled substances. The Department may adopt such rules as
8 it deems appropriate for the administration of such grants.

9 (i) ~~(Blank)~~. In counties with a population of 3,000,000 or
10 more, all moneys collected under this Section shall be
11 forwarded to the County Treasurer for deposit into the County
12 Health Fund. The County Treasurer shall, no later than the 15th
13 day of each month, forward to the State Treasurer 30 percent of
14 all moneys collected under this Act and received into the
15 County Health Fund since the prior remittance to the State
16 Treasurer. Funds retained by the County shall be used for
17 community-based treatment of pregnant women who are addicted to
18 alcohol, cannabis, or controlled substances or for the needed
19 care of minor, unemancipated children of these women. Funds
20 forwarded to the State Treasurer shall be deposited into the
21 State Drug Treatment Fund maintained by the State Treasurer
22 from which the Department of Human Services may make grants to
23 persons licensed under Section 15-10 of the Alcoholism and
24 Other Drug Abuse and Dependency Act or to municipalities or
25 counties from funds appropriated to the Department from the
26 Drug Treatment Fund, provided that the moneys collected from

1 each county be returned proportionately to the counties through
2 grants to licensees located within the county from which the
3 assessment was received and moneys in the State Drug Treatment
4 Fund shall not supplant other local, State or federal funds. If
5 the Department of Human Services grants funds to a municipality
6 or county that the Department determines is not experiencing a
7 problem with pregnant women addicted to alcohol, cannabis or
8 controlled substances, or with care for minor, unemancipated
9 children or women undergoing residential drug treatment, the
10 funds shall be used for the treatment of any person addicted to
11 alcohol, cannabis or controlled substances. The Department may
12 adopt such rules as it deems appropriate for the administration
13 of such grants.

14 (Source: P.A. 94-556, eff. 9-11-05.)

15 (720 ILCS 646/90)

16 Sec. 90. Methamphetamine restitution.

17 (a) If a person commits a violation of this Act in a manner
18 that requires an emergency response, the person shall be
19 required to make restitution to all public entities involved in
20 the emergency response, to cover the reasonable cost of their
21 participation in the emergency response, including but not
22 limited to regular and overtime costs incurred by local law
23 enforcement agencies and private contractors paid by the public
24 agencies in securing the site. The convicted person shall make
25 this restitution in addition to any other fine or penalty

1 required by law.

2 (b) Any restitution payments made under this Section shall
3 be disbursed equitably by the circuit clerk in the following
4 order:

5 (1) first, to the agency responsible for the mitigation
6 of the incident;

7 (2) second, to the local agencies involved in the
8 emergency response;

9 (3) third, to the State agencies involved in the
10 emergency response; and

11 (4) fourth, to the federal agencies involved in the
12 emergency response.

13 (c) In addition to any other penalties and liabilities, a
14 person who is convicted of violating any Section of this Act,
15 whose violation proximately caused any incident resulting in an
16 appropriate emergency response, shall be assessed a fine of
17 \$2,500, payable to the circuit clerk, who shall distribute the
18 money to the law enforcement agency responsible for the
19 mitigation of the incident. If the person has been previously
20 convicted of violating any Section of this Act, the fine shall
21 be \$5,000 and the circuit clerk shall distribute the money to
22 the law enforcement agency responsible for the mitigation of
23 the incident. In the event that more than one agency is
24 responsible for an arrest which does not require mitigation,
25 the amount payable to law enforcement agencies shall be shared
26 equally. Any moneys received by a law enforcement agency under

1 this Section shall be used for law enforcement expenses.

2 Any moneys collected for the Illinois State Police shall be
3 ~~remitted to the State Treasurer and~~ deposited into the ~~State~~
4 ~~Police Operations Assistance Fund~~ Traffic and Criminal
5 Conviction Surcharge Fund.

6 (Source: P.A. 97-434, eff. 1-1-12.)

7 (725 ILCS 5/124A-20 rep.) (as added by Public Act 100-987)

8 Section 130. The Code of Criminal Procedure of 1963 is
9 amended by repealing Section 124A-20, as added by Public Act
10 100-987.

11 Section 135. The Violent Crime Victims Assistance Act is
12 amended by changing Section 10 as follows:

13 (725 ILCS 240/10) (from Ch. 70, par. 510)

14 Sec. 10. Violent Crime Victims Assistance Fund.

15 (a) The "Violent Crime Victims Assistance Fund" is created
16 as a special fund in the State Treasury to provide monies for
17 the grants to be awarded under this Act.

18 (b) ~~(Blank)~~. When any person is convicted in Illinois of an
19 offense listed below, or placed on supervision for that offense
20 on or after July 1, 2012, the court shall impose the following
21 finer:

22 (1) \$100 for any felony;

23 (2) \$50 for any offense under the Illinois Vehicle

1 Code, exclusive of offenses enumerated in paragraph (a) (2)
2 of Section 6-204 of that Code, and exclusive of any offense
3 enumerated in Article VI of Chapter 11 of that Code
4 relating to restrictions, regulations, and limitations on
5 the speed at which a motor vehicle is driven or operated;
6 and

7 (3) \$75 for any misdemeanor, excluding a conservation
8 offense.

9 Notwithstanding any other provision of this Section, the
10 penalty established in this Section shall be assessed for any
11 violation of Section 11-601.5, 11-605.2, or 11-605.3 of the
12 Illinois Vehicle Code.

13 The Clerk of the Circuit Court shall remit moneys collected
14 under this subsection (b) within one month after receipt to the
15 State Treasurer for deposit into the Violent Crime Victims
16 Assistance Fund, except as provided in subsection (g) of this
17 Section. Such additional penalty shall not be considered a part
18 of the fine for purposes of any reduction made in the fine for
19 time served either before or after sentencing. Not later than
20 March 1 of each year the Clerk of the Circuit Court shall
21 submit to the State Comptroller a report of the amount of funds
22 remitted by him to the State Treasurer under this Section
23 during the preceding calendar year.

24 (c) ~~(Blank)~~. The charge imposed by subsection (b) shall not
25 be subject to the provisions of Section 110-14 of the Code of
26 Criminal Procedure of 1963.

1 (d) Monies forfeited, and proceeds from the sale of
2 property forfeited and seized, under the forfeiture provisions
3 set forth in Part 500 of Article 124B of the Code of Criminal
4 Procedure of 1963 shall be accepted for the Violent Crime
5 Victims Assistance Fund.

6 (e) Investment income which is attributable to the
7 investment of monies in the Violent Crime Victims Assistance
8 Fund shall be credited to that fund for uses specified in this
9 Act. The Treasurer shall provide the Attorney General a monthly
10 status report on the amount of money in the Fund.

11 (f) Monies from the fund may be granted on and after July
12 1, 1984.

13 (g) ~~(Blank)~~. All amounts and charges imposed under this
14 Section for any violation of Chapters 3, 4, 6, and 11 of the
15 Illinois Vehicle Code, or a similar provision of a local
16 ordinance, or any violation of the Child Passenger Protection
17 Act, or a similar provision of a local ordinance, shall be
18 collected and disbursed by the circuit clerk as provided under
19 Section 27.5 of the Clerks of Courts Act.

20 (Source: P.A. 96-712, eff. 1-1-10; 97-108, eff. 7-14-11;
21 97-816, eff. 7-16-12.)

22 Section 140. The Unified Code of Corrections is amended by
23 changing Sections 5-4-3, 5-4.5-50, 5-4.5-55, 5-4.5-60,
24 5-4.5-65, 5-4.5-75, 5-4.5-80, 5-5-3, 5-5-6, 5-6-1, 5-6-3,
25 5-6-3.1, 5-7-1, 5-9-1, 5-9-1.4, 5-9-1.7, 5-9-1.9, 5-9-1.11,

1 5-9-1.16, and 5-9-1.21 as follows:

2 (730 ILCS 5/5-4-3) (from Ch. 38, par. 1005-4-3)

3 Sec. 5-4-3. Specimens; genetic marker groups.

4 (a) Any person convicted of, found guilty under the
5 Juvenile Court Act of 1987 for, or who received a disposition
6 of court supervision for, a qualifying offense or attempt of a
7 qualifying offense, convicted or found guilty of any offense
8 classified as a felony under Illinois law, convicted or found
9 guilty of any offense requiring registration under the Sex
10 Offender Registration Act, found guilty or given supervision
11 for any offense classified as a felony under the Juvenile Court
12 Act of 1987, convicted or found guilty of, under the Juvenile
13 Court Act of 1987, any offense requiring registration under the
14 Sex Offender Registration Act, or institutionalized as a
15 sexually dangerous person under the Sexually Dangerous Persons
16 Act, or committed as a sexually violent person under the
17 Sexually Violent Persons Commitment Act shall, regardless of
18 the sentence or disposition imposed, be required to submit
19 specimens of blood, saliva, or tissue to the Illinois
20 Department of State Police in accordance with the provisions of
21 this Section, provided such person is:

22 (1) convicted of a qualifying offense or attempt of a
23 qualifying offense on or after July 1, 1990 and sentenced
24 to a term of imprisonment, periodic imprisonment, fine,
25 probation, conditional discharge or any other form of

1 sentence, or given a disposition of court supervision for
2 the offense;

3 (1.5) found guilty or given supervision under the
4 Juvenile Court Act of 1987 for a qualifying offense or
5 attempt of a qualifying offense on or after January 1,
6 1997;

7 (2) ordered institutionalized as a sexually dangerous
8 person on or after July 1, 1990;

9 (3) convicted of a qualifying offense or attempt of a
10 qualifying offense before July 1, 1990 and is presently
11 confined as a result of such conviction in any State
12 correctional facility or county jail or is presently
13 serving a sentence of probation, conditional discharge or
14 periodic imprisonment as a result of such conviction;

15 (3.5) convicted or found guilty of any offense
16 classified as a felony under Illinois law or found guilty
17 or given supervision for such an offense under the Juvenile
18 Court Act of 1987 on or after August 22, 2002;

19 (4) presently institutionalized as a sexually
20 dangerous person or presently institutionalized as a
21 person found guilty but mentally ill of a sexual offense or
22 attempt to commit a sexual offense; or

23 (4.5) ordered committed as a sexually violent person on
24 or after the effective date of the Sexually Violent Persons
25 Commitment Act.

26 (a-1) Any person incarcerated in a facility of the Illinois

1 Department of Corrections or the Illinois Department of
2 Juvenile Justice on or after August 22, 2002, whether for a
3 term of years, natural life, or a sentence of death, who has
4 not yet submitted a specimen of blood, saliva, or tissue shall
5 be required to submit a specimen of blood, saliva, or tissue
6 prior to his or her final discharge, or release on parole,
7 aftercare release, or mandatory supervised release, as a
8 condition of his or her parole, aftercare release, or mandatory
9 supervised release, or within 6 months from August 13, 2009
10 (the effective date of Public Act 96-426), whichever is sooner.
11 A person incarcerated on or after August 13, 2009 (the
12 effective date of Public Act 96-426) shall be required to
13 submit a specimen within 45 days of incarceration, or prior to
14 his or her final discharge, or release on parole, aftercare
15 release, or mandatory supervised release, as a condition of his
16 or her parole, aftercare release, or mandatory supervised
17 release, whichever is sooner. These specimens shall be placed
18 into the State or national DNA database, to be used in
19 accordance with other provisions of this Section, by the
20 Illinois State Police.

21 (a-2) Any person sentenced to life imprisonment in a
22 facility of the Illinois Department of Corrections after the
23 effective date of this amendatory Act of the 94th General
24 Assembly or sentenced to death after the effective date of this
25 amendatory Act of the 94th General Assembly shall be required
26 to provide a specimen of blood, saliva, or tissue within 45

1 days after sentencing or disposition at a collection site
2 designated by the Illinois Department of State Police. Any
3 person serving a sentence of life imprisonment in a facility of
4 the Illinois Department of Corrections on the effective date of
5 this amendatory Act of the 94th General Assembly or any person
6 who is under a sentence of death on the effective date of this
7 amendatory Act of the 94th General Assembly shall be required
8 to provide a specimen of blood, saliva, or tissue upon request
9 at a collection site designated by the Illinois Department of
10 State Police.

11 (a-3) Any person seeking transfer to or residency in
12 Illinois under Sections 3-3-11.05 through 3-3-11.5 of this
13 Code, the Interstate Compact for Adult Offender Supervision, or
14 the Interstate Agreements on Sexually Dangerous Persons Act
15 shall be required to provide a specimen of blood, saliva, or
16 tissue within 45 days after transfer to or residency in
17 Illinois at a collection site designated by the Illinois
18 Department of State Police.

19 (a-3.1) Any person required by an order of the court to
20 submit a DNA specimen shall be required to provide a specimen
21 of blood, saliva, or tissue within 45 days after the court
22 order at a collection site designated by the Illinois
23 Department of State Police.

24 (a-3.2) On or after January 1, 2012 (the effective date of
25 Public Act 97-383), any person arrested for any of the
26 following offenses, after an indictment has been returned by a

1 grand jury, or following a hearing pursuant to Section 109-3 of
2 the Code of Criminal Procedure of 1963 and a judge finds there
3 is probable cause to believe the arrestee has committed one of
4 the designated offenses, or an arrestee has waived a
5 preliminary hearing shall be required to provide a specimen of
6 blood, saliva, or tissue within 14 days after such indictment
7 or hearing at a collection site designated by the Illinois
8 Department of State Police:

9 (A) first degree murder;

10 (B) home invasion;

11 (C) predatory criminal sexual assault of a child;

12 (D) aggravated criminal sexual assault; or

13 (E) criminal sexual assault.

14 (a-3.3) Any person required to register as a sex offender
15 under the Sex Offender Registration Act, regardless of the date
16 of conviction as set forth in subsection (c-5.2) shall be
17 required to provide a specimen of blood, saliva, or tissue
18 within the time period prescribed in subsection (c-5.2) at a
19 collection site designated by the Illinois Department of State
20 Police.

21 (a-5) Any person who was otherwise convicted of or received
22 a disposition of court supervision for any other offense under
23 the Criminal Code of 1961 or the Criminal Code of 2012 or who
24 was found guilty or given supervision for such a violation
25 under the Juvenile Court Act of 1987, may, regardless of the
26 sentence imposed, be required by an order of the court to

1 submit specimens of blood, saliva, or tissue to the Illinois
2 Department of State Police in accordance with the provisions of
3 this Section.

4 (b) Any person required by paragraphs (a)(1), (a)(1.5),
5 (a)(2), (a)(3.5), and (a-5) to provide specimens of blood,
6 saliva, or tissue shall provide specimens of blood, saliva, or
7 tissue within 45 days after sentencing or disposition at a
8 collection site designated by the Illinois Department of State
9 Police.

10 (c) Any person required by paragraphs (a)(3), (a)(4), and
11 (a)(4.5) to provide specimens of blood, saliva, or tissue shall
12 be required to provide such specimens prior to final discharge
13 or within 6 months from August 13, 2009 (the effective date of
14 Public Act 96-426), whichever is sooner. These specimens shall
15 be placed into the State or national DNA database, to be used
16 in accordance with other provisions of this Act, by the
17 Illinois State Police.

18 (c-5) Any person required by paragraph (a-3) to provide
19 specimens of blood, saliva, or tissue shall, where feasible, be
20 required to provide the specimens before being accepted for
21 conditioned residency in Illinois under the interstate compact
22 or agreement, but no later than 45 days after arrival in this
23 State.

24 (c-5.2) Unless it is determined that a registered sex
25 offender has previously submitted a specimen of blood, saliva,
26 or tissue that has been placed into the State DNA database, a

1 person registering as a sex offender shall be required to
2 submit a specimen at the time of his or her initial
3 registration pursuant to the Sex Offender Registration Act or,
4 for a person registered as a sex offender on or prior to
5 January 1, 2012 (the effective date of Public Act 97-383),
6 within one year of January 1, 2012 (the effective date of
7 Public Act 97-383) or at the time of his or her next required
8 registration.

9 (c-6) The Illinois Department of State Police may determine
10 which type of specimen or specimens, blood, saliva, or tissue,
11 is acceptable for submission to the Division of Forensic
12 Services for analysis. The Illinois Department of State Police
13 may require the submission of fingerprints from anyone required
14 to give a specimen under this Act.

15 (d) The Illinois Department of State Police shall provide
16 all equipment and instructions necessary for the collection of
17 blood specimens. The collection of specimens shall be performed
18 in a medically approved manner. Only a physician authorized to
19 practice medicine, a registered nurse or other qualified person
20 trained in venipuncture may withdraw blood for the purposes of
21 this Act. The specimens shall thereafter be forwarded to the
22 Illinois Department of State Police, Division of Forensic
23 Services, for analysis and categorizing into genetic marker
24 groupings.

25 (d-1) The Illinois Department of State Police shall provide
26 all equipment and instructions necessary for the collection of

1 saliva specimens. The collection of saliva specimens shall be
2 performed in a medically approved manner. Only a person trained
3 in the instructions promulgated by the Illinois State Police on
4 collecting saliva may collect saliva for the purposes of this
5 Section. The specimens shall thereafter be forwarded to the
6 Illinois Department of State Police, Division of Forensic
7 Services, for analysis and categorizing into genetic marker
8 groupings.

9 (d-2) The Illinois Department of State Police shall provide
10 all equipment and instructions necessary for the collection of
11 tissue specimens. The collection of tissue specimens shall be
12 performed in a medically approved manner. Only a person trained
13 in the instructions promulgated by the Illinois State Police on
14 collecting tissue may collect tissue for the purposes of this
15 Section. The specimens shall thereafter be forwarded to the
16 Illinois Department of State Police, Division of Forensic
17 Services, for analysis and categorizing into genetic marker
18 groupings.

19 (d-5) To the extent that funds are available, the Illinois
20 Department of State Police shall contract with qualified
21 personnel and certified laboratories for the collection,
22 analysis, and categorization of known specimens, except as
23 provided in subsection (n) of this Section.

24 (d-6) Agencies designated by the Illinois Department of
25 State Police and the Illinois Department of State Police may
26 contract with third parties to provide for the collection or

1 analysis of DNA, or both, of an offender's blood, saliva, and
2 tissue specimens, except as provided in subsection (n) of this
3 Section.

4 (e) The genetic marker groupings shall be maintained by the
5 Illinois Department of State Police, Division of Forensic
6 Services.

7 (f) The genetic marker grouping analysis information
8 obtained pursuant to this Act shall be confidential and shall
9 be released only to peace officers of the United States, of
10 other states or territories, of the insular possessions of the
11 United States, of foreign countries duly authorized to receive
12 the same, to all peace officers of the State of Illinois and to
13 all prosecutorial agencies, and to defense counsel as provided
14 by Section 116-5 of the Code of Criminal Procedure of 1963. The
15 genetic marker grouping analysis information obtained pursuant
16 to this Act shall be used only for (i) valid law enforcement
17 identification purposes and as required by the Federal Bureau
18 of Investigation for participation in the National DNA
19 database, (ii) technology validation purposes, (iii) a
20 population statistics database, (iv) quality assurance
21 purposes if personally identifying information is removed, (v)
22 assisting in the defense of the criminally accused pursuant to
23 Section 116-5 of the Code of Criminal Procedure of 1963, or
24 (vi) identifying and assisting in the prosecution of a person
25 who is suspected of committing a sexual assault as defined in
26 Section 1a of the Sexual Assault Survivors Emergency Treatment

1 Act. Notwithstanding any other statutory provision to the
2 contrary, all information obtained under this Section shall be
3 maintained in a single State data base, which may be uploaded
4 into a national database, and which information may be subject
5 to expungement only as set forth in subsection (f-1).

6 (f-1) Upon receipt of notification of a reversal of a
7 conviction based on actual innocence, or of the granting of a
8 pardon pursuant to Section 12 of Article V of the Illinois
9 Constitution, if that pardon document specifically states that
10 the reason for the pardon is the actual innocence of an
11 individual whose DNA record has been stored in the State or
12 national DNA identification index in accordance with this
13 Section by the Illinois Department of State Police, the DNA
14 record shall be expunged from the DNA identification index, and
15 the Department shall by rule prescribe procedures to ensure
16 that the record and any specimens, analyses, or other documents
17 relating to such record, whether in the possession of the
18 Department or any law enforcement or police agency, or any
19 forensic DNA laboratory, including any duplicates or copies
20 thereof, are destroyed and a letter is sent to the court
21 verifying the expungement is completed. For specimens required
22 to be collected prior to conviction, unless the individual has
23 other charges or convictions that require submission of a
24 specimen, the DNA record for an individual shall be expunged
25 from the DNA identification databases and the specimen
26 destroyed upon receipt of a certified copy of a final court

1 order for each charge against an individual in which the charge
2 has been dismissed, resulted in acquittal, or that the charge
3 was not filed within the applicable time period. The Department
4 shall by rule prescribe procedures to ensure that the record
5 and any specimens in the possession or control of the
6 Department are destroyed and a letter is sent to the court
7 verifying the expungement is completed.

8 (f-5) Any person who intentionally uses genetic marker
9 grouping analysis information, or any other information
10 derived from a DNA specimen, beyond the authorized uses as
11 provided under this Section, or any other Illinois law, is
12 guilty of a Class 4 felony, and shall be subject to a fine of
13 not less than \$5,000.

14 (f-6) The Illinois Department of State Police may contract
15 with third parties for the purposes of implementing this
16 amendatory Act of the 93rd General Assembly, except as provided
17 in subsection (n) of this Section. Any other party contracting
18 to carry out the functions of this Section shall be subject to
19 the same restrictions and requirements of this Section insofar
20 as applicable, as the Illinois Department of State Police, and
21 to any additional restrictions imposed by the Illinois
22 Department of State Police.

23 (g) For the purposes of this Section, "qualifying offense"
24 means any of the following:

25 (1) any violation or inchoate violation of Section
26 11-1.50, 11-1.60, 11-6, 11-9.1, 11-11, 11-18.1, 12-15, or

1 12-16 of the Criminal Code of 1961 or the Criminal Code of
2 2012;

3 (1.1) any violation or inchoate violation of Section
4 9-1, 9-2, 10-1, 10-2, 12-11, 12-11.1, 18-1, 18-2, 18-3,
5 18-4, 18-6, 19-1, 19-2, or 19-6 of the Criminal Code of
6 1961 or the Criminal Code of 2012 for which persons are
7 convicted on or after July 1, 2001;

8 (2) any former statute of this State which defined a
9 felony sexual offense;

10 (3) (blank);

11 (4) any inchoate violation of Section 9-3.1, 9-3.4,
12 11-9.3, 12-7.3, or 12-7.4 of the Criminal Code of 1961 or
13 the Criminal Code of 2012; or

14 (5) any violation or inchoate violation of Article 29D
15 of the Criminal Code of 1961 or the Criminal Code of 2012.

16 (g-5) (Blank).

17 (h) The Illinois Department of State Police shall be the
18 State central repository for all genetic marker grouping
19 analysis information obtained pursuant to this Act. The
20 Illinois Department of State Police may promulgate rules for
21 the form and manner of the collection of blood, saliva, or
22 tissue specimens and other procedures for the operation of this
23 Act. The provisions of the Administrative Review Law shall
24 apply to all actions taken under the rules so promulgated.

25 (i) (1) A person required to provide a blood, saliva, or
26 tissue specimen shall cooperate with the collection of the

1 specimen and any deliberate act by that person intended to
2 impede, delay or stop the collection of the blood, saliva,
3 or tissue specimen is a Class 4 felony.

4 (2) In the event that a person's DNA specimen is not
5 adequate for any reason, the person shall provide another
6 DNA specimen for analysis. Duly authorized law enforcement
7 and corrections personnel may employ reasonable force in
8 cases in which an individual refuses to provide a DNA
9 specimen required under this Act.

10 (j) ~~(Blank)~~. Any person required by subsection (a), or any
11 person who was previously required by subsection (a-3.2), to
12 submit specimens of blood, saliva, or tissue to the Illinois
13 Department of State Police for analysis and categorization into
14 genetic marker grouping, in addition to any other disposition,
15 penalty, or fine imposed, shall pay an analysis fee of \$250. If
16 the analysis fee is not paid at the time of sentencing, the
17 court shall establish a fee schedule by which the entire amount
18 of the analysis fee shall be paid in full, such schedule not to
19 exceed 24 months from the time of conviction. The inability to
20 pay this analysis fee shall not be the sole ground to
21 incarcerate the person.

22 (k) All analysis and categorization ~~assessments~~ fees
23 ~~provided under the Criminal and Traffic Assessments Act to the~~
24 ~~State Offender DNA Identification System Fund~~ for by subsection
25 (j) shall be regulated as follows:

26 (1) The State Offender DNA Identification System Fund

1 is hereby created as a special fund in the State Treasury.

2 (2) ~~(Blank)~~. All fees shall be collected by the clerk
3 of the court and forwarded to the State Offender DNA
4 Identification System Fund for deposit. The clerk of the
5 circuit court may retain the amount of \$10 from each
6 collected analysis fee to offset administrative costs
7 incurred in carrying out the clerk's responsibilities
8 under this Section.

9 (3) ~~Moneys~~ Fees deposited into the State Offender DNA
10 Identification System Fund shall be used by Illinois State
11 Police crime laboratories as designated by the Director of
12 State Police. These funds shall be in addition to any
13 allocations made pursuant to existing laws and shall be
14 designated for the exclusive use of State crime
15 laboratories. These uses may include, but are not limited
16 to, the following:

17 (A) Costs incurred in providing analysis and
18 genetic marker categorization as required by
19 subsection (d).

20 (B) Costs incurred in maintaining genetic marker
21 groupings as required by subsection (e).

22 (C) Costs incurred in the purchase and maintenance
23 of equipment for use in performing analyses.

24 (D) Costs incurred in continuing research and
25 development of new techniques for analysis and genetic
26 marker categorization.

1 (E) Costs incurred in continuing education,
2 training, and professional development of forensic
3 scientists regularly employed by these laboratories.

4 (1) The failure of a person to provide a specimen, or of
5 any person or agency to collect a specimen, shall in no way
6 alter the obligation of the person to submit such specimen, or
7 the authority of the Illinois Department of State Police or
8 persons designated by the Department to collect the specimen,
9 or the authority of the Illinois Department of State Police to
10 accept, analyze and maintain the specimen or to maintain or
11 upload results of genetic marker grouping analysis information
12 into a State or national database.

13 (m) If any provision of this amendatory Act of the 93rd
14 General Assembly is held unconstitutional or otherwise
15 invalid, the remainder of this amendatory Act of the 93rd
16 General Assembly is not affected.

17 (n) Neither the Department of State Police, the Division of
18 Forensic Services, nor any laboratory of the Division of
19 Forensic Services may contract out forensic testing for the
20 purpose of an active investigation or a matter pending before a
21 court of competent jurisdiction without the written consent of
22 the prosecuting agency. For the purposes of this subsection
23 (n), "forensic testing" includes the analysis of physical
24 evidence in an investigation or other proceeding for the
25 prosecution of a violation of the Criminal Code of 1961 or the
26 Criminal Code of 2012 or for matters adjudicated under the

1 Juvenile Court Act of 1987, and includes the use of forensic
2 databases and databanks, including DNA, firearm, and
3 fingerprint databases, and expert testimony.

4 (o) Mistake does not invalidate a database match. The
5 detention, arrest, or conviction of a person based upon a
6 database match or database information is not invalidated if it
7 is determined that the specimen was obtained or placed in the
8 database by mistake.

9 (p) This Section may be referred to as the Illinois DNA
10 Database Law of 2011.

11 (Source: P.A. 97-383, eff. 1-1-12; 97-1109, eff. 1-1-13;
12 97-1150, eff. 1-25-13; 98-558, eff. 1-1-14.)

13 (730 ILCS 5/5-4.5-50)

14 Sec. 5-4.5-50. SENTENCE PROVISIONS; ALL FELONIES. Except
15 as otherwise provided, for all felonies:

16 (a) NO SUPERVISION. The court, upon a plea of guilty or a
17 stipulation by the defendant of the facts supporting the charge
18 or a finding of guilt, may not defer further proceedings and
19 the imposition of a sentence and may not enter an order for
20 supervision of the defendant.

21 (b) FELONY FINES. ~~Unless otherwise specified by law, the~~
22 ~~minimum fine is \$25.~~ An offender may be sentenced to pay a fine
23 not to exceed, for each offense, \$25,000 or the amount
24 specified in the offense, whichever is greater, or if the
25 offender is a corporation, \$50,000 or the amount specified in

1 the offense, whichever is greater. A fine may be imposed in
2 addition to a sentence of conditional discharge, probation,
3 periodic imprisonment, or imprisonment. See Article 9 of
4 Chapter V (730 ILCS 5/Ch. V, Art. 9) for imposition of
5 additional amounts and determination of amounts and payment. ~~If~~
6 ~~the court finds that the fine would impose an undue burden on~~
7 ~~the victim, the court may reduce or waive the fine.~~

8 (c) REASONS FOR SENTENCE STATED. The sentencing judge in
9 each felony conviction shall set forth his or her reasons for
10 imposing the particular sentence entered in the case, as
11 provided in Section 5-4-1 (730 ILCS 5/5-4-1). Those reasons may
12 include any mitigating or aggravating factors specified in this
13 Code, or the lack of any such factors, as well as any other
14 mitigating or aggravating factors that the judge sets forth on
15 the record that are consistent with the purposes and principles
16 of sentencing set out in this Code.

17 (d) MOTION TO REDUCE SENTENCE. A motion to reduce a
18 sentence may be made, or the court may reduce a sentence
19 without motion, within 30 days after the sentence is imposed. A
20 defendant's challenge to the correctness of a sentence or to
21 any aspect of the sentencing hearing shall be made by a written
22 motion filed with the circuit court clerk within 30 days
23 following the imposition of sentence. A motion not filed within
24 that 30-day period is not timely. The court may not increase a
25 sentence once it is imposed. A notice of motion must be filed
26 with the motion. The notice of motion shall set the motion on

1 the court's calendar on a date certain within a reasonable time
2 after the date of filing.

3 If a motion filed pursuant to this subsection is timely
4 filed, the proponent of the motion shall exercise due diligence
5 in seeking a determination on the motion and the court shall
6 thereafter decide the motion within a reasonable time.

7 If a motion filed pursuant to this subsection is timely
8 filed, then for purposes of perfecting an appeal, a final
9 judgment is not considered to have been entered until the
10 motion to reduce the sentence has been decided by order entered
11 by the trial court.

12 (e) CONCURRENT SENTENCE; PREVIOUS UNEXPIRED FEDERAL OR
13 OTHER-STATE SENTENCE. A defendant who has a previous and
14 unexpired sentence of imprisonment imposed by another state or
15 by any district court of the United States and who, after
16 sentence for a crime in Illinois, must return to serve the
17 unexpired prior sentence may have his or her sentence by the
18 Illinois court ordered to be concurrent with the prior
19 other-state or federal sentence. The court may order that any
20 time served on the unexpired portion of the other-state or
21 federal sentence, prior to his or her return to Illinois, shall
22 be credited on his or her Illinois sentence. The appropriate
23 official of the other state or the United States shall be
24 furnished with a copy of the order imposing sentence, which
25 shall provide that, when the offender is released from
26 other-state or federal confinement, whether by parole or by

1 termination of sentence, the offender shall be transferred by
2 the Sheriff of the committing Illinois county to the Illinois
3 Department of Corrections. The court shall cause the Department
4 of Corrections to be notified of the sentence at the time of
5 commitment and to be provided with copies of all records
6 regarding the sentence.

7 (f) REDUCTION; PREVIOUS UNEXPIRED ILLINOIS SENTENCE. A
8 defendant who has a previous and unexpired sentence of
9 imprisonment imposed by an Illinois circuit court for a crime
10 in this State and who is subsequently sentenced to a term of
11 imprisonment by another state or by any district court of the
12 United States and who has served a term of imprisonment imposed
13 by the other state or district court of the United States, and
14 must return to serve the unexpired prior sentence imposed by
15 the Illinois circuit court, may apply to the Illinois circuit
16 court that imposed sentence to have his or her sentence
17 reduced.

18 The circuit court may order that any time served on the
19 sentence imposed by the other state or district court of the
20 United States be credited on his or her Illinois sentence. The
21 application for reduction of a sentence under this subsection
22 shall be made within 30 days after the defendant has completed
23 the sentence imposed by the other state or district court of
24 the United States.

25 (g) NO REQUIRED BIRTH CONTROL. A court may not impose a
26 sentence or disposition that requires the defendant to be

1 implanted or injected with or to use any form of birth control.
2 (Source: P.A. 95-1052, eff. 7-1-09.)

3 (730 ILCS 5/5-4.5-55)

4 Sec. 5-4.5-55. CLASS A MISDEMEANORS; SENTENCE. For a Class
5 A misdemeanor:

6 (a) TERM. The sentence of imprisonment shall be a
7 determinate sentence of less than one year.

8 (b) PERIODIC IMPRISONMENT. A sentence of periodic
9 imprisonment shall be for a definite term of less than one
10 year, except as otherwise provided in Section 5-5-3 or 5-7-1
11 (730 ILCS 5/5-5-3 or 5/5-7-1).

12 (c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS
13 5/5-8-1.2) concerning eligibility for the county impact
14 incarceration program.

15 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided
16 in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the
17 period of probation or conditional discharge shall not exceed 2
18 years. The court shall specify the conditions of probation or
19 conditional discharge as set forth in Section 5-6-3 (730 ILCS
20 5/5-6-3).

21 (e) FINE. ~~Unless otherwise specified by law, the minimum~~
22 ~~fine is \$25.~~ A fine not to exceed \$2,500 for each offense or
23 the amount specified in the offense, whichever is greater, may
24 be imposed. A fine may be imposed in addition to a sentence of
25 conditional discharge, probation, periodic imprisonment, or

1 imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V,
2 Art. 9) for imposition of additional amounts and determination
3 of amounts and payment. ~~If the court finds that the fine would~~
4 ~~impose an undue burden on the victim, the court may reduce or~~
5 ~~waive the fine.~~

6 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)
7 concerning restitution.

8 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall
9 be concurrent or consecutive as provided in Section 5-8-4 (730
10 ILCS 5/5-8-4).

11 (h) DRUG COURT. See Section 20 of the Drug Court Treatment
12 Act (730 ILCS 166/20) concerning eligibility for a drug court
13 program.

14 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730
15 ILCS 5/5-4.5-100) concerning credit for time spent in home
16 detention prior to judgment.

17 (j) GOOD BEHAVIOR ALLOWANCE. See the County Jail Good
18 Behavior Allowance Act (730 ILCS 130/) for rules and
19 regulations for good behavior allowance.

20 (k) ELECTRONIC MONITORING AND HOME DETENTION. See Section
21 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for
22 electronic monitoring and home detention.

23 (Source: P.A. 100-431, eff. 8-25-17.)

24 (730 ILCS 5/5-4.5-60)

25 Sec. 5-4.5-60. CLASS B MISDEMEANORS; SENTENCE. For a Class

1 B misdemeanor:

2 (a) TERM. The sentence of imprisonment shall be a
3 determinate sentence of not more than 6 months.

4 (b) PERIODIC IMPRISONMENT. A sentence of periodic
5 imprisonment shall be for a definite term of up to 6 months or
6 as otherwise provided in Section 5-7-1 (730 ILCS 5/5-7-1).

7 (c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS
8 5/5-8-1.2) concerning eligibility for the county impact
9 incarceration program.

10 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided
11 in Section 5-6-2 (730 ILCS 5/5-6-2), the period of probation or
12 conditional discharge shall not exceed 2 years. The court shall
13 specify the conditions of probation or conditional discharge as
14 set forth in Section 5-6-3 (730 ILCS 5/5-6-3).

15 (e) FINE. ~~Unless otherwise specified by law, the minimum~~
16 ~~fine is \$25.~~ A fine not to exceed \$1,500 for each offense or
17 the amount specified in the offense, whichever is greater, may
18 be imposed. A fine may be imposed in addition to a sentence of
19 conditional discharge, probation, periodic imprisonment, or
20 imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V,
21 Art. 9) for imposition of additional amounts and determination
22 of amounts and payment. ~~If the court finds that the fine would~~
23 ~~impose an undue burden on the victim, the court may reduce or~~
24 ~~waive the fine.~~

25 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)
26 concerning restitution.

1 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall
2 be concurrent or consecutive as provided in Section 5-8-4 (730
3 ILCS 5/5-8-4).

4 (h) DRUG COURT. See Section 20 of the Drug Court Treatment
5 Act (730 ILCS 166/20) concerning eligibility for a drug court
6 program.

7 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730
8 ILCS 5/5-4.5-100) concerning credit for time spent in home
9 detention prior to judgment.

10 (j) GOOD BEHAVIOR ALLOWANCE. See the County Jail Good
11 Behavior Allowance Act (730 ILCS 130/) for rules and
12 regulations for good behavior allowance.

13 (k) ELECTRONIC MONITORING AND HOME DETENTION. See Section
14 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for
15 electronic monitoring and home detention.

16 (Source: P.A. 100-431, eff. 8-25-17.)

17 (730 ILCS 5/5-4.5-65)

18 Sec. 5-4.5-65. CLASS C MISDEMEANORS; SENTENCE. For a Class
19 C misdemeanor:

20 (a) TERM. The sentence of imprisonment shall be a
21 determinate sentence of not more than 30 days.

22 (b) PERIODIC IMPRISONMENT. A sentence of periodic
23 imprisonment shall be for a definite term of up to 30 days or
24 as otherwise provided in Section 5-7-1 (730 ILCS 5/5-7-1).

25 (c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS

1 5/5-8-1.2) concerning eligibility for the county impact
2 incarceration program.

3 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided
4 in Section 5-6-2 (730 ILCS 5/5-6-2), the period of probation or
5 conditional discharge shall not exceed 2 years. The court shall
6 specify the conditions of probation or conditional discharge as
7 set forth in Section 5-6-3 (730 ILCS 5/5-6-3).

8 (e) FINE. ~~Unless otherwise specified by law, the minimum~~
9 ~~fine is \$25.~~ A fine not to exceed \$1,500 for each offense or
10 the amount specified in the offense, whichever is greater, may
11 be imposed. A fine may be imposed in addition to a sentence of
12 conditional discharge, probation, periodic imprisonment, or
13 imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V,
14 Art. 9) for imposition of additional amounts and determination
15 of amounts and payment. ~~If the court finds that the fine would~~
16 ~~impose an undue burden on the victim, the court may reduce or~~
17 ~~waive the fine.~~

18 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)
19 concerning restitution.

20 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall
21 be concurrent or consecutive as provided in Section 5-8-4 (730
22 ILCS 5/5-8-4).

23 (h) DRUG COURT. See Section 20 of the Drug Court Treatment
24 Act (730 ILCS 166/20) concerning eligibility for a drug court
25 program.

26 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730

1 ILCS 5/5-4.5-100) concerning credit for time spent in home
2 detention prior to judgment.

3 (j) GOOD BEHAVIOR ALLOWANCE. See the County Jail Good
4 Behavior Allowance Act (730 ILCS 130/) for rules and
5 regulations for good behavior allowance.

6 (k) ELECTRONIC MONITORING AND HOME DETENTION. See Section
7 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for
8 electronic monitoring and home detention.

9 (Source: P.A. 100-431, eff. 8-25-17.)

10 (730 ILCS 5/5-4.5-75)

11 Sec. 5-4.5-75. PETTY OFFENSES; SENTENCE. Except as
12 otherwise provided, for a petty offense:

13 (a) FINE. ~~Unless otherwise specified by law, the minimum~~
14 ~~fine is \$25.~~ A defendant may be sentenced to pay a fine not to
15 exceed \$1,000 for each offense or the amount specified in the
16 offense, whichever is less. A fine may be imposed in addition
17 to a sentence of conditional discharge or probation. See
18 Article 9 of Chapter V (730 ILCS 5/Ch. V, Art. 9) for
19 imposition of additional amounts and determination of amounts
20 and payment. ~~If the court finds that the fine would impose an~~
21 ~~undue burden on the victim, the court may reduce or waive the~~
22 ~~fine.~~

23 (b) PROBATION; CONDITIONAL DISCHARGE. Except as provided
24 in Section 5-6-2 (730 ILCS 5/5-6-2), a defendant may be
25 sentenced to a period of probation or conditional discharge not

1 to exceed 6 months. The court shall specify the conditions of
2 probation or conditional discharge as set forth in Section
3 5-6-3 (730 ILCS 5/5-6-3).

4 (c) RESTITUTION. A defendant may be sentenced to make
5 restitution to the victim under Section 5-5-6 (730 ILCS
6 5/5-5-6).

7 (d) SUPERVISION; ORDER. The court, upon a plea of guilty or
8 a stipulation by the defendant of the facts supporting the
9 charge or a finding of guilt, may defer further proceedings and
10 the imposition of a sentence and may enter an order for
11 supervision of the defendant. If the defendant is not barred
12 from receiving an order for supervision under Section 5-6-1
13 (730 ILCS 5/5-6-1) or otherwise, the court may enter an order
14 for supervision after considering the circumstances of the
15 offense, and the history, character, and condition of the
16 offender, if the court is of the opinion that:

17 (1) the defendant is not likely to commit further
18 crimes;

19 (2) the defendant and the public would be best served
20 if the defendant were not to receive a criminal record; and

21 (3) in the best interests of justice, an order of
22 supervision is more appropriate than a sentence otherwise
23 permitted under this Code.

24 (e) SUPERVISION; PERIOD. When a defendant is placed on
25 supervision, the court shall enter an order for supervision
26 specifying the period of supervision, and shall defer further

1 proceedings in the case until the conclusion of the period. The
2 period of supervision shall be reasonable under all of the
3 circumstances of the case, and except as otherwise provided,
4 may not be longer than 2 years. The court shall specify the
5 conditions of supervision as set forth in Section 5-6-3.1 (730
6 ILCS 5/5-6-3.1).

7 (Source: P.A. 95-1052, eff. 7-1-09.)

8 (730 ILCS 5/5-4.5-80)

9 Sec. 5-4.5-80. BUSINESS OFFENSES; SENTENCE. Except as
10 otherwise provided, for a business offense:

11 (a) FINE. ~~Unless otherwise specified by law, the minimum~~
12 ~~fine is \$25.~~ A defendant may be sentenced to pay a fine not to
13 exceed for each offense the amount specified in the statute
14 defining that offense. A fine may be imposed in addition to a
15 sentence of conditional discharge. See Article 9 of Chapter V
16 (730 ILCS 5/Ch. V, Art. 9) for imposition of additional amounts
17 and determination of amounts and payment. ~~If the court finds~~
18 ~~that the fine would impose an undue burden on the victim, the~~
19 ~~court may reduce or waive the fine.~~

20 (b) CONDITIONAL DISCHARGE. A defendant may be sentenced to
21 a period of conditional discharge. The court shall specify the
22 conditions of conditional discharge as set forth in Section
23 5-6-3 (730 ILCS 5/5-6-3).

24 (c) RESTITUTION. A defendant may be sentenced to make
25 restitution to the victim under Section 5-5-6 (730 ILCS

1 5/5-5-6).

2 (d) SUPERVISION; ORDER. The court, upon a plea of guilty or
3 a stipulation by the defendant of the facts supporting the
4 charge or a finding of guilt, may defer further proceedings and
5 the imposition of a sentence and may enter an order for
6 supervision of the defendant. If the defendant is not barred
7 from receiving an order for supervision under Section 5-6-1
8 (730 ILCS 5/5-6-1) or otherwise, the court may enter an order
9 for supervision after considering the circumstances of the
10 offense, and the history, character, and condition of the
11 offender, if the court is of the opinion that:

12 (1) the defendant is not likely to commit further
13 crimes;

14 (2) the defendant and the public would be best served
15 if the defendant were not to receive a criminal record; and

16 (3) in the best interests of justice, an order of
17 supervision is more appropriate than a sentence otherwise
18 permitted under this Code.

19 (e) SUPERVISION; PERIOD. When a defendant is placed on
20 supervision, the court shall enter an order for supervision
21 specifying the period of supervision, and shall defer further
22 proceedings in the case until the conclusion of the period. The
23 period of supervision shall be reasonable under all of the
24 circumstances of the case, and except as otherwise provided,
25 may not be longer than 2 years. The court shall specify the
26 conditions of supervision as set forth in Section 5-6-3.1 (730

1 ILCS 5/5-6-3.1).

2 (Source: P.A. 95-1052, eff. 7-1-09.)

3 (730 ILCS 5/5-5-3) (from Ch. 38, par. 1005-5-3)

4 Sec. 5-5-3. Disposition.

5 (a) (Blank).

6 (b) (Blank).

7 (c) (1) (Blank).

8 (2) A period of probation, a term of periodic imprisonment
9 or conditional discharge shall not be imposed for the following
10 offenses. The court shall sentence the offender to not less
11 than the minimum term of imprisonment set forth in this Code
12 for the following offenses, and may order a fine or restitution
13 or both in conjunction with such term of imprisonment:

14 (A) First degree murder where the death penalty is not
15 imposed.

16 (B) Attempted first degree murder.

17 (C) A Class X felony.

18 (D) A violation of Section 401.1 or 407 of the Illinois
19 Controlled Substances Act, or a violation of subdivision
20 (c)(1.5) of Section 401 of that Act which relates to more
21 than 5 grams of a substance containing fentanyl or an
22 analog thereof.

23 (D-5) A violation of subdivision (c)(1) of Section 401
24 of the Illinois Controlled Substances Act which relates to
25 3 or more grams of a substance containing heroin or an

1 analog thereof.

2 (E) (Blank).

3 (F) A Class 1 or greater felony if the offender had
4 been convicted of a Class 1 or greater felony, including
5 any state or federal conviction for an offense that
6 contained, at the time it was committed, the same elements
7 as an offense now (the date of the offense committed after
8 the prior Class 1 or greater felony) classified as a Class
9 1 or greater felony, within 10 years of the date on which
10 the offender committed the offense for which he or she is
11 being sentenced, except as otherwise provided in Section
12 40-10 of the Alcoholism and Other Drug Abuse and Dependency
13 Act.

14 (F-3) A Class 2 or greater felony sex offense or felony
15 firearm offense if the offender had been convicted of a
16 Class 2 or greater felony, including any state or federal
17 conviction for an offense that contained, at the time it
18 was committed, the same elements as an offense now (the
19 date of the offense committed after the prior Class 2 or
20 greater felony) classified as a Class 2 or greater felony,
21 within 10 years of the date on which the offender committed
22 the offense for which he or she is being sentenced, except
23 as otherwise provided in Section 40-10 of the Alcoholism
24 and Other Drug Abuse and Dependency Act.

25 (F-5) A violation of Section 24-1, 24-1.1, or 24-1.6 of
26 the Criminal Code of 1961 or the Criminal Code of 2012 for

1 which imprisonment is prescribed in those Sections.

2 (G) Residential burglary, except as otherwise provided
3 in Section 40-10 of the Alcoholism and Other Drug Abuse and
4 Dependency Act.

5 (H) Criminal sexual assault.

6 (I) Aggravated battery of a senior citizen as described
7 in Section 12-4.6 or subdivision (a) (4) of Section 12-3.05
8 of the Criminal Code of 1961 or the Criminal Code of 2012.

9 (J) A forcible felony if the offense was related to the
10 activities of an organized gang.

11 Before July 1, 1994, for the purposes of this
12 paragraph, "organized gang" means an association of 5 or
13 more persons, with an established hierarchy, that
14 encourages members of the association to perpetrate crimes
15 or provides support to the members of the association who
16 do commit crimes.

17 Beginning July 1, 1994, for the purposes of this
18 paragraph, "organized gang" has the meaning ascribed to it
19 in Section 10 of the Illinois Streetgang Terrorism Omnibus
20 Prevention Act.

21 (K) Vehicular hijacking.

22 (L) A second or subsequent conviction for the offense
23 of hate crime when the underlying offense upon which the
24 hate crime is based is felony aggravated assault or felony
25 mob action.

26 (M) A second or subsequent conviction for the offense

1 of institutional vandalism if the damage to the property
2 exceeds \$300.

3 (N) A Class 3 felony violation of paragraph (1) of
4 subsection (a) of Section 2 of the Firearm Owners
5 Identification Card Act.

6 (O) A violation of Section 12-6.1 or 12-6.5 of the
7 Criminal Code of 1961 or the Criminal Code of 2012.

8 (P) A violation of paragraph (1), (2), (3), (4), (5),
9 or (7) of subsection (a) of Section 11-20.1 of the Criminal
10 Code of 1961 or the Criminal Code of 2012.

11 (Q) A violation of subsection (b) or (b-5) of Section
12 20-1, Section 20-1.2, or Section 20-1.3 of the Criminal
13 Code of 1961 or the Criminal Code of 2012.

14 (R) A violation of Section 24-3A of the Criminal Code
15 of 1961 or the Criminal Code of 2012.

16 (S) (Blank).

17 (T) (Blank).

18 (U) A second or subsequent violation of Section 6-303
19 of the Illinois Vehicle Code committed while his or her
20 driver's license, permit, or privilege was revoked because
21 of a violation of Section 9-3 of the Criminal Code of 1961
22 or the Criminal Code of 2012, relating to the offense of
23 reckless homicide, or a similar provision of a law of
24 another state.

25 (V) A violation of paragraph (4) of subsection (c) of
26 Section 11-20.1B or paragraph (4) of subsection (c) of

1 Section 11-20.3 of the Criminal Code of 1961, or paragraph
2 (6) of subsection (a) of Section 11-20.1 of the Criminal
3 Code of 2012 when the victim is under 13 years of age and
4 the defendant has previously been convicted under the laws
5 of this State or any other state of the offense of child
6 pornography, aggravated child pornography, aggravated
7 criminal sexual abuse, aggravated criminal sexual assault,
8 predatory criminal sexual assault of a child, or any of the
9 offenses formerly known as rape, deviate sexual assault,
10 indecent liberties with a child, or aggravated indecent
11 liberties with a child where the victim was under the age
12 of 18 years or an offense that is substantially equivalent
13 to those offenses.

14 (W) A violation of Section 24-3.5 of the Criminal Code
15 of 1961 or the Criminal Code of 2012.

16 (X) A violation of subsection (a) of Section 31-1a of
17 the Criminal Code of 1961 or the Criminal Code of 2012.

18 (Y) A conviction for unlawful possession of a firearm
19 by a street gang member when the firearm was loaded or
20 contained firearm ammunition.

21 (Z) A Class 1 felony committed while he or she was
22 serving a term of probation or conditional discharge for a
23 felony.

24 (AA) Theft of property exceeding \$500,000 and not
25 exceeding \$1,000,000 in value.

26 (BB) Laundering of criminally derived property of a

1 value exceeding \$500,000.

2 (CC) Knowingly selling, offering for sale, holding for
3 sale, or using 2,000 or more counterfeit items or
4 counterfeit items having a retail value in the aggregate of
5 \$500,000 or more.

6 (DD) A conviction for aggravated assault under
7 paragraph (6) of subsection (c) of Section 12-2 of the
8 Criminal Code of 1961 or the Criminal Code of 2012 if the
9 firearm is aimed toward the person against whom the firearm
10 is being used.

11 (EE) A conviction for a violation of paragraph (2) of
12 subsection (a) of Section 24-3B of the Criminal Code of
13 2012.

14 (3) (Blank).

15 (4) A minimum term of imprisonment of not less than 10
16 consecutive days or 30 days of community service shall be
17 imposed for a violation of paragraph (c) of Section 6-303 of
18 the Illinois Vehicle Code.

19 (4.1) (Blank).

20 (4.2) Except as provided in paragraphs (4.3) and (4.8) of
21 this subsection (c), a minimum of 100 hours of community
22 service shall be imposed for a second violation of Section
23 6-303 of the Illinois Vehicle Code.

24 (4.3) A minimum term of imprisonment of 30 days or 300
25 hours of community service, as determined by the court, shall
26 be imposed for a second violation of subsection (c) of Section

1 6-303 of the Illinois Vehicle Code.

2 (4.4) Except as provided in paragraphs (4.5), (4.6), and
3 (4.9) of this subsection (c), a minimum term of imprisonment of
4 30 days or 300 hours of community service, as determined by the
5 court, shall be imposed for a third or subsequent violation of
6 Section 6-303 of the Illinois Vehicle Code. The court may give
7 credit toward the fulfillment of community service hours for
8 participation in activities and treatment as determined by
9 court services.

10 (4.5) A minimum term of imprisonment of 30 days shall be
11 imposed for a third violation of subsection (c) of Section
12 6-303 of the Illinois Vehicle Code.

13 (4.6) Except as provided in paragraph (4.10) of this
14 subsection (c), a minimum term of imprisonment of 180 days
15 shall be imposed for a fourth or subsequent violation of
16 subsection (c) of Section 6-303 of the Illinois Vehicle Code.

17 (4.7) A minimum term of imprisonment of not less than 30
18 consecutive days, or 300 hours of community service, shall be
19 imposed for a violation of subsection (a-5) of Section 6-303 of
20 the Illinois Vehicle Code, as provided in subsection (b-5) of
21 that Section.

22 (4.8) A mandatory prison sentence shall be imposed for a
23 second violation of subsection (a-5) of Section 6-303 of the
24 Illinois Vehicle Code, as provided in subsection (c-5) of that
25 Section. The person's driving privileges shall be revoked for a
26 period of not less than 5 years from the date of his or her

1 release from prison.

2 (4.9) A mandatory prison sentence of not less than 4 and
3 not more than 15 years shall be imposed for a third violation
4 of subsection (a-5) of Section 6-303 of the Illinois Vehicle
5 Code, as provided in subsection (d-2.5) of that Section. The
6 person's driving privileges shall be revoked for the remainder
7 of his or her life.

8 (4.10) A mandatory prison sentence for a Class 1 felony
9 shall be imposed, and the person shall be eligible for an
10 extended term sentence, for a fourth or subsequent violation of
11 subsection (a-5) of Section 6-303 of the Illinois Vehicle Code,
12 as provided in subsection (d-3.5) of that Section. The person's
13 driving privileges shall be revoked for the remainder of his or
14 her life.

15 (5) The court may sentence a corporation or unincorporated
16 association convicted of any offense to:

17 (A) a period of conditional discharge;

18 (B) a fine;

19 (C) make restitution to the victim under Section 5-5-6
20 of this Code.

21 (5.1) In addition to any other penalties imposed, and
22 except as provided in paragraph (5.2) or (5.3), a person
23 convicted of violating subsection (c) of Section 11-907 of the
24 Illinois Vehicle Code shall have his or her driver's license,
25 permit, or privileges suspended for at least 90 days but not
26 more than one year, if the violation resulted in damage to the

1 property of another person.

2 (5.2) In addition to any other penalties imposed, and
3 except as provided in paragraph (5.3), a person convicted of
4 violating subsection (c) of Section 11-907 of the Illinois
5 Vehicle Code shall have his or her driver's license, permit, or
6 privileges suspended for at least 180 days but not more than 2
7 years, if the violation resulted in injury to another person.

8 (5.3) In addition to any other penalties imposed, a person
9 convicted of violating subsection (c) of Section 11-907 of the
10 Illinois Vehicle Code shall have his or her driver's license,
11 permit, or privileges suspended for 2 years, if the violation
12 resulted in the death of another person.

13 (5.4) In addition to any other penalties imposed, a person
14 convicted of violating Section 3-707 of the Illinois Vehicle
15 Code shall have his or her driver's license, permit, or
16 privileges suspended for 3 months and until he or she has paid
17 a reinstatement fee of \$100.

18 (5.5) In addition to any other penalties imposed, a person
19 convicted of violating Section 3-707 of the Illinois Vehicle
20 Code during a period in which his or her driver's license,
21 permit, or privileges were suspended for a previous violation
22 of that Section shall have his or her driver's license, permit,
23 or privileges suspended for an additional 6 months after the
24 expiration of the original 3-month suspension and until he or
25 she has paid a reinstatement fee of \$100.

26 (6) (Blank).

1 (7) (Blank).

2 (8) (Blank).

3 (9) A defendant convicted of a second or subsequent offense
4 of ritualized abuse of a child may be sentenced to a term of
5 natural life imprisonment.

6 (10) (Blank).

7 (11) The court shall impose a minimum fine of \$1,000 for a
8 first offense and \$2,000 for a second or subsequent offense
9 upon a person convicted of or placed on supervision for battery
10 when the individual harmed was a sports official or coach at
11 any level of competition and the act causing harm to the sports
12 official or coach occurred within an athletic facility or
13 within the immediate vicinity of the athletic facility at which
14 the sports official or coach was an active participant of the
15 athletic contest held at the athletic facility. For the
16 purposes of this paragraph (11), "sports official" means a
17 person at an athletic contest who enforces the rules of the
18 contest, such as an umpire or referee; "athletic facility"
19 means an indoor or outdoor playing field or recreational area
20 where sports activities are conducted; and "coach" means a
21 person recognized as a coach by the sanctioning authority that
22 conducted the sporting event.

23 (12) A person may not receive a disposition of court
24 supervision for a violation of Section 5-16 of the Boat
25 Registration and Safety Act if that person has previously
26 received a disposition of court supervision for a violation of

1 that Section.

2 (13) A person convicted of or placed on court supervision
3 for an assault or aggravated assault when the victim and the
4 offender are family or household members as defined in Section
5 103 of the Illinois Domestic Violence Act of 1986 or convicted
6 of domestic battery or aggravated domestic battery may be
7 required to attend a Partner Abuse Intervention Program under
8 protocols set forth by the Illinois Department of Human
9 Services under such terms and conditions imposed by the court.
10 The costs of such classes shall be paid by the offender.

11 (d) In any case in which a sentence originally imposed is
12 vacated, the case shall be remanded to the trial court. The
13 trial court shall hold a hearing under Section 5-4-1 of the
14 Unified Code of Corrections which may include evidence of the
15 defendant's life, moral character and occupation during the
16 time since the original sentence was passed. The trial court
17 shall then impose sentence upon the defendant. The trial court
18 may impose any sentence which could have been imposed at the
19 original trial subject to Section 5-5-4 of the Unified Code of
20 Corrections. If a sentence is vacated on appeal or on
21 collateral attack due to the failure of the trier of fact at
22 trial to determine beyond a reasonable doubt the existence of a
23 fact (other than a prior conviction) necessary to increase the
24 punishment for the offense beyond the statutory maximum
25 otherwise applicable, either the defendant may be re-sentenced
26 to a term within the range otherwise provided or, if the State

1 files notice of its intention to again seek the extended
2 sentence, the defendant shall be afforded a new trial.

3 (e) In cases where prosecution for aggravated criminal
4 sexual abuse under Section 11-1.60 or 12-16 of the Criminal
5 Code of 1961 or the Criminal Code of 2012 results in conviction
6 of a defendant who was a family member of the victim at the
7 time of the commission of the offense, the court shall consider
8 the safety and welfare of the victim and may impose a sentence
9 of probation only where:

10 (1) the court finds (A) or (B) or both are appropriate:

11 (A) the defendant is willing to undergo a court
12 approved counseling program for a minimum duration of 2
13 years; or

14 (B) the defendant is willing to participate in a
15 court approved plan including but not limited to the
16 defendant's:

17 (i) removal from the household;

18 (ii) restricted contact with the victim;

19 (iii) continued financial support of the
20 family;

21 (iv) restitution for harm done to the victim;

22 and

23 (v) compliance with any other measures that
24 the court may deem appropriate; and

25 (2) the court orders the defendant to pay for the
26 victim's counseling services, to the extent that the court

1 finds, after considering the defendant's income and
2 assets, that the defendant is financially capable of paying
3 for such services, if the victim was under 18 years of age
4 at the time the offense was committed and requires
5 counseling as a result of the offense.

6 Probation may be revoked or modified pursuant to Section
7 5-6-4; except where the court determines at the hearing that
8 the defendant violated a condition of his or her probation
9 restricting contact with the victim or other family members or
10 commits another offense with the victim or other family
11 members, the court shall revoke the defendant's probation and
12 impose a term of imprisonment.

13 For the purposes of this Section, "family member" and
14 "victim" shall have the meanings ascribed to them in Section
15 11-0.1 of the Criminal Code of 2012.

16 (f) (Blank).

17 (g) Whenever a defendant is convicted of an offense under
18 Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14,
19 11-14.3, 11-14.4 except for an offense that involves keeping a
20 place of juvenile prostitution, 11-15, 11-15.1, 11-16, 11-17,
21 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 12-13, 12-14,
22 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 or the
23 Criminal Code of 2012, the defendant shall undergo medical
24 testing to determine whether the defendant has any sexually
25 transmissible disease, including a test for infection with
26 human immunodeficiency virus (HIV) or any other identified

1 causative agent of acquired immunodeficiency syndrome (AIDS).
2 Any such medical test shall be performed only by appropriately
3 licensed medical practitioners and may include an analysis of
4 any bodily fluids as well as an examination of the defendant's
5 person. Except as otherwise provided by law, the results of
6 such test shall be kept strictly confidential by all medical
7 personnel involved in the testing and must be personally
8 delivered in a sealed envelope to the judge of the court in
9 which the conviction was entered for the judge's inspection in
10 camera. Acting in accordance with the best interests of the
11 victim and the public, the judge shall have the discretion to
12 determine to whom, if anyone, the results of the testing may be
13 revealed. The court shall notify the defendant of the test
14 results. The court shall also notify the victim if requested by
15 the victim, and if the victim is under the age of 15 and if
16 requested by the victim's parents or legal guardian, the court
17 shall notify the victim's parents or legal guardian of the test
18 results. The court shall provide information on the
19 availability of HIV testing and counseling at Department of
20 Public Health facilities to all parties to whom the results of
21 the testing are revealed and shall direct the State's Attorney
22 to provide the information to the victim when possible. A
23 State's Attorney may petition the court to obtain the results
24 of any HIV test administered under this Section, and the court
25 shall grant the disclosure if the State's Attorney shows it is
26 relevant in order to prosecute a charge of criminal

1 transmission of HIV under Section 12-5.01 or 12-16.2 of the
2 Criminal Code of 1961 or the Criminal Code of 2012 against the
3 defendant. The court shall order that the cost of any such test
4 shall be paid by the county and may be taxed as costs against
5 the convicted defendant.

6 (g-5) When an inmate is tested for an airborne communicable
7 disease, as determined by the Illinois Department of Public
8 Health including but not limited to tuberculosis, the results
9 of the test shall be personally delivered by the warden or his
10 or her designee in a sealed envelope to the judge of the court
11 in which the inmate must appear for the judge's inspection in
12 camera if requested by the judge. Acting in accordance with the
13 best interests of those in the courtroom, the judge shall have
14 the discretion to determine what if any precautions need to be
15 taken to prevent transmission of the disease in the courtroom.

16 (h) Whenever a defendant is convicted of an offense under
17 Section 1 or 2 of the Hypodermic Syringes and Needles Act, the
18 defendant shall undergo medical testing to determine whether
19 the defendant has been exposed to human immunodeficiency virus
20 (HIV) or any other identified causative agent of acquired
21 immunodeficiency syndrome (AIDS). Except as otherwise provided
22 by law, the results of such test shall be kept strictly
23 confidential by all medical personnel involved in the testing
24 and must be personally delivered in a sealed envelope to the
25 judge of the court in which the conviction was entered for the
26 judge's inspection in camera. Acting in accordance with the

1 best interests of the public, the judge shall have the
2 discretion to determine to whom, if anyone, the results of the
3 testing may be revealed. The court shall notify the defendant
4 of a positive test showing an infection with the human
5 immunodeficiency virus (HIV). The court shall provide
6 information on the availability of HIV testing and counseling
7 at Department of Public Health facilities to all parties to
8 whom the results of the testing are revealed and shall direct
9 the State's Attorney to provide the information to the victim
10 when possible. A State's Attorney may petition the court to
11 obtain the results of any HIV test administered under this
12 Section, and the court shall grant the disclosure if the
13 State's Attorney shows it is relevant in order to prosecute a
14 charge of criminal transmission of HIV under Section 12-5.01 or
15 12-16.2 of the Criminal Code of 1961 or the Criminal Code of
16 2012 against the defendant. The court shall order that the cost
17 of any such test shall be paid by the county and may be taxed as
18 costs against the convicted defendant.

19 (i) All fines and penalties imposed under this Section for
20 any violation of Chapters 3, 4, 6, and 11 of the Illinois
21 Vehicle Code, or a similar provision of a local ordinance, and
22 any violation of the Child Passenger Protection Act, or a
23 similar provision of a local ordinance, shall be collected and
24 disbursed by the circuit clerk as provided under ~~the Criminal~~
25 ~~and Traffic Assessment Act~~ Section 27.5 of the Clerks of Courts
26 Act.

1 (j) In cases when prosecution for any violation of Section
2 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-8, 11-9,
3 11-11, 11-14, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16, 11-17,
4 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20.1,
5 11-20.1B, 11-20.3, 11-21, 11-30, 11-40, 12-13, 12-14, 12-14.1,
6 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal
7 Code of 2012, any violation of the Illinois Controlled
8 Substances Act, any violation of the Cannabis Control Act, or
9 any violation of the Methamphetamine Control and Community
10 Protection Act results in conviction, a disposition of court
11 supervision, or an order of probation granted under Section 10
12 of the Cannabis Control Act, Section 410 of the Illinois
13 Controlled Substances Act, or Section 70 of the Methamphetamine
14 Control and Community Protection Act of a defendant, the court
15 shall determine whether the defendant is employed by a facility
16 or center as defined under the Child Care Act of 1969, a public
17 or private elementary or secondary school, or otherwise works
18 with children under 18 years of age on a daily basis. When a
19 defendant is so employed, the court shall order the Clerk of
20 the Court to send a copy of the judgment of conviction or order
21 of supervision or probation to the defendant's employer by
22 certified mail. If the employer of the defendant is a school,
23 the Clerk of the Court shall direct the mailing of a copy of
24 the judgment of conviction or order of supervision or probation
25 to the appropriate regional superintendent of schools. The
26 regional superintendent of schools shall notify the State Board

1 of Education of any notification under this subsection.

2 (j-5) A defendant at least 17 years of age who is convicted
3 of a felony and who has not been previously convicted of a
4 misdemeanor or felony and who is sentenced to a term of
5 imprisonment in the Illinois Department of Corrections shall as
6 a condition of his or her sentence be required by the court to
7 attend educational courses designed to prepare the defendant
8 for a high school diploma and to work toward a high school
9 diploma or to work toward passing high school equivalency
10 testing or to work toward completing a vocational training
11 program offered by the Department of Corrections. If a
12 defendant fails to complete the educational training required
13 by his or her sentence during the term of incarceration, the
14 Prisoner Review Board shall, as a condition of mandatory
15 supervised release, require the defendant, at his or her own
16 expense, to pursue a course of study toward a high school
17 diploma or passage of high school equivalency testing. The
18 Prisoner Review Board shall revoke the mandatory supervised
19 release of a defendant who wilfully fails to comply with this
20 subsection (j-5) upon his or her release from confinement in a
21 penal institution while serving a mandatory supervised release
22 term; however, the inability of the defendant after making a
23 good faith effort to obtain financial aid or pay for the
24 educational training shall not be deemed a wilful failure to
25 comply. The Prisoner Review Board shall recommit the defendant
26 whose mandatory supervised release term has been revoked under

1 this subsection (j-5) as provided in Section 3-3-9. This
2 subsection (j-5) does not apply to a defendant who has a high
3 school diploma or has successfully passed high school
4 equivalency testing. This subsection (j-5) does not apply to a
5 defendant who is determined by the court to be a person with a
6 developmental disability or otherwise mentally incapable of
7 completing the educational or vocational program.

8 (k) (Blank).

9 (l) (A) Except as provided in paragraph (C) of subsection
10 (l), whenever a defendant, who is an alien as defined by the
11 Immigration and Nationality Act, is convicted of any felony or
12 misdemeanor offense, the court after sentencing the defendant
13 may, upon motion of the State's Attorney, hold sentence in
14 abeyance and remand the defendant to the custody of the
15 Attorney General of the United States or his or her designated
16 agent to be deported when:

17 (1) a final order of deportation has been issued
18 against the defendant pursuant to proceedings under the
19 Immigration and Nationality Act, and

20 (2) the deportation of the defendant would not
21 deprecate the seriousness of the defendant's conduct and
22 would not be inconsistent with the ends of justice.

23 Otherwise, the defendant shall be sentenced as provided in
24 this Chapter V.

25 (B) If the defendant has already been sentenced for a
26 felony or misdemeanor offense, or has been placed on probation

1 under Section 10 of the Cannabis Control Act, Section 410 of
2 the Illinois Controlled Substances Act, or Section 70 of the
3 Methamphetamine Control and Community Protection Act, the
4 court may, upon motion of the State's Attorney to suspend the
5 sentence imposed, commit the defendant to the custody of the
6 Attorney General of the United States or his or her designated
7 agent when:

8 (1) a final order of deportation has been issued
9 against the defendant pursuant to proceedings under the
10 Immigration and Nationality Act, and

11 (2) the deportation of the defendant would not
12 deprecate the seriousness of the defendant's conduct and
13 would not be inconsistent with the ends of justice.

14 (C) This subsection (1) does not apply to offenders who are
15 subject to the provisions of paragraph (2) of subsection (a) of
16 Section 3-6-3.

17 (D) Upon motion of the State's Attorney, if a defendant
18 sentenced under this Section returns to the jurisdiction of the
19 United States, the defendant shall be recommitted to the
20 custody of the county from which he or she was sentenced.
21 Thereafter, the defendant shall be brought before the
22 sentencing court, which may impose any sentence that was
23 available under Section 5-5-3 at the time of initial
24 sentencing. In addition, the defendant shall not be eligible
25 for additional earned sentence credit as provided under Section
26 3-6-3.

1 (m) A person convicted of criminal defacement of property
2 under Section 21-1.3 of the Criminal Code of 1961 or the
3 Criminal Code of 2012, in which the property damage exceeds
4 \$300 and the property damaged is a school building, shall be
5 ordered to perform community service that may include cleanup,
6 removal, or painting over the defacement.

7 (n) The court may sentence a person convicted of a
8 violation of Section 12-19, 12-21, 16-1.3, or 17-56, or
9 subsection (a) or (b) of Section 12-4.4a, of the Criminal Code
10 of 1961 or the Criminal Code of 2012 (i) to an impact
11 incarceration program if the person is otherwise eligible for
12 that program under Section 5-8-1.1, (ii) to community service,
13 or (iii) if the person is an addict or alcoholic, as defined in
14 the Alcoholism and Other Drug Abuse and Dependency Act, to a
15 substance or alcohol abuse program licensed under that Act.

16 (o) Whenever a person is convicted of a sex offense as
17 defined in Section 2 of the Sex Offender Registration Act, the
18 defendant's driver's license or permit shall be subject to
19 renewal on an annual basis in accordance with the provisions of
20 license renewal established by the Secretary of State.

21 (Source: P.A. 99-143, eff. 7-27-15; 99-885, eff. 8-23-16;
22 99-938, eff. 1-1-18; 100-575, eff. 1-8-18.)

23 (730 ILCS 5/5-5-6) (from Ch. 38, par. 1005-5-6)

24 Sec. 5-5-6. In all convictions for offenses in violation of
25 the Criminal Code of 1961 or the Criminal Code of 2012 or of

1 Section 11-501 of the Illinois Vehicle Code in which the person
2 received any injury to his or her person or damage to his or
3 her real or personal property as a result of the criminal act
4 of the defendant, the court shall order restitution as provided
5 in this Section. In all other cases, except cases in which
6 restitution is required under this Section, the court must at
7 the sentence hearing determine whether restitution is an
8 appropriate sentence to be imposed on each defendant convicted
9 of an offense. If the court determines that an order directing
10 the offender to make restitution is appropriate, the offender
11 may be sentenced to make restitution. The court may consider
12 restitution an appropriate sentence to be imposed on each
13 defendant convicted of an offense in addition to a sentence of
14 imprisonment. The sentence of the defendant to a term of
15 imprisonment is not a mitigating factor that prevents the court
16 from ordering the defendant to pay restitution. If the offender
17 is sentenced to make restitution the Court shall determine the
18 restitution as hereinafter set forth:

19 (a) At the sentence hearing, the court shall determine
20 whether the property may be restored in kind to the
21 possession of the owner or the person entitled to
22 possession thereof; or whether the defendant is possessed
23 of sufficient skill to repair and restore property damaged;
24 or whether the defendant should be required to make
25 restitution in cash, for out-of-pocket expenses, damages,
26 losses, or injuries found to have been proximately caused

1 by the conduct of the defendant or another for whom the
2 defendant is legally accountable under the provisions of
3 Article 5 of the Criminal Code of 1961 or the Criminal Code
4 of 2012.

5 (b) In fixing the amount of restitution to be paid in
6 cash, the court shall allow credit for property returned in
7 kind, for property damages ordered to be repaired by the
8 defendant, and for property ordered to be restored by the
9 defendant; and after granting the credit, the court shall
10 assess the actual out-of-pocket expenses, losses, damages,
11 and injuries suffered by the victim named in the charge and
12 any other victims who may also have suffered out-of-pocket
13 expenses, losses, damages, and injuries proximately caused
14 by the same criminal conduct of the defendant, and
15 insurance carriers who have indemnified the named victim or
16 other victims for the out-of-pocket expenses, losses,
17 damages, or injuries, provided that in no event shall
18 restitution be ordered to be paid on account of pain and
19 suffering. When a victim's out-of-pocket expenses have
20 been paid pursuant to the Crime Victims Compensation Act,
21 the court shall order restitution be paid to the
22 compensation program. If a defendant is placed on
23 supervision for, or convicted of, domestic battery, the
24 defendant shall be required to pay restitution to any
25 domestic violence shelter in which the victim and any other
26 family or household members lived because of the domestic

1 battery. The amount of the restitution shall equal the
2 actual expenses of the domestic violence shelter in
3 providing housing and any other services for the victim and
4 any other family or household members living at the
5 shelter. If a defendant fails to pay restitution in the
6 manner or within the time period specified by the court,
7 the court may enter an order directing the sheriff to seize
8 any real or personal property of a defendant to the extent
9 necessary to satisfy the order of restitution and dispose
10 of the property by public sale. All proceeds from such sale
11 in excess of the amount of restitution plus court costs and
12 the costs of the sheriff in conducting the sale shall be
13 paid to the defendant. The defendant convicted of domestic
14 battery, if a person under 18 years of age was present and
15 witnessed the domestic battery of the victim, is liable to
16 pay restitution for the cost of any counseling required for
17 the child at the discretion of the court.

18 (c) In cases where more than one defendant is
19 accountable for the same criminal conduct that results in
20 out-of-pocket expenses, losses, damages, or injuries, each
21 defendant shall be ordered to pay restitution in the amount
22 of the total actual out-of-pocket expenses, losses,
23 damages, or injuries to the victim proximately caused by
24 the conduct of all of the defendants who are legally
25 accountable for the offense.

26 (1) In no event shall the victim be entitled to

1 recover restitution in excess of the actual
2 out-of-pocket expenses, losses, damages, or injuries,
3 proximately caused by the conduct of all of the
4 defendants.

5 (2) As between the defendants, the court may
6 apportion the restitution that is payable in
7 proportion to each co-defendant's culpability in the
8 commission of the offense.

9 (3) In the absence of a specific order apportioning
10 the restitution, each defendant shall bear his pro rata
11 share of the restitution.

12 (4) As between the defendants, each defendant
13 shall be entitled to a pro rata reduction in the total
14 restitution required to be paid to the victim for
15 amounts of restitution actually paid by co-defendants,
16 and defendants who shall have paid more than their pro
17 rata share shall be entitled to refunds to be computed
18 by the court as additional amounts are paid by
19 co-defendants.

20 (d) In instances where a defendant has more than one
21 criminal charge pending against him in a single case, or
22 more than one case, and the defendant stands convicted of
23 one or more charges, a plea agreement negotiated by the
24 State's Attorney and the defendants may require the
25 defendant to make restitution to victims of charges that
26 have been dismissed or which it is contemplated will be

1 dismissed under the terms of the plea agreement, and under
2 the agreement, the court may impose a sentence of
3 restitution on the charge or charges of which the defendant
4 has been convicted that would require the defendant to make
5 restitution to victims of other offenses as provided in the
6 plea agreement.

7 (e) The court may require the defendant to apply the
8 balance of the cash bond, after payment of court costs, and
9 any fine that may be imposed to the payment of restitution.

10 (f) Taking into consideration the ability of the
11 defendant to pay, including any real or personal property
12 or any other assets of the defendant, the court shall
13 determine whether restitution shall be paid in a single
14 payment or in installments, and shall fix a period of time
15 not in excess of 5 years, except for violations of Sections
16 16-1.3 and 17-56 of the Criminal Code of 1961 or the
17 Criminal Code of 2012, or the period of time specified in
18 subsection (f-1), not including periods of incarceration,
19 within which payment of restitution is to be paid in full.
20 Complete restitution shall be paid in as short a time
21 period as possible. However, if the court deems it
22 necessary and in the best interest of the victim, the court
23 may extend beyond 5 years the period of time within which
24 the payment of restitution is to be paid. If the defendant
25 is ordered to pay restitution and the court orders that
26 restitution is to be paid over a period greater than 6

1 months, the court shall order that the defendant make
2 monthly payments; the court may waive this requirement of
3 monthly payments only if there is a specific finding of
4 good cause for waiver.

5 (f-1) (1) In addition to any other penalty prescribed by
6 law and any restitution ordered under this Section that did
7 not include long-term physical health care costs, the court
8 may, upon conviction of any misdemeanor or felony, order a
9 defendant to pay restitution to a victim in accordance with
10 the provisions of this subsection (f-1) if the victim has
11 suffered physical injury as a result of the offense that is
12 reasonably probable to require or has required long-term
13 physical health care for more than 3 months. As used in
14 this subsection (f-1) "long-term physical health care"
15 includes mental health care.

16 (2) The victim's estimate of long-term physical health
17 care costs may be made as part of a victim impact statement
18 under Section 6 of the Rights of Crime Victims and
19 Witnesses Act or made separately. The court shall enter the
20 long-term physical health care restitution order at the
21 time of sentencing. An order of restitution made under this
22 subsection (f-1) shall fix a monthly amount to be paid by
23 the defendant for as long as long-term physical health care
24 of the victim is required as a result of the offense. The
25 order may exceed the length of any sentence imposed upon
26 the defendant for the criminal activity. The court shall

1 include as a special finding in the judgment of conviction
2 its determination of the monthly cost of long-term physical
3 health care.

4 (3) After a sentencing order has been entered, the
5 court may from time to time, on the petition of either the
6 defendant or the victim, or upon its own motion, enter an
7 order for restitution for long-term physical care or modify
8 the existing order for restitution for long-term physical
9 care as to the amount of monthly payments. Any modification
10 of the order shall be based only upon a substantial change
11 of circumstances relating to the cost of long-term physical
12 health care or the financial condition of either the
13 defendant or the victim. The petition shall be filed as
14 part of the original criminal docket.

15 (g) In addition to the sentences provided for in
16 Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,
17 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-13, 12-14,
18 12-14.1, 12-15, and 12-16, and subdivision (a)(4) of
19 Section 11-14.4, of the Criminal Code of 1961 or the
20 Criminal Code of 2012, the court may order any person who
21 is convicted of violating any of those Sections or who was
22 charged with any of those offenses and which charge was
23 reduced to another charge as a result of a plea agreement
24 under subsection (d) of this Section to meet all or any
25 portion of the financial obligations of treatment,
26 including but not limited to medical, psychiatric, or

1 rehabilitative treatment or psychological counseling,
2 prescribed for the victim or victims of the offense.

3 The payments shall be made by the defendant to the
4 clerk of the circuit court and transmitted by the clerk to
5 the appropriate person or agency as directed by the court.
6 Except as otherwise provided in subsection (f-1), the order
7 may require such payments to be made for a period not to
8 exceed 5 years after sentencing, not including periods of
9 incarceration.

10 (h) The judge may enter an order of withholding to
11 collect the amount of restitution owed in accordance with
12 Part 8 of Article XII of the Code of Civil Procedure.

13 (i) A sentence of restitution may be modified or
14 revoked by the court if the offender commits another
15 offense, or the offender fails to make restitution as
16 ordered by the court, but no sentence to make restitution
17 shall be revoked unless the court shall find that the
18 offender has had the financial ability to make restitution,
19 and he has wilfully refused to do so. When the offender's
20 ability to pay restitution was established at the time an
21 order of restitution was entered or modified, or when the
22 offender's ability to pay was based on the offender's
23 willingness to make restitution as part of a plea agreement
24 made at the time the order of restitution was entered or
25 modified, there is a rebuttable presumption that the facts
26 and circumstances considered by the court at the hearing at

1 which the order of restitution was entered or modified
2 regarding the offender's ability or willingness to pay
3 restitution have not materially changed. If the court shall
4 find that the defendant has failed to make restitution and
5 that the failure is not wilful, the court may impose an
6 additional period of time within which to make restitution.
7 The length of the additional period shall not be more than
8 2 years. The court shall retain all of the incidents of the
9 original sentence, including the authority to modify or
10 enlarge the conditions, and to revoke or further modify the
11 sentence if the conditions of payment are violated during
12 the additional period.

13 (j) The procedure upon the filing of a Petition to
14 Revoke a sentence to make restitution shall be the same as
15 the procedures set forth in Section 5-6-4 of this Code
16 governing violation, modification, or revocation of
17 Probation, of Conditional Discharge, or of Supervision.

18 (k) Nothing contained in this Section shall preclude
19 the right of any party to proceed in a civil action to
20 recover for any damages incurred due to the criminal
21 misconduct of the defendant.

22 (l) Restitution ordered under this Section shall not be
23 subject to disbursement by the circuit clerk under ~~the~~
24 ~~Criminal and Traffic Assessment Act~~ Section 27.5 of the
25 Clerks of Courts Act.

26 (m) A restitution order under this Section is a

1 judgment lien in favor of the victim that:

2 (1) Attaches to the property of the person subject
3 to the order;

4 (2) May be perfected in the same manner as provided
5 in Part 3 of Article 9 of the Uniform Commercial Code;

6 (3) May be enforced to satisfy any payment that is
7 delinquent under the restitution order by the person in
8 whose favor the order is issued or the person's
9 assignee; and

10 (4) Expires in the same manner as a judgment lien
11 created in a civil proceeding.

12 When a restitution order is issued under this Section,
13 the issuing court shall send a certified copy of the order
14 to the clerk of the circuit court in the county where the
15 charge was filed. Upon receiving the order, the clerk shall
16 enter and index the order in the circuit court judgment
17 docket.

18 (n) An order of restitution under this Section does not
19 bar a civil action for:

20 (1) Damages that the court did not require the
21 person to pay to the victim under the restitution order
22 but arise from an injury or property damages that is
23 the basis of restitution ordered by the court; and

24 (2) Other damages suffered by the victim.

25 The restitution order is not discharged by the completion
26 of the sentence imposed for the offense.

1 A restitution order under this Section is not discharged by
2 the liquidation of a person's estate by a receiver. A
3 restitution order under this Section may be enforced in the
4 same manner as judgment liens are enforced under Article XII of
5 the Code of Civil Procedure.

6 The provisions of Section 2-1303 of the Code of Civil
7 Procedure, providing for interest on judgments, apply to
8 judgments for restitution entered under this Section.

9 (Source: P.A. 96-290, eff. 8-11-09; 96-1551, eff. 7-1-11;
10 97-482, eff. 1-1-12; 97-817, eff. 1-1-13; 97-1150, eff.
11 1-25-13.)

12 (730 ILCS 5/5-6-1) (from Ch. 38, par. 1005-6-1)

13 Sec. 5-6-1. Sentences of Probation and of Conditional
14 Discharge and Disposition of Supervision. The General Assembly
15 finds that in order to protect the public, the criminal justice
16 system must compel compliance with the conditions of probation
17 by responding to violations with swift, certain and fair
18 punishments and intermediate sanctions. The Chief Judge of each
19 circuit shall adopt a system of structured, intermediate
20 sanctions for violations of the terms and conditions of a
21 sentence of probation, conditional discharge or disposition of
22 supervision.

23 (a) Except where specifically prohibited by other
24 provisions of this Code, the court shall impose a sentence of
25 probation or conditional discharge upon an offender unless,

1 having regard to the nature and circumstance of the offense,
2 and to the history, character and condition of the offender,
3 the court is of the opinion that:

4 (1) his imprisonment or periodic imprisonment is
5 necessary for the protection of the public; or

6 (2) probation or conditional discharge would deprecate
7 the seriousness of the offender's conduct and would be
8 inconsistent with the ends of justice; or

9 (3) a combination of imprisonment with concurrent or
10 consecutive probation when an offender has been admitted
11 into a drug court program under Section 20 of the Drug
12 Court Treatment Act is necessary for the protection of the
13 public and for the rehabilitation of the offender.

14 The court shall impose as a condition of a sentence of
15 probation, conditional discharge, or supervision, that the
16 probation agency may invoke any sanction from the list of
17 intermediate sanctions adopted by the chief judge of the
18 circuit court for violations of the terms and conditions of the
19 sentence of probation, conditional discharge, or supervision,
20 subject to the provisions of Section 5-6-4 of this Act.

21 (b) The court may impose a sentence of conditional
22 discharge for an offense if the court is of the opinion that
23 neither a sentence of imprisonment nor of periodic imprisonment
24 nor of probation supervision is appropriate.

25 (b-1) Subsections (a) and (b) of this Section do not apply
26 to a defendant charged with a misdemeanor or felony under the

1 Illinois Vehicle Code or reckless homicide under Section 9-3 of
2 the Criminal Code of 1961 or the Criminal Code of 2012 if the
3 defendant within the past 12 months has been convicted of or
4 pleaded guilty to a misdemeanor or felony under the Illinois
5 Vehicle Code or reckless homicide under Section 9-3 of the
6 Criminal Code of 1961 or the Criminal Code of 2012.

7 (c) The court may, upon a plea of guilty or a stipulation
8 by the defendant of the facts supporting the charge or a
9 finding of guilt, defer further proceedings and the imposition
10 of a sentence, and enter an order for supervision of the
11 defendant, if the defendant is not charged with: (i) a Class A
12 misdemeanor, as defined by the following provisions of the
13 Criminal Code of 1961 or the Criminal Code of 2012: Sections
14 11-9.1; 12-3.2; 11-1.50 or 12-15; 26-5 or 48-1; 31-1; 31-6;
15 31-7; paragraphs (2) and (3) of subsection (a) of Section 21-1;
16 paragraph (1) through (5), (8), (10), and (11) of subsection
17 (a) of Section 24-1; (ii) a Class A misdemeanor violation of
18 Section 3.01, 3.03-1, or 4.01 of the Humane Care for Animals
19 Act; or (iii) a felony. If the defendant is not barred from
20 receiving an order for supervision as provided in this
21 subsection, the court may enter an order for supervision after
22 considering the circumstances of the offense, and the history,
23 character and condition of the offender, if the court is of the
24 opinion that:

25 (1) the offender is not likely to commit further
26 crimes;

1 (2) the defendant and the public would be best served
2 if the defendant were not to receive a criminal record; and

3 (3) in the best interests of justice an order of
4 supervision is more appropriate than a sentence otherwise
5 permitted under this Code.

6 (c-5) Subsections (a), (b), and (c) of this Section do not
7 apply to a defendant charged with a second or subsequent
8 violation of Section 6-303 of the Illinois Vehicle Code
9 committed while his or her driver's license, permit or
10 privileges were revoked because of a violation of Section 9-3
11 of the Criminal Code of 1961 or the Criminal Code of 2012,
12 relating to the offense of reckless homicide, or a similar
13 provision of a law of another state.

14 (d) The provisions of paragraph (c) shall not apply to a
15 defendant charged with violating Section 11-501 of the Illinois
16 Vehicle Code or a similar provision of a local ordinance when
17 the defendant has previously been:

18 (1) convicted for a violation of Section 11-501 of the
19 Illinois Vehicle Code or a similar provision of a local
20 ordinance or any similar law or ordinance of another state;
21 or

22 (2) assigned supervision for a violation of Section
23 11-501 of the Illinois Vehicle Code or a similar provision
24 of a local ordinance or any similar law or ordinance of
25 another state; or

26 (3) pleaded guilty to or stipulated to the facts

1 supporting a charge or a finding of guilty to a violation
2 of Section 11-503 of the Illinois Vehicle Code or a similar
3 provision of a local ordinance or any similar law or
4 ordinance of another state, and the plea or stipulation was
5 the result of a plea agreement.

6 The court shall consider the statement of the prosecuting
7 authority with regard to the standards set forth in this
8 Section.

9 (e) The provisions of paragraph (c) shall not apply to a
10 defendant charged with violating Section 16-25 or 16A-3 of the
11 Criminal Code of 1961 or the Criminal Code of 2012 if said
12 defendant has within the last 5 years been:

13 (1) convicted for a violation of Section 16-25 or 16A-3
14 of the Criminal Code of 1961 or the Criminal Code of 2012;
15 or

16 (2) assigned supervision for a violation of Section
17 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal
18 Code of 2012.

19 The court shall consider the statement of the prosecuting
20 authority with regard to the standards set forth in this
21 Section.

22 (f) The provisions of paragraph (c) shall not apply to a
23 defendant charged with violating Sections 15-111, 15-112,
24 15-301, paragraph (b) of Section 6-104, Section 11-605,
25 paragraph (d-5) of Section 11-605.1, Section 11-1002.5, or
26 Section 11-1414 of the Illinois Vehicle Code or a similar

1 provision of a local ordinance.

2 (g) Except as otherwise provided in paragraph (i) of this
3 Section, the provisions of paragraph (c) shall not apply to a
4 defendant charged with violating Section 3-707, 3-708, 3-710,
5 or 5-401.3 of the Illinois Vehicle Code or a similar provision
6 of a local ordinance if the defendant has within the last 5
7 years been:

8 (1) convicted for a violation of Section 3-707, 3-708,
9 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar
10 provision of a local ordinance; or

11 (2) assigned supervision for a violation of Section
12 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle
13 Code or a similar provision of a local ordinance.

14 The court shall consider the statement of the prosecuting
15 authority with regard to the standards set forth in this
16 Section.

17 (h) The provisions of paragraph (c) shall not apply to a
18 defendant under the age of 21 years charged with violating a
19 serious traffic offense as defined in Section 1-187.001 of the
20 Illinois Vehicle Code:

21 (1) unless the defendant, upon payment of the fines,
22 penalties, and costs provided by law, agrees to attend and
23 successfully complete a traffic safety program approved by
24 the court under standards set by the Conference of Chief
25 Circuit Judges. The accused shall be responsible for
26 payment of any traffic safety program fees. If the accused

1 fails to file a certificate of successful completion on or
2 before the termination date of the supervision order, the
3 supervision shall be summarily revoked and conviction
4 entered. The provisions of Supreme Court Rule 402 relating
5 to pleas of guilty do not apply in cases when a defendant
6 enters a guilty plea under this provision; or

7 (2) if the defendant has previously been sentenced
8 under the provisions of paragraph (c) on or after January
9 1, 1998 for any serious traffic offense as defined in
10 Section 1-187.001 of the Illinois Vehicle Code.

11 (h-1) The provisions of paragraph (c) shall not apply to a
12 defendant under the age of 21 years charged with an offense
13 against traffic regulations governing the movement of vehicles
14 or any violation of Section 6-107 or Section 12-603.1 of the
15 Illinois Vehicle Code, unless the defendant, upon payment of
16 the fines, penalties, and costs provided by law, agrees to
17 attend and successfully complete a traffic safety program
18 approved by the court under standards set by the Conference of
19 Chief Circuit Judges. The accused shall be responsible for
20 payment of any traffic safety program fees. If the accused
21 fails to file a certificate of successful completion on or
22 before the termination date of the supervision order, the
23 supervision shall be summarily revoked and conviction entered.
24 The provisions of Supreme Court Rule 402 relating to pleas of
25 guilty do not apply in cases when a defendant enters a guilty
26 plea under this provision.

1 (i) The provisions of paragraph (c) shall not apply to a
2 defendant charged with violating Section 3-707 of the Illinois
3 Vehicle Code or a similar provision of a local ordinance if the
4 defendant has been assigned supervision for a violation of
5 Section 3-707 of the Illinois Vehicle Code or a similar
6 provision of a local ordinance.

7 (j) The provisions of paragraph (c) shall not apply to a
8 defendant charged with violating Section 6-303 of the Illinois
9 Vehicle Code or a similar provision of a local ordinance when
10 the revocation or suspension was for a violation of Section
11 11-501 or a similar provision of a local ordinance or a
12 violation of Section 11-501.1 or paragraph (b) of Section
13 11-401 of the Illinois Vehicle Code if the defendant has within
14 the last 10 years been:

15 (1) convicted for a violation of Section 6-303 of the
16 Illinois Vehicle Code or a similar provision of a local
17 ordinance; or

18 (2) assigned supervision for a violation of Section
19 6-303 of the Illinois Vehicle Code or a similar provision
20 of a local ordinance.

21 (k) The provisions of paragraph (c) shall not apply to a
22 defendant charged with violating any provision of the Illinois
23 Vehicle Code or a similar provision of a local ordinance that
24 governs the movement of vehicles if, within the 12 months
25 preceding the date of the defendant's arrest, the defendant has
26 been assigned court supervision on 2 occasions for a violation

1 that governs the movement of vehicles under the Illinois
2 Vehicle Code or a similar provision of a local ordinance. The
3 provisions of this paragraph (k) do not apply to a defendant
4 charged with violating Section 11-501 of the Illinois Vehicle
5 Code or a similar provision of a local ordinance.

6 (l) ~~(Blank)~~. A defendant charged with violating any
7 provision of the Illinois Vehicle Code or a similar provision
8 of a local ordinance who receives a disposition of supervision
9 under subsection (c) shall pay an additional fee of \$29, to be
10 collected as provided in Sections 27.5 and 27.6 of the Clerks
11 of Courts Act. In addition to the \$29 fee, the person shall
12 also pay a fee of \$6, which, if not waived by the court, shall
13 be collected as provided in Sections 27.5 and 27.6 of the
14 Clerks of Courts Act. The \$29 fee shall be disbursed as
15 provided in Section 16-104c of the Illinois Vehicle Code. If
16 the \$6 fee is collected, \$5.50 of the fee shall be deposited
17 into the Circuit Court Clerk Operation and Administrative Fund
18 created by the Clerk of the Circuit Court and 50 cents of the
19 fee shall be deposited into the Prisoner Review Board Vehicle
20 and Equipment Fund in the State treasury.

21 (m) ~~(Blank)~~. Any person convicted of, pleading guilty to,
22 or placed on supervision for a serious traffic violation, as
23 defined in Section 1-187.001 of the Illinois Vehicle Code, a
24 violation of Section 11-501 of the Illinois Vehicle Code, or a
25 violation of a similar provision of a local ordinance shall pay
26 an additional fee of \$35, to be disbursed as provided in

1 Section 16-104d of that Code.

2 This subsection (m) becomes inoperative on January 1, 2020.

3 (n) The provisions of paragraph (c) shall not apply to any
4 person under the age of 18 who commits an offense against
5 traffic regulations governing the movement of vehicles or any
6 violation of Section 6-107 or Section 12-603.1 of the Illinois
7 Vehicle Code, except upon personal appearance of the defendant
8 in court and upon the written consent of the defendant's parent
9 or legal guardian, executed before the presiding judge. The
10 presiding judge shall have the authority to waive this
11 requirement upon the showing of good cause by the defendant.

12 (o) The provisions of paragraph (c) shall not apply to a
13 defendant charged with violating Section 6-303 of the Illinois
14 Vehicle Code or a similar provision of a local ordinance when
15 the suspension was for a violation of Section 11-501.1 of the
16 Illinois Vehicle Code and when:

17 (1) at the time of the violation of Section 11-501.1 of
18 the Illinois Vehicle Code, the defendant was a first
19 offender pursuant to Section 11-500 of the Illinois Vehicle
20 Code and the defendant failed to obtain a monitoring device
21 driving permit; or

22 (2) at the time of the violation of Section 11-501.1 of
23 the Illinois Vehicle Code, the defendant was a first
24 offender pursuant to Section 11-500 of the Illinois Vehicle
25 Code, had subsequently obtained a monitoring device
26 driving permit, but was driving a vehicle not equipped with

1 a breath alcohol ignition interlock device as defined in
2 Section 1-129.1 of the Illinois Vehicle Code.

3 (p) The provisions of paragraph (c) shall not apply to a
4 defendant charged with violating Section 11-601.5 of the
5 Illinois Vehicle Code or a similar provision of a local
6 ordinance when the defendant has previously been:

7 (1) convicted for a violation of Section 11-601.5 of
8 the Illinois Vehicle Code or a similar provision of a local
9 ordinance or any similar law or ordinance of another state;
10 or

11 (2) assigned supervision for a violation of Section
12 11-601.5 of the Illinois Vehicle Code or a similar
13 provision of a local ordinance or any similar law or
14 ordinance of another state.

15 (q) The provisions of paragraph (c) shall not apply to a
16 defendant charged with violating subsection (b) of Section
17 11-601 or Section 11-601.5 of the Illinois Vehicle Code when
18 the defendant was operating a vehicle, in an urban district, at
19 a speed that is 26 miles per hour or more in excess of the
20 applicable maximum speed limit established under Chapter 11 of
21 the Illinois Vehicle Code.

22 (r) The provisions of paragraph (c) shall not apply to a
23 defendant charged with violating any provision of the Illinois
24 Vehicle Code or a similar provision of a local ordinance if the
25 violation was the proximate cause of the death of another and
26 the defendant's driving abstract contains a prior conviction or

1 disposition of court supervision for any violation of the
2 Illinois Vehicle Code, other than an equipment violation, or a
3 suspension, revocation, or cancellation of the driver's
4 license.

5 (s) The provisions of paragraph (c) shall not apply to a
6 defendant charged with violating subsection (i) of Section 70
7 of the Firearm Concealed Carry Act.

8 (Source: P.A. 98-169, eff. 1-1-14; 98-658, eff. 6-23-14;
9 98-899, eff. 8-15-14; 99-78, eff. 7-20-15; 99-212, eff.
10 1-1-16.)

11 (730 ILCS 5/5-6-3) (from Ch. 38, par. 1005-6-3)

12 Sec. 5-6-3. Conditions of probation and of conditional
13 discharge.

14 (a) The conditions of probation and of conditional
15 discharge shall be that the person:

16 (1) not violate any criminal statute of any
17 jurisdiction;

18 (2) report to or appear in person before such person or
19 agency as directed by the court;

20 (3) refrain from possessing a firearm or other
21 dangerous weapon where the offense is a felony or, if a
22 misdemeanor, the offense involved the intentional or
23 knowing infliction of bodily harm or threat of bodily harm;

24 (4) not leave the State without the consent of the
25 court or, in circumstances in which the reason for the

1 absence is of such an emergency nature that prior consent
2 by the court is not possible, without the prior
3 notification and approval of the person's probation
4 officer. Transfer of a person's probation or conditional
5 discharge supervision to another state is subject to
6 acceptance by the other state pursuant to the Interstate
7 Compact for Adult Offender Supervision;

8 (5) permit the probation officer to visit him at his
9 home or elsewhere to the extent necessary to discharge his
10 duties;

11 (6) perform no less than 30 hours of community service
12 and not more than 120 hours of community service, if
13 community service is available in the jurisdiction and is
14 funded and approved by the county board where the offense
15 was committed, where the offense was related to or in
16 furtherance of the criminal activities of an organized gang
17 and was motivated by the offender's membership in or
18 allegiance to an organized gang. The community service
19 shall include, but not be limited to, the cleanup and
20 repair of any damage caused by a violation of Section
21 21-1.3 of the Criminal Code of 1961 or the Criminal Code of
22 2012 and similar damage to property located within the
23 municipality or county in which the violation occurred.
24 When possible and reasonable, the community service should
25 be performed in the offender's neighborhood. For purposes
26 of this Section, "organized gang" has the meaning ascribed

1 to it in Section 10 of the Illinois Streetgang Terrorism
2 Omnibus Prevention Act. The court may give credit toward
3 the fulfillment of community service hours for
4 participation in activities and treatment as determined by
5 court services;

6 (7) if he or she is at least 17 years of age and has
7 been sentenced to probation or conditional discharge for a
8 misdemeanor or felony in a county of 3,000,000 or more
9 inhabitants and has not been previously convicted of a
10 misdemeanor or felony, may be required by the sentencing
11 court to attend educational courses designed to prepare the
12 defendant for a high school diploma and to work toward a
13 high school diploma or to work toward passing high school
14 equivalency testing or to work toward completing a
15 vocational training program approved by the court. The
16 person on probation or conditional discharge must attend a
17 public institution of education to obtain the educational
18 or vocational training required by this paragraph (7). The
19 court shall revoke the probation or conditional discharge
20 of a person who wilfully fails to comply with this
21 paragraph (7). The person on probation or conditional
22 discharge shall be required to pay for the cost of the
23 educational courses or high school equivalency testing if a
24 fee is charged for those courses or testing. The court
25 shall resentence the offender whose probation or
26 conditional discharge has been revoked as provided in

1 Section 5-6-4. This paragraph (7) does not apply to a
2 person who has a high school diploma or has successfully
3 passed high school equivalency testing. This paragraph (7)
4 does not apply to a person who is determined by the court
5 to be a person with a developmental disability or otherwise
6 mentally incapable of completing the educational or
7 vocational program;

8 (8) if convicted of possession of a substance
9 prohibited by the Cannabis Control Act, the Illinois
10 Controlled Substances Act, or the Methamphetamine Control
11 and Community Protection Act after a previous conviction or
12 disposition of supervision for possession of a substance
13 prohibited by the Cannabis Control Act or Illinois
14 Controlled Substances Act or after a sentence of probation
15 under Section 10 of the Cannabis Control Act, Section 410
16 of the Illinois Controlled Substances Act, or Section 70 of
17 the Methamphetamine Control and Community Protection Act
18 and upon a finding by the court that the person is
19 addicted, undergo treatment at a substance abuse program
20 approved by the court;

21 (8.5) if convicted of a felony sex offense as defined
22 in the Sex Offender Management Board Act, the person shall
23 undergo and successfully complete sex offender treatment
24 by a treatment provider approved by the Board and conducted
25 in conformance with the standards developed under the Sex
26 Offender Management Board Act;

1 (8.6) if convicted of a sex offense as defined in the
2 Sex Offender Management Board Act, refrain from residing at
3 the same address or in the same condominium unit or
4 apartment unit or in the same condominium complex or
5 apartment complex with another person he or she knows or
6 reasonably should know is a convicted sex offender or has
7 been placed on supervision for a sex offense; the
8 provisions of this paragraph do not apply to a person
9 convicted of a sex offense who is placed in a Department of
10 Corrections licensed transitional housing facility for sex
11 offenders;

12 (8.7) if convicted for an offense committed on or after
13 June 1, 2008 (the effective date of Public Act 95-464) that
14 would qualify the accused as a child sex offender as
15 defined in Section 11-9.3 or 11-9.4 of the Criminal Code of
16 1961 or the Criminal Code of 2012, refrain from
17 communicating with or contacting, by means of the Internet,
18 a person who is not related to the accused and whom the
19 accused reasonably believes to be under 18 years of age;
20 for purposes of this paragraph (8.7), "Internet" has the
21 meaning ascribed to it in Section 16-0.1 of the Criminal
22 Code of 2012; and a person is not related to the accused if
23 the person is not: (i) the spouse, brother, or sister of
24 the accused; (ii) a descendant of the accused; (iii) a
25 first or second cousin of the accused; or (iv) a step-child
26 or adopted child of the accused;

1 (8.8) if convicted for an offense under Section 11-6,
2 11-9.1, 11-14.4 that involves soliciting for a juvenile
3 prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21
4 of the Criminal Code of 1961 or the Criminal Code of 2012,
5 or any attempt to commit any of these offenses, committed
6 on or after June 1, 2009 (the effective date of Public Act
7 95-983):

8 (i) not access or use a computer or any other
9 device with Internet capability without the prior
10 written approval of the offender's probation officer,
11 except in connection with the offender's employment or
12 search for employment with the prior approval of the
13 offender's probation officer;

14 (ii) submit to periodic unannounced examinations
15 of the offender's computer or any other device with
16 Internet capability by the offender's probation
17 officer, a law enforcement officer, or assigned
18 computer or information technology specialist,
19 including the retrieval and copying of all data from
20 the computer or device and any internal or external
21 peripherals and removal of such information,
22 equipment, or device to conduct a more thorough
23 inspection;

24 (iii) submit to the installation on the offender's
25 computer or device with Internet capability, at the
26 offender's expense, of one or more hardware or software

1 systems to monitor the Internet use; and

2 (iv) submit to any other appropriate restrictions
3 concerning the offender's use of or access to a
4 computer or any other device with Internet capability
5 imposed by the offender's probation officer;

6 (8.9) if convicted of a sex offense as defined in the
7 Sex Offender Registration Act committed on or after January
8 1, 2010 (the effective date of Public Act 96-262), refrain
9 from accessing or using a social networking website as
10 defined in Section 17-0.5 of the Criminal Code of 2012;

11 (9) if convicted of a felony or of any misdemeanor
12 violation of Section 12-1, 12-2, 12-3, 12-3.2, 12-3.4, or
13 12-3.5 of the Criminal Code of 1961 or the Criminal Code of
14 2012 that was determined, pursuant to Section 112A-11.1 of
15 the Code of Criminal Procedure of 1963, to trigger the
16 prohibitions of 18 U.S.C. 922(g)(9), physically surrender
17 at a time and place designated by the court, his or her
18 Firearm Owner's Identification Card and any and all
19 firearms in his or her possession. The Court shall return
20 to the Department of State Police Firearm Owner's
21 Identification Card Office the person's Firearm Owner's
22 Identification Card;

23 (10) if convicted of a sex offense as defined in
24 subsection (a-5) of Section 3-1-2 of this Code, unless the
25 offender is a parent or guardian of the person under 18
26 years of age present in the home and no non-familial minors

1 are present, not participate in a holiday event involving
2 children under 18 years of age, such as distributing candy
3 or other items to children on Halloween, wearing a Santa
4 Claus costume on or preceding Christmas, being employed as
5 a department store Santa Claus, or wearing an Easter Bunny
6 costume on or preceding Easter;

7 (11) if convicted of a sex offense as defined in
8 Section 2 of the Sex Offender Registration Act committed on
9 or after January 1, 2010 (the effective date of Public Act
10 96-362) that requires the person to register as a sex
11 offender under that Act, may not knowingly use any computer
12 scrub software on any computer that the sex offender uses;

13 (12) if convicted of a violation of the Methamphetamine
14 Control and Community Protection Act, the Methamphetamine
15 Precursor Control Act, or a methamphetamine related
16 offense:

17 (A) prohibited from purchasing, possessing, or
18 having under his or her control any product containing
19 pseudoephedrine unless prescribed by a physician; and

20 (B) prohibited from purchasing, possessing, or
21 having under his or her control any product containing
22 ammonium nitrate; and

23 (13) if convicted of a hate crime involving the
24 protected class identified in subsection (a) of Section
25 12-7.1 of the Criminal Code of 2012 that gave rise to the
26 offense the offender committed, perform public or

1 community service of no less than 200 hours and enroll in
2 an educational program discouraging hate crimes that
3 includes racial, ethnic, and cultural sensitivity training
4 ordered by the court.

5 (b) The Court may in addition to other reasonable
6 conditions relating to the nature of the offense or the
7 rehabilitation of the defendant as determined for each
8 defendant in the proper discretion of the Court require that
9 the person:

10 (1) serve a term of periodic imprisonment under Article
11 7 for a period not to exceed that specified in paragraph
12 (d) of Section 5-7-1;

13 (2) pay a fine and costs;

14 (3) work or pursue a course of study or vocational
15 training;

16 (4) undergo medical, psychological or psychiatric
17 treatment; or treatment for drug addiction or alcoholism;

18 (5) attend or reside in a facility established for the
19 instruction or residence of defendants on probation;

20 (6) support his dependents;

21 (7) and in addition, if a minor:

22 (i) reside with his parents or in a foster home;

23 (ii) attend school;

24 (iii) attend a non-residential program for youth;

25 (iv) contribute to his own support at home or in a
26 foster home;

1 (v) with the consent of the superintendent of the
2 facility, attend an educational program at a facility
3 other than the school in which the offense was
4 committed if he or she is convicted of a crime of
5 violence as defined in Section 2 of the Crime Victims
6 Compensation Act committed in a school, on the real
7 property comprising a school, or within 1,000 feet of
8 the real property comprising a school;

9 (8) make restitution as provided in Section 5-5-6 of
10 this Code;

11 (9) perform some reasonable public or community
12 service;

13 (10) serve a term of home confinement. In addition to
14 any other applicable condition of probation or conditional
15 discharge, the conditions of home confinement shall be that
16 the offender:

17 (i) remain within the interior premises of the
18 place designated for his confinement during the hours
19 designated by the court;

20 (ii) admit any person or agent designated by the
21 court into the offender's place of confinement at any
22 time for purposes of verifying the offender's
23 compliance with the conditions of his confinement; and

24 (iii) if further deemed necessary by the court or
25 the Probation or Court Services Department, be placed
26 on an approved electronic monitoring device, subject

1 to Article 8A of Chapter V;

2 (iv) for persons convicted of any alcohol,
3 cannabis or controlled substance violation who are
4 placed on an approved monitoring device as a condition
5 of probation or conditional discharge, the court shall
6 impose a reasonable fee for each day of the use of the
7 device, as established by the county board in
8 subsection (g) of this Section, unless after
9 determining the inability of the offender to pay the
10 fee, the court assesses a lesser fee or no fee as the
11 case may be. This fee shall be imposed in addition to
12 the fees imposed under subsections (g) and (i) of this
13 Section. The fee shall be collected by the clerk of the
14 circuit court, except as provided in an administrative
15 order of the Chief Judge of the circuit court. The
16 clerk of the circuit court shall pay all monies
17 collected from this fee to the county treasurer for
18 deposit in the substance abuse services fund under
19 Section 5-1086.1 of the Counties Code, except as
20 provided in an administrative order of the Chief Judge
21 of the circuit court.

22 The Chief Judge of the circuit court of the county
23 may by administrative order establish a program for
24 electronic monitoring of offenders, in which a vendor
25 supplies and monitors the operation of the electronic
26 monitoring device, and collects the fees on behalf of

1 the county. The program shall include provisions for
2 indigent offenders and the collection of unpaid fees.
3 The program shall not unduly burden the offender and
4 shall be subject to review by the Chief Judge.

5 The Chief Judge of the circuit court may suspend
6 any additional charges or fees for late payment,
7 interest, or damage to any device; and

8 (v) for persons convicted of offenses other than
9 those referenced in clause (iv) above and who are
10 placed on an approved monitoring device as a condition
11 of probation or conditional discharge, the court shall
12 impose a reasonable fee for each day of the use of the
13 device, as established by the county board in
14 subsection (g) of this Section, unless after
15 determining the inability of the defendant to pay the
16 fee, the court assesses a lesser fee or no fee as the
17 case may be. This fee shall be imposed in addition to
18 the fees imposed under subsections (g) and (i) of this
19 Section. The fee shall be collected by the clerk of the
20 circuit court, except as provided in an administrative
21 order of the Chief Judge of the circuit court. The
22 clerk of the circuit court shall pay all monies
23 collected from this fee to the county treasurer who
24 shall use the monies collected to defray the costs of
25 corrections. The county treasurer shall deposit the
26 fee collected in the probation and court services fund.

1 The Chief Judge of the circuit court of the county may
2 by administrative order establish a program for
3 electronic monitoring of offenders, in which a vendor
4 supplies and monitors the operation of the electronic
5 monitoring device, and collects the fees on behalf of
6 the county. The program shall include provisions for
7 indigent offenders and the collection of unpaid fees.
8 The program shall not unduly burden the offender and
9 shall be subject to review by the Chief Judge.

10 The Chief Judge of the circuit court may suspend
11 any additional charges or fees for late payment,
12 interest, or damage to any device.

13 (11) comply with the terms and conditions of an order
14 of protection issued by the court pursuant to the Illinois
15 Domestic Violence Act of 1986, as now or hereafter amended,
16 or an order of protection issued by the court of another
17 state, tribe, or United States territory. A copy of the
18 order of protection shall be transmitted to the probation
19 officer or agency having responsibility for the case;

20 (12) reimburse any "local anti-crime program" as
21 defined in Section 7 of the Anti-Crime Advisory Council Act
22 for any reasonable expenses incurred by the program on the
23 offender's case, not to exceed the maximum amount of the
24 fine authorized for the offense for which the defendant was
25 sentenced;

26 (13) contribute a reasonable sum of money, not to

1 exceed the maximum amount of the fine authorized for the
2 offense for which the defendant was sentenced, (i) to a
3 "local anti-crime program", as defined in Section 7 of the
4 Anti-Crime Advisory Council Act, or (ii) for offenses under
5 the jurisdiction of the Department of Natural Resources, to
6 the fund established by the Department of Natural Resources
7 for the purchase of evidence for investigation purposes and
8 to conduct investigations as outlined in Section 805-105 of
9 the Department of Natural Resources (Conservation) Law;

10 (14) refrain from entering into a designated
11 geographic area except upon such terms as the court finds
12 appropriate. Such terms may include consideration of the
13 purpose of the entry, the time of day, other persons
14 accompanying the defendant, and advance approval by a
15 probation officer, if the defendant has been placed on
16 probation or advance approval by the court, if the
17 defendant was placed on conditional discharge;

18 (15) refrain from having any contact, directly or
19 indirectly, with certain specified persons or particular
20 types of persons, including but not limited to members of
21 street gangs and drug users or dealers;

22 (16) refrain from having in his or her body the
23 presence of any illicit drug prohibited by the Cannabis
24 Control Act, the Illinois Controlled Substances Act, or the
25 Methamphetamine Control and Community Protection Act,
26 unless prescribed by a physician, and submit samples of his

1 or her blood or urine or both for tests to determine the
2 presence of any illicit drug;

3 (17) if convicted for an offense committed on or after
4 June 1, 2008 (the effective date of Public Act 95-464) that
5 would qualify the accused as a child sex offender as
6 defined in Section 11-9.3 or 11-9.4 of the Criminal Code of
7 1961 or the Criminal Code of 2012, refrain from
8 communicating with or contacting, by means of the Internet,
9 a person who is related to the accused and whom the accused
10 reasonably believes to be under 18 years of age; for
11 purposes of this paragraph (17), "Internet" has the meaning
12 ascribed to it in Section 16-0.1 of the Criminal Code of
13 2012; and a person is related to the accused if the person
14 is: (i) the spouse, brother, or sister of the accused; (ii)
15 a descendant of the accused; (iii) a first or second cousin
16 of the accused; or (iv) a step-child or adopted child of
17 the accused;

18 (18) if convicted for an offense committed on or after
19 June 1, 2009 (the effective date of Public Act 95-983) that
20 would qualify as a sex offense as defined in the Sex
21 Offender Registration Act:

22 (i) not access or use a computer or any other
23 device with Internet capability without the prior
24 written approval of the offender's probation officer,
25 except in connection with the offender's employment or
26 search for employment with the prior approval of the

1 offender's probation officer;

2 (ii) submit to periodic unannounced examinations
3 of the offender's computer or any other device with
4 Internet capability by the offender's probation
5 officer, a law enforcement officer, or assigned
6 computer or information technology specialist,
7 including the retrieval and copying of all data from
8 the computer or device and any internal or external
9 peripherals and removal of such information,
10 equipment, or device to conduct a more thorough
11 inspection;

12 (iii) submit to the installation on the offender's
13 computer or device with Internet capability, at the
14 subject's expense, of one or more hardware or software
15 systems to monitor the Internet use; and

16 (iv) submit to any other appropriate restrictions
17 concerning the offender's use of or access to a
18 computer or any other device with Internet capability
19 imposed by the offender's probation officer; and

20 (19) refrain from possessing a firearm or other
21 dangerous weapon where the offense is a misdemeanor that
22 did not involve the intentional or knowing infliction of
23 bodily harm or threat of bodily harm.

24 (c) The court may as a condition of probation or of
25 conditional discharge require that a person under 18 years of
26 age found guilty of any alcohol, cannabis or controlled

1 substance violation, refrain from acquiring a driver's license
2 during the period of probation or conditional discharge. If
3 such person is in possession of a permit or license, the court
4 may require that the minor refrain from driving or operating
5 any motor vehicle during the period of probation or conditional
6 discharge, except as may be necessary in the course of the
7 minor's lawful employment.

8 (d) An offender sentenced to probation or to conditional
9 discharge shall be given a certificate setting forth the
10 conditions thereof.

11 (e) Except where the offender has committed a fourth or
12 subsequent violation of subsection (c) of Section 6-303 of the
13 Illinois Vehicle Code, the court shall not require as a
14 condition of the sentence of probation or conditional discharge
15 that the offender be committed to a period of imprisonment in
16 excess of 6 months. This 6-month limit shall not include
17 periods of confinement given pursuant to a sentence of county
18 impact incarceration under Section 5-8-1.2.

19 Persons committed to imprisonment as a condition of
20 probation or conditional discharge shall not be committed to
21 the Department of Corrections.

22 (f) The court may combine a sentence of periodic
23 imprisonment under Article 7 or a sentence to a county impact
24 incarceration program under Article 8 with a sentence of
25 probation or conditional discharge.

26 (g) An offender sentenced to probation or to conditional

1 discharge and who during the term of either undergoes mandatory
2 drug or alcohol testing, or both, or is assigned to be placed
3 on an approved electronic monitoring device, shall be ordered
4 to pay all costs incidental to such mandatory drug or alcohol
5 testing, or both, and all costs incidental to such approved
6 electronic monitoring in accordance with the defendant's
7 ability to pay those costs. The county board with the
8 concurrence of the Chief Judge of the judicial circuit in which
9 the county is located shall establish reasonable fees for the
10 cost of maintenance, testing, and incidental expenses related
11 to the mandatory drug or alcohol testing, or both, and all
12 costs incidental to approved electronic monitoring, involved
13 in a successful probation program for the county. The
14 concurrence of the Chief Judge shall be in the form of an
15 administrative order. The fees shall be collected by the clerk
16 of the circuit court, except as provided in an administrative
17 order of the Chief Judge of the circuit court. The clerk of the
18 circuit court shall pay all moneys collected from these fees to
19 the county treasurer who shall use the moneys collected to
20 defray the costs of drug testing, alcohol testing, and
21 electronic monitoring. The county treasurer shall deposit the
22 fees collected in the county working cash fund under Section
23 6-27001 or Section 6-29002 of the Counties Code, as the case
24 may be. The Chief Judge of the circuit court of the county may
25 by administrative order establish a program for electronic
26 monitoring of offenders, in which a vendor supplies and

1 monitors the operation of the electronic monitoring device, and
2 collects the fees on behalf of the county. The program shall
3 include provisions for indigent offenders and the collection of
4 unpaid fees. The program shall not unduly burden the offender
5 and shall be subject to review by the Chief Judge.

6 The Chief Judge of the circuit court may suspend any
7 additional charges or fees for late payment, interest, or
8 damage to any device.

9 (h) Jurisdiction over an offender may be transferred from
10 the sentencing court to the court of another circuit with the
11 concurrence of both courts. Further transfers or retransfers of
12 jurisdiction are also authorized in the same manner. The court
13 to which jurisdiction has been transferred shall have the same
14 powers as the sentencing court. The probation department within
15 the circuit to which jurisdiction has been transferred, or
16 which has agreed to provide supervision, may impose probation
17 fees upon receiving the transferred offender, as provided in
18 subsection (i). For all transfer cases, as defined in Section
19 9b of the Probation and Probation Officers Act, the probation
20 department from the original sentencing court shall retain all
21 probation fees collected prior to the transfer. After the
22 transfer, all probation fees shall be paid to the probation
23 department within the circuit to which jurisdiction has been
24 transferred.

25 (i) The court shall impose upon an offender sentenced to
26 probation after January 1, 1989 or to conditional discharge

1 after January 1, 1992 or to community service under the
2 supervision of a probation or court services department after
3 January 1, 2004, as a condition of such probation or
4 conditional discharge or supervised community service, a fee of
5 \$50 for each month of probation or conditional discharge
6 supervision or supervised community service ordered by the
7 court, unless after determining the inability of the person
8 sentenced to probation or conditional discharge or supervised
9 community service to pay the fee, the court assesses a lesser
10 fee. The court may not impose the fee on a minor who is placed
11 in the guardianship or custody of the Department of Children
12 and Family Services under the Juvenile Court Act of 1987 while
13 the minor is in placement. The fee shall be imposed only upon
14 an offender who is actively supervised by the probation and
15 court services department. The fee shall be collected by the
16 clerk of the circuit court. The clerk of the circuit court
17 shall pay all monies collected from this fee to the county
18 treasurer for deposit in the probation and court services fund
19 under Section 15.1 of the Probation and Probation Officers Act.

20 A circuit court may not impose a probation fee under this
21 subsection (i) in excess of \$25 per month unless the circuit
22 court has adopted, by administrative order issued by the chief
23 judge, a standard probation fee guide determining an offender's
24 ability to pay Of the amount collected as a probation fee, up
25 to \$5 of that fee collected per month may be used to provide
26 services to crime victims and their families.

1 The Court may only waive probation fees based on an
2 offender's ability to pay. The probation department may
3 re-evaluate an offender's ability to pay every 6 months, and,
4 with the approval of the Director of Court Services or the
5 Chief Probation Officer, adjust the monthly fee amount. An
6 offender may elect to pay probation fees due in a lump sum. Any
7 offender that has been assigned to the supervision of a
8 probation department, or has been transferred either under
9 subsection (h) of this Section or under any interstate compact,
10 shall be required to pay probation fees to the department
11 supervising the offender, based on the offender's ability to
12 pay.

13 Public Act 93-970 deletes the \$10 increase in the fee under
14 this subsection that was imposed by Public Act 93-616. This
15 deletion is intended to control over any other Act of the 93rd
16 General Assembly that retains or incorporates that fee
17 increase.

18 (i-5) In addition to the fees imposed under subsection (i)
19 of this Section, in the case of an offender convicted of a
20 felony sex offense (as defined in the Sex Offender Management
21 Board Act) or an offense that the court or probation department
22 has determined to be sexually motivated (as defined in the Sex
23 Offender Management Board Act), the court or the probation
24 department shall assess additional fees to pay for all costs of
25 treatment, assessment, evaluation for risk and treatment, and
26 monitoring the offender, based on that offender's ability to

1 pay those costs either as they occur or under a payment plan.

2 (j) All fines and costs imposed under this Section for any
3 violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle
4 Code, or a similar provision of a local ordinance, and any
5 violation of the Child Passenger Protection Act, or a similar
6 provision of a local ordinance, shall be collected and
7 disbursed by the circuit clerk as provided under ~~the Criminal~~
8 ~~and Traffic Assessment Act~~ Section 27.5 of the Clerks of Courts
9 Act.

10 (k) Any offender who is sentenced to probation or
11 conditional discharge for a felony sex offense as defined in
12 the Sex Offender Management Board Act or any offense that the
13 court or probation department has determined to be sexually
14 motivated as defined in the Sex Offender Management Board Act
15 shall be required to refrain from any contact, directly or
16 indirectly, with any persons specified by the court and shall
17 be available for all evaluations and treatment programs
18 required by the court or the probation department.

19 (l) The court may order an offender who is sentenced to
20 probation or conditional discharge for a violation of an order
21 of protection be placed under electronic surveillance as
22 provided in Section 5-8A-7 of this Code.

23 (Source: P.A. 99-143, eff. 7-27-15; 99-797, eff. 8-12-16;
24 100-159, eff. 8-18-17; 100-260, eff. 1-1-18; 100-575, eff.
25 1-8-18.)

1 (730 ILCS 5/5-6-3.1) (from Ch. 38, par. 1005-6-3.1)

2 Sec. 5-6-3.1. Incidents and conditions of supervision.

3 (a) When a defendant is placed on supervision, the court
4 shall enter an order for supervision specifying the period of
5 such supervision, and shall defer further proceedings in the
6 case until the conclusion of the period.

7 (b) The period of supervision shall be reasonable under all
8 of the circumstances of the case, but may not be longer than 2
9 years, unless the defendant has failed to pay the assessment
10 required by Section 10.3 of the Cannabis Control Act, Section
11 411.2 of the Illinois Controlled Substances Act, or Section 80
12 of the Methamphetamine Control and Community Protection Act, in
13 which case the court may extend supervision beyond 2 years.
14 Additionally, the court shall order the defendant to perform no
15 less than 30 hours of community service and not more than 120
16 hours of community service, if community service is available
17 in the jurisdiction and is funded and approved by the county
18 board where the offense was committed, when the offense (1) was
19 related to or in furtherance of the criminal activities of an
20 organized gang or was motivated by the defendant's membership
21 in or allegiance to an organized gang; or (2) is a violation of
22 any Section of Article 24 of the Criminal Code of 1961 or the
23 Criminal Code of 2012 where a disposition of supervision is not
24 prohibited by Section 5-6-1 of this Code. The community service
25 shall include, but not be limited to, the cleanup and repair of
26 any damage caused by violation of Section 21-1.3 of the

1 Criminal Code of 1961 or the Criminal Code of 2012 and similar
2 damages to property located within the municipality or county
3 in which the violation occurred. Where possible and reasonable,
4 the community service should be performed in the offender's
5 neighborhood.

6 For the purposes of this Section, "organized gang" has the
7 meaning ascribed to it in Section 10 of the Illinois Streetgang
8 Terrorism Omnibus Prevention Act.

9 (c) The court may in addition to other reasonable
10 conditions relating to the nature of the offense or the
11 rehabilitation of the defendant as determined for each
12 defendant in the proper discretion of the court require that
13 the person:

14 (1) make a report to and appear in person before or
15 participate with the court or such courts, person, or
16 social service agency as directed by the court in the order
17 of supervision;

18 (2) pay a fine and costs;

19 (3) work or pursue a course of study or vocational
20 training;

21 (4) undergo medical, psychological or psychiatric
22 treatment; or treatment for drug addiction or alcoholism;

23 (5) attend or reside in a facility established for the
24 instruction or residence of defendants on probation;

25 (6) support his dependents;

26 (7) refrain from possessing a firearm or other

1 dangerous weapon;

2 (8) and in addition, if a minor:

3 (i) reside with his parents or in a foster home;

4 (ii) attend school;

5 (iii) attend a non-residential program for youth;

6 (iv) contribute to his own support at home or in a
7 foster home; or

8 (v) with the consent of the superintendent of the
9 facility, attend an educational program at a facility
10 other than the school in which the offense was
11 committed if he or she is placed on supervision for a
12 crime of violence as defined in Section 2 of the Crime
13 Victims Compensation Act committed in a school, on the
14 real property comprising a school, or within 1,000 feet
15 of the real property comprising a school;

16 (9) make restitution or reparation in an amount not to
17 exceed actual loss or damage to property and pecuniary loss
18 or make restitution under Section 5-5-6 to a domestic
19 violence shelter. The court shall determine the amount and
20 conditions of payment;

21 (10) perform some reasonable public or community
22 service;

23 (11) comply with the terms and conditions of an order
24 of protection issued by the court pursuant to the Illinois
25 Domestic Violence Act of 1986 or an order of protection
26 issued by the court of another state, tribe, or United

1 States territory. If the court has ordered the defendant to
2 make a report and appear in person under paragraph (1) of
3 this subsection, a copy of the order of protection shall be
4 transmitted to the person or agency so designated by the
5 court;

6 (12) reimburse any "local anti-crime program" as
7 defined in Section 7 of the Anti-Crime Advisory Council Act
8 for any reasonable expenses incurred by the program on the
9 offender's case, not to exceed the maximum amount of the
10 fine authorized for the offense for which the defendant was
11 sentenced;

12 (13) contribute a reasonable sum of money, not to
13 exceed the maximum amount of the fine authorized for the
14 offense for which the defendant was sentenced, (i) to a
15 "local anti-crime program", as defined in Section 7 of the
16 Anti-Crime Advisory Council Act, or (ii) for offenses under
17 the jurisdiction of the Department of Natural Resources, to
18 the fund established by the Department of Natural Resources
19 for the purchase of evidence for investigation purposes and
20 to conduct investigations as outlined in Section 805-105 of
21 the Department of Natural Resources (Conservation) Law;

22 (14) refrain from entering into a designated
23 geographic area except upon such terms as the court finds
24 appropriate. Such terms may include consideration of the
25 purpose of the entry, the time of day, other persons
26 accompanying the defendant, and advance approval by a

1 probation officer;

2 (15) refrain from having any contact, directly or
3 indirectly, with certain specified persons or particular
4 types of person, including but not limited to members of
5 street gangs and drug users or dealers;

6 (16) refrain from having in his or her body the
7 presence of any illicit drug prohibited by the Cannabis
8 Control Act, the Illinois Controlled Substances Act, or the
9 Methamphetamine Control and Community Protection Act,
10 unless prescribed by a physician, and submit samples of his
11 or her blood or urine or both for tests to determine the
12 presence of any illicit drug;

13 (17) refrain from operating any motor vehicle not
14 equipped with an ignition interlock device as defined in
15 Section 1-129.1 of the Illinois Vehicle Code; under this
16 condition the court may allow a defendant who is not
17 self-employed to operate a vehicle owned by the defendant's
18 employer that is not equipped with an ignition interlock
19 device in the course and scope of the defendant's
20 employment; and

21 (18) if placed on supervision for a sex offense as
22 defined in subsection (a-5) of Section 3-1-2 of this Code,
23 unless the offender is a parent or guardian of the person
24 under 18 years of age present in the home and no
25 non-familial minors are present, not participate in a
26 holiday event involving children under 18 years of age,

1 such as distributing candy or other items to children on
2 Halloween, wearing a Santa Claus costume on or preceding
3 Christmas, being employed as a department store Santa
4 Claus, or wearing an Easter Bunny costume on or preceding
5 Easter.

6 (c-5) If payment of restitution as ordered has not been
7 made, the victim shall file a petition notifying the sentencing
8 court, any other person to whom restitution is owed, and the
9 State's Attorney of the status of the ordered restitution
10 payments unpaid at least 90 days before the supervision
11 expiration date. If payment as ordered has not been made, the
12 court shall hold a review hearing prior to the expiration date,
13 unless the hearing is voluntarily waived by the defendant with
14 the knowledge that waiver may result in an extension of the
15 supervision period or in a revocation of supervision. If the
16 court does not extend supervision, it shall issue a judgment
17 for the unpaid restitution and direct the clerk of the circuit
18 court to file and enter the judgment in the judgment and lien
19 docket, without fee, unless it finds that the victim has
20 recovered a judgment against the defendant for the amount
21 covered by the restitution order. If the court issues a
22 judgment for the unpaid restitution, the court shall send to
23 the defendant at his or her last known address written
24 notification that a civil judgment has been issued for the
25 unpaid restitution.

26 (d) The court shall defer entering any judgment on the

1 charges until the conclusion of the supervision.

2 (e) At the conclusion of the period of supervision, if the
3 court determines that the defendant has successfully complied
4 with all of the conditions of supervision, the court shall
5 discharge the defendant and enter a judgment dismissing the
6 charges.

7 (f) Discharge and dismissal upon a successful conclusion of
8 a disposition of supervision shall be deemed without
9 adjudication of guilt and shall not be termed a conviction for
10 purposes of disqualification or disabilities imposed by law
11 upon conviction of a crime. Two years after the discharge and
12 dismissal under this Section, unless the disposition of
13 supervision was for a violation of Sections 3-707, 3-708,
14 3-710, 5-401.3, or 11-503 of the Illinois Vehicle Code or a
15 similar provision of a local ordinance, or for a violation of
16 Sections 12-3.2, 16-25, or 16A-3 of the Criminal Code of 1961
17 or the Criminal Code of 2012, in which case it shall be 5 years
18 after discharge and dismissal, a person may have his record of
19 arrest sealed or expunged as may be provided by law. However,
20 any defendant placed on supervision before January 1, 1980, may
21 move for sealing or expungement of his arrest record, as
22 provided by law, at any time after discharge and dismissal
23 under this Section. A person placed on supervision for a sexual
24 offense committed against a minor as defined in clause
25 (a) (1) (L) of Section 5.2 of the Criminal Identification Act or
26 for a violation of Section 11-501 of the Illinois Vehicle Code

1 or a similar provision of a local ordinance shall not have his
2 or her record of arrest sealed or expunged.

3 (g) A defendant placed on supervision and who during the
4 period of supervision undergoes mandatory drug or alcohol
5 testing, or both, or is assigned to be placed on an approved
6 electronic monitoring device, shall be ordered to pay the costs
7 incidental to such mandatory drug or alcohol testing, or both,
8 and costs incidental to such approved electronic monitoring in
9 accordance with the defendant's ability to pay those costs. The
10 county board with the concurrence of the Chief Judge of the
11 judicial circuit in which the county is located shall establish
12 reasonable fees for the cost of maintenance, testing, and
13 incidental expenses related to the mandatory drug or alcohol
14 testing, or both, and all costs incidental to approved
15 electronic monitoring, of all defendants placed on
16 supervision. The concurrence of the Chief Judge shall be in the
17 form of an administrative order. The fees shall be collected by
18 the clerk of the circuit court, except as provided in an
19 administrative order of the Chief Judge of the circuit court.
20 The clerk of the circuit court shall pay all moneys collected
21 from these fees to the county treasurer who shall use the
22 moneys collected to defray the costs of drug testing, alcohol
23 testing, and electronic monitoring. The county treasurer shall
24 deposit the fees collected in the county working cash fund
25 under Section 6-27001 or Section 6-29002 of the Counties Code,
26 as the case may be.

1 The Chief Judge of the circuit court of the county may by
2 administrative order establish a program for electronic
3 monitoring of offenders, in which a vendor supplies and
4 monitors the operation of the electronic monitoring device, and
5 collects the fees on behalf of the county. The program shall
6 include provisions for indigent offenders and the collection of
7 unpaid fees. The program shall not unduly burden the offender
8 and shall be subject to review by the Chief Judge.

9 The Chief Judge of the circuit court may suspend any
10 additional charges or fees for late payment, interest, or
11 damage to any device.

12 (h) A disposition of supervision is a final order for the
13 purposes of appeal.

14 (i) The court shall impose upon a defendant placed on
15 supervision after January 1, 1992 or to community service under
16 the supervision of a probation or court services department
17 after January 1, 2004, as a condition of supervision or
18 supervised community service, a fee of \$50 for each month of
19 supervision or supervised community service ordered by the
20 court, unless after determining the inability of the person
21 placed on supervision or supervised community service to pay
22 the fee, the court assesses a lesser fee. The court may not
23 impose the fee on a minor who is placed in the guardianship or
24 custody of the Department of Children and Family Services under
25 the Juvenile Court Act of 1987 while the minor is in placement.
26 The fee shall be imposed only upon a defendant who is actively

1 supervised by the probation and court services department. The
2 fee shall be collected by the clerk of the circuit court. The
3 clerk of the circuit court shall pay all monies collected from
4 this fee to the county treasurer for deposit in the probation
5 and court services fund pursuant to Section 15.1 of the
6 Probation and Probation Officers Act.

7 A circuit court may not impose a probation fee in excess of
8 \$25 per month unless the circuit court has adopted, by
9 administrative order issued by the chief judge, a standard
10 probation fee guide determining an offender's ability to pay.
11 Of the amount collected as a probation fee, not to exceed \$5 of
12 that fee collected per month may be used to provide services to
13 crime victims and their families.

14 The Court may only waive probation fees based on an
15 offender's ability to pay. The probation department may
16 re-evaluate an offender's ability to pay every 6 months, and,
17 with the approval of the Director of Court Services or the
18 Chief Probation Officer, adjust the monthly fee amount. An
19 offender may elect to pay probation fees due in a lump sum. Any
20 offender that has been assigned to the supervision of a
21 probation department, or has been transferred either under
22 subsection (h) of this Section or under any interstate compact,
23 shall be required to pay probation fees to the department
24 supervising the offender, based on the offender's ability to
25 pay.

26 (j) All fines and costs imposed under this Section for any

1 violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle
2 Code, or a similar provision of a local ordinance, and any
3 violation of the Child Passenger Protection Act, or a similar
4 provision of a local ordinance, shall be collected and
5 disbursed by the circuit clerk as provided under ~~the Criminal~~
6 ~~and Traffic Assessment Act~~ Section 27.5 of the Clerks of Courts
7 Act.

8 (k) A defendant at least 17 years of age who is placed on
9 supervision for a misdemeanor in a county of 3,000,000 or more
10 inhabitants and who has not been previously convicted of a
11 misdemeanor or felony may as a condition of his or her
12 supervision be required by the court to attend educational
13 courses designed to prepare the defendant for a high school
14 diploma and to work toward a high school diploma or to work
15 toward passing high school equivalency testing or to work
16 toward completing a vocational training program approved by the
17 court. The defendant placed on supervision must attend a public
18 institution of education to obtain the educational or
19 vocational training required by this subsection (k). The
20 defendant placed on supervision shall be required to pay for
21 the cost of the educational courses or high school equivalency
22 testing if a fee is charged for those courses or testing. The
23 court shall revoke the supervision of a person who wilfully
24 fails to comply with this subsection (k). The court shall
25 resentence the defendant upon revocation of supervision as
26 provided in Section 5-6-4. This subsection (k) does not apply

1 to a defendant who has a high school diploma or has
2 successfully passed high school equivalency testing. This
3 subsection (k) does not apply to a defendant who is determined
4 by the court to be a person with a developmental disability or
5 otherwise mentally incapable of completing the educational or
6 vocational program.

7 (l) The court shall require a defendant placed on
8 supervision for possession of a substance prohibited by the
9 Cannabis Control Act, the Illinois Controlled Substances Act,
10 or the Methamphetamine Control and Community Protection Act
11 after a previous conviction or disposition of supervision for
12 possession of a substance prohibited by the Cannabis Control
13 Act, the Illinois Controlled Substances Act, or the
14 Methamphetamine Control and Community Protection Act or a
15 sentence of probation under Section 10 of the Cannabis Control
16 Act or Section 410 of the Illinois Controlled Substances Act
17 and after a finding by the court that the person is addicted,
18 to undergo treatment at a substance abuse program approved by
19 the court.

20 (m) The Secretary of State shall require anyone placed on
21 court supervision for a violation of Section 3-707 of the
22 Illinois Vehicle Code or a similar provision of a local
23 ordinance to give proof of his or her financial responsibility
24 as defined in Section 7-315 of the Illinois Vehicle Code. The
25 proof shall be maintained by the individual in a manner
26 satisfactory to the Secretary of State for a minimum period of

1 3 years after the date the proof is first filed. The proof
2 shall be limited to a single action per arrest and may not be
3 affected by any post-sentence disposition. The Secretary of
4 State shall suspend the driver's license of any person
5 determined by the Secretary to be in violation of this
6 subsection.

7 (n) Any offender placed on supervision for any offense that
8 the court or probation department has determined to be sexually
9 motivated as defined in the Sex Offender Management Board Act
10 shall be required to refrain from any contact, directly or
11 indirectly, with any persons specified by the court and shall
12 be available for all evaluations and treatment programs
13 required by the court or the probation department.

14 (o) An offender placed on supervision for a sex offense as
15 defined in the Sex Offender Management Board Act shall refrain
16 from residing at the same address or in the same condominium
17 unit or apartment unit or in the same condominium complex or
18 apartment complex with another person he or she knows or
19 reasonably should know is a convicted sex offender or has been
20 placed on supervision for a sex offense. The provisions of this
21 subsection (o) do not apply to a person convicted of a sex
22 offense who is placed in a Department of Corrections licensed
23 transitional housing facility for sex offenders.

24 (p) An offender placed on supervision for an offense
25 committed on or after June 1, 2008 (the effective date of
26 Public Act 95-464) that would qualify the accused as a child

1 sex offender as defined in Section 11-9.3 or 11-9.4 of the
2 Criminal Code of 1961 or the Criminal Code of 2012 shall
3 refrain from communicating with or contacting, by means of the
4 Internet, a person who is not related to the accused and whom
5 the accused reasonably believes to be under 18 years of age.
6 For purposes of this subsection (p), "Internet" has the meaning
7 ascribed to it in Section 16-0.1 of the Criminal Code of 2012;
8 and a person is not related to the accused if the person is
9 not: (i) the spouse, brother, or sister of the accused; (ii) a
10 descendant of the accused; (iii) a first or second cousin of
11 the accused; or (iv) a step-child or adopted child of the
12 accused.

13 (q) An offender placed on supervision for an offense
14 committed on or after June 1, 2008 (the effective date of
15 Public Act 95-464) that would qualify the accused as a child
16 sex offender as defined in Section 11-9.3 or 11-9.4 of the
17 Criminal Code of 1961 or the Criminal Code of 2012 shall, if so
18 ordered by the court, refrain from communicating with or
19 contacting, by means of the Internet, a person who is related
20 to the accused and whom the accused reasonably believes to be
21 under 18 years of age. For purposes of this subsection (q),
22 "Internet" has the meaning ascribed to it in Section 16-0.1 of
23 the Criminal Code of 2012; and a person is related to the
24 accused if the person is: (i) the spouse, brother, or sister of
25 the accused; (ii) a descendant of the accused; (iii) a first or
26 second cousin of the accused; or (iv) a step-child or adopted

1 child of the accused.

2 (r) An offender placed on supervision for an offense under
3 Section 11-6, 11-9.1, 11-14.4 that involves soliciting for a
4 juvenile prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or
5 11-21 of the Criminal Code of 1961 or the Criminal Code of
6 2012, or any attempt to commit any of these offenses, committed
7 on or after June 1, 2009 (the effective date of Public Act
8 95-983) shall:

9 (i) not access or use a computer or any other device
10 with Internet capability without the prior written
11 approval of the court, except in connection with the
12 offender's employment or search for employment with the
13 prior approval of the court;

14 (ii) submit to periodic unannounced examinations of
15 the offender's computer or any other device with Internet
16 capability by the offender's probation officer, a law
17 enforcement officer, or assigned computer or information
18 technology specialist, including the retrieval and copying
19 of all data from the computer or device and any internal or
20 external peripherals and removal of such information,
21 equipment, or device to conduct a more thorough inspection;

22 (iii) submit to the installation on the offender's
23 computer or device with Internet capability, at the
24 offender's expense, of one or more hardware or software
25 systems to monitor the Internet use; and

26 (iv) submit to any other appropriate restrictions

1 concerning the offender's use of or access to a computer or
2 any other device with Internet capability imposed by the
3 court.

4 (s) An offender placed on supervision for an offense that
5 is a sex offense as defined in Section 2 of the Sex Offender
6 Registration Act that is committed on or after January 1, 2010
7 (the effective date of Public Act 96-362) that requires the
8 person to register as a sex offender under that Act, may not
9 knowingly use any computer scrub software on any computer that
10 the sex offender uses.

11 (t) An offender placed on supervision for a sex offense as
12 defined in the Sex Offender Registration Act committed on or
13 after January 1, 2010 (the effective date of Public Act 96-262)
14 shall refrain from accessing or using a social networking
15 website as defined in Section 17-0.5 of the Criminal Code of
16 2012.

17 (u) Jurisdiction over an offender may be transferred from
18 the sentencing court to the court of another circuit with the
19 concurrence of both courts. Further transfers or retransfers of
20 jurisdiction are also authorized in the same manner. The court
21 to which jurisdiction has been transferred shall have the same
22 powers as the sentencing court. The probation department within
23 the circuit to which jurisdiction has been transferred may
24 impose probation fees upon receiving the transferred offender,
25 as provided in subsection (i). The probation department from
26 the original sentencing court shall retain all probation fees

1 collected prior to the transfer.

2 (Source: P.A. 99-78, eff. 7-20-15; 99-143, eff. 7-27-15;
3 99-642, eff. 7-28-16; 99-797, eff. 8-12-16; 100-159, eff.
4 8-18-17; 100-201, eff. 8-18-17.)

5 (730 ILCS 5/5-7-1) (from Ch. 38, par. 1005-7-1)

6 Sec. 5-7-1. Sentence of Periodic Imprisonment.

7 (a) A sentence of periodic imprisonment is a sentence of
8 imprisonment during which the committed person may be released
9 for periods of time during the day or night or for periods of
10 days, or both, or if convicted of a felony, other than first
11 degree murder, a Class X or Class 1 felony, committed to any
12 county, municipal, or regional correctional or detention
13 institution or facility in this State for such periods of time
14 as the court may direct. Unless the court orders otherwise, the
15 particular times and conditions of release shall be determined
16 by the Department of Corrections, the sheriff, or the
17 Superintendent of the house of corrections, who is
18 administering the program.

19 (b) A sentence of periodic imprisonment may be imposed to
20 permit the defendant to:

21 (1) seek employment;

22 (2) work;

23 (3) conduct a business or other self-employed
24 occupation including housekeeping;

25 (4) attend to family needs;

1 (5) attend an educational institution, including
2 vocational education;

3 (6) obtain medical or psychological treatment;

4 (7) perform work duties at a county, municipal, or
5 regional correctional or detention institution or
6 facility;

7 (8) continue to reside at home with or without
8 supervision involving the use of an approved electronic
9 monitoring device, subject to Article 8A of Chapter V; or

10 (9) for any other purpose determined by the court.

11 (c) Except where prohibited by other provisions of this
12 Code, the court may impose a sentence of periodic imprisonment
13 for a felony or misdemeanor on a person who is 17 years of age
14 or older. The court shall not impose a sentence of periodic
15 imprisonment if it imposes a sentence of imprisonment upon the
16 defendant in excess of 90 days.

17 (d) A sentence of periodic imprisonment shall be for a
18 definite term of from 3 to 4 years for a Class 1 felony, 18 to
19 30 months for a Class 2 felony, and up to 18 months, or the
20 longest sentence of imprisonment that could be imposed for the
21 offense, whichever is less, for all other offenses; however, no
22 person shall be sentenced to a term of periodic imprisonment
23 longer than one year if he is committed to a county
24 correctional institution or facility, and in conjunction with
25 that sentence participate in a county work release program
26 comparable to the work and day release program provided for in

1 Article 13 of the Unified Code of Corrections in State
2 facilities. The term of the sentence shall be calculated upon
3 the basis of the duration of its term rather than upon the
4 basis of the actual days spent in confinement. No sentence of
5 periodic imprisonment shall be subject to the good time credit
6 provisions of Section 3-6-3 of this Code.

7 (e) When the court imposes a sentence of periodic
8 imprisonment, it shall state:

9 (1) the term of such sentence;

10 (2) the days or parts of days which the defendant is to
11 be confined;

12 (3) the conditions.

13 (f) The court may issue an order of protection pursuant to
14 the Illinois Domestic Violence Act of 1986 as a condition of a
15 sentence of periodic imprisonment. The Illinois Domestic
16 Violence Act of 1986 shall govern the issuance, enforcement and
17 recording of orders of protection issued under this Section. A
18 copy of the order of protection shall be transmitted to the
19 person or agency having responsibility for the case.

20 (f-5) An offender sentenced to a term of periodic
21 imprisonment for a felony sex offense as defined in the Sex
22 Offender Management Board Act shall be required to undergo and
23 successfully complete sex offender treatment by a treatment
24 provider approved by the Board and conducted in conformance
25 with the standards developed under the Sex Offender Management
26 Board Act.

1 (g) An offender sentenced to periodic imprisonment who
2 undergoes mandatory drug or alcohol testing, or both, or is
3 assigned to be placed on an approved electronic monitoring
4 device, shall be ordered to pay the costs incidental to such
5 mandatory drug or alcohol testing, or both, and costs
6 incidental to such approved electronic monitoring in
7 accordance with the defendant's ability to pay those costs. The
8 county board with the concurrence of the Chief Judge of the
9 judicial circuit in which the county is located shall establish
10 reasonable fees for the cost of maintenance, testing, and
11 incidental expenses related to the mandatory drug or alcohol
12 testing, or both, and all costs incidental to approved
13 electronic monitoring, of all offenders with a sentence of
14 periodic imprisonment. The concurrence of the Chief Judge shall
15 be in the form of an administrative order. The fees shall be
16 collected by the clerk of the circuit court, except as provided
17 in an administrative order of the Chief Judge of the circuit
18 court. The clerk of the circuit court shall pay all moneys
19 collected from these fees to the county treasurer who shall use
20 the moneys collected to defray the costs of drug testing,
21 alcohol testing, and electronic monitoring. The county
22 treasurer shall deposit the fees collected in the county
23 working cash fund under Section 6-27001 or Section 6-29002 of
24 the Counties Code, as the case may be.

25 (h) All fees and costs imposed under this Section for any
26 violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle

1 Code, or a similar provision of a local ordinance, and any
2 violation of the Child Passenger Protection Act, or a similar
3 provision of a local ordinance, shall be collected and
4 disbursed by the circuit clerk as provided under ~~the Criminal~~
5 ~~and Traffic Assessment Act~~ Section 27.5 of the Clerks of Courts
6 Act.

7 The Chief Judge of the circuit court of the county may by
8 administrative order establish a program for electronic
9 monitoring of offenders, in which a vendor supplies and
10 monitors the operation of the electronic monitoring device, and
11 collects the fees on behalf of the county. The program shall
12 include provisions for indigent offenders and the collection of
13 unpaid fees. The program shall not unduly burden the offender
14 and shall be subject to review by the Chief Judge.

15 The Chief Judge of the circuit court may suspend any
16 additional charges or fees for late payment, interest, or
17 damage to any device.

18 (i) A defendant at least 17 years of age who is convicted
19 of a misdemeanor or felony in a county of 3,000,000 or more
20 inhabitants and who has not been previously convicted of a
21 misdemeanor or a felony and who is sentenced to a term of
22 periodic imprisonment may as a condition of his or her sentence
23 be required by the court to attend educational courses designed
24 to prepare the defendant for a high school diploma and to work
25 toward receiving a high school diploma or to work toward
26 passing high school equivalency testing or to work toward

1 completing a vocational training program approved by the court.
2 The defendant sentenced to periodic imprisonment must attend a
3 public institution of education to obtain the educational or
4 vocational training required by this subsection (i). The
5 defendant sentenced to a term of periodic imprisonment shall be
6 required to pay for the cost of the educational courses or high
7 school equivalency testing if a fee is charged for those
8 courses or testing. The court shall revoke the sentence of
9 periodic imprisonment of the defendant who wilfully fails to
10 comply with this subsection (i). The court shall resentence the
11 defendant whose sentence of periodic imprisonment has been
12 revoked as provided in Section 5-7-2. This subsection (i) does
13 not apply to a defendant who has a high school diploma or has
14 successfully passed high school equivalency testing. This
15 subsection (i) does not apply to a defendant who is determined
16 by the court to be a person with a developmental disability or
17 otherwise mentally incapable of completing the educational or
18 vocational program.

19 (Source: P.A. 98-718, eff. 1-1-15; 99-143, eff. 7-27-15;
20 99-797, eff. 8-12-16.)

21 (730 ILCS 5/5-9-1) (from Ch. 38, par. 1005-9-1)

22 Sec. 5-9-1. Authorized fines.

23 (a) An offender may be sentenced to pay a fine as provided
24 in Article 4.5 of Chapter V.

25 (b) (Blank_) ~~⊖~~

1 (c) ~~(Blank)~~. There shall be added to every fine imposed in
2 sentencing for a criminal or traffic offense, except an offense
3 relating to parking or registration, or offense by a
4 pedestrian, an additional penalty of \$15 for each \$40, or
5 fraction thereof, of fine imposed. The additional penalty of
6 \$15 for each \$40, or fraction thereof, of fine imposed, if not
7 otherwise assessed, shall also be added to every fine imposed
8 upon a plea of guilty, stipulation of facts or findings of
9 guilty, resulting in a judgment of conviction, or order of
10 supervision in criminal, traffic, local ordinance, county
11 ordinance, and conservation cases (except parking,
12 registration, or pedestrian violations), or upon a sentence of
13 probation without entry of judgment under Section 10 of the
14 Cannabis Control Act, Section 410 of the Illinois Controlled
15 Substances Act, or Section 70 of the Methamphetamine Control
16 and Community Protection Act.

17 Such additional amounts shall be assessed by the court
18 imposing the fine and shall be collected by the Circuit Clerk
19 in addition to the fine and costs in the case. Each such
20 additional penalty shall be remitted by the Circuit Clerk
21 within one month after receipt to the State Treasurer. The
22 State Treasurer shall deposit \$1 for each \$40, or fraction
23 thereof, of fine imposed into the LEADS Maintenance Fund. The
24 State Treasurer shall deposit \$3 for each \$40, or fraction
25 thereof, of fine imposed into the Law Enforcement Camera Grant
26 Fund. The remaining surcharge amount shall be deposited into

1 the Traffic and Criminal Conviction Surcharge Fund, unless the
2 fine, costs or additional amounts are subject to disbursement
3 by the circuit clerk under Section 27.5 of the Clerks of Courts
4 Act. Such additional penalty shall not be considered a part of
5 the fine for purposes of any reduction in the fine for time
6 served either before or after sentencing. Not later than March
7 1 of each year the Circuit Clerk shall submit a report of the
8 amount of funds remitted to the State Treasurer under this
9 subsection (c) during the preceding calendar year. Except as
10 otherwise provided by Supreme Court Rules, if a court in
11 imposing a fine against an offender levies a gross amount for
12 fine, costs, fees and penalties, the amount of the additional
13 penalty provided for herein shall be computed on the amount
14 remaining after deducting from the gross amount levied all fees
15 of the Circuit Clerk, the State's Attorney and the Sheriff.
16 After deducting from the gross amount levied the fees and
17 additional penalty provided for herein, less any other
18 additional penalties provided by law, the clerk shall remit the
19 net balance remaining to the entity authorized by law to
20 receive the fine imposed in the case. For purposes of this
21 Section "fees of the Circuit Clerk" shall include, if
22 applicable, the fee provided for under Section 27.3a of the
23 Clerks of Courts Act and the fee, if applicable, payable to the
24 county in which the violation occurred pursuant to Section
25 5-1101 of the Counties Code.

26 (c-5) ~~(Blank)~~. In addition to the fines imposed by

1 subsection (c), any person convicted or receiving an order of
2 supervision for driving under the influence of alcohol or drugs
3 shall pay an additional \$100 fee to the clerk. This additional
4 fee, less 2 1/2% that shall be used to defray administrative
5 costs incurred by the clerk, shall be remitted by the clerk to
6 the Treasurer within 60 days after receipt for deposit into the
7 Trauma Center Fund. This additional fee of \$100 shall not be
8 considered a part of the fine for purposes of any reduction in
9 the fine for time served either before or after sentencing. Not
10 later than March 1 of each year the Circuit Clerk shall submit
11 a report of the amount of funds remitted to the State Treasurer
12 under this subsection (c-5) during the preceding calendar year.

13 The Circuit Clerk may accept payment of fines and costs by
14 credit card from an offender who has been convicted of a
15 traffic offense, petty offense or misdemeanor and may charge
16 the service fee permitted where fines and costs are paid by
17 credit card provided for in Section 27.3b of the Clerks of
18 Courts Act.

19 (c-7) ~~(Blank)~~. In addition to the fines imposed by
20 subsection (c), any person convicted or receiving an order of
21 supervision for driving under the influence of alcohol or drugs
22 shall pay an additional \$5 fee to the clerk. This additional
23 fee, less 2 1/2% that shall be used to defray administrative
24 costs incurred by the clerk, shall be remitted by the clerk to
25 the Treasurer within 60 days after receipt for deposit into the
26 Spinal Cord Injury Paralysis Cure Research Trust Fund. This

1 additional fee of \$5 shall not be considered a part of the fine
2 for purposes of any reduction in the fine for time served
3 either before or after sentencing. Not later than March 1 of
4 each year the Circuit Clerk shall submit a report of the amount
5 of funds remitted to the State Treasurer under this subsection
6 (c-7) during the preceding calendar year.

7 (c-9) (Blank).

8 (d) In determining the amount and method of payment of a
9 fine, except for those fines established for violations of
10 Chapter 15 of the Illinois Vehicle Code, the court shall
11 consider:

12 (1) the financial resources and future ability of the
13 offender to pay the fine; and

14 (2) whether the fine will prevent the offender from
15 making court ordered restitution or reparation to the
16 victim of the offense; and

17 (3) in a case where the accused is a dissolved
18 corporation and the court has appointed counsel to
19 represent the corporation, the costs incurred either by the
20 county or the State for such representation.

21 (e) The court may order the fine to be paid forthwith or
22 within a specified period of time or in installments.

23 (f) ~~(Blank).~~ All fines, costs and additional amounts
24 imposed under this Section for any violation of Chapters 3, 4,
25 6, and 11 of the Illinois Vehicle Code, or a similar provision
26 of a local ordinance, and any violation of the Child Passenger

1 Protection Act, or a similar provision of a local ordinance,
2 shall be collected and disbursed by the circuit clerk as
3 provided under Section 27.5 of the Clerks of Courts Act.

4 (Source: P.A. 99-352, eff. 1-1-16.)

5 (730 ILCS 5/5-9-1.4) (from Ch. 38, par. 1005-9-1.4)

6 Sec. 5-9-1.4. (a) "Crime laboratory" means any
7 not-for-profit laboratory registered with the Drug Enforcement
8 Administration of the United States Department of Justice,
9 substantially funded by a unit or combination of units of local
10 government or the State of Illinois, which regularly employs at
11 least one person engaged in the analysis of controlled
12 substances, cannabis, methamphetamine, or steroids for
13 criminal justice agencies in criminal matters and provides
14 testimony with respect to such examinations.

15 (b) ~~(Blank)~~. When a person has been adjudged guilty of an
16 offense in violation of the Cannabis Control Act, the Illinois
17 Controlled Substances Act, the Methamphetamine Control and
18 Community Protection Act, or the Steroid Control Act, in
19 addition to any other disposition, penalty or fine imposed, a
20 criminal laboratory analysis fee of \$100 for each offense for
21 which he was convicted shall be levied by the court. Any person
22 placed on probation pursuant to Section 10 of the Cannabis
23 Control Act, Section 410 of the Illinois Controlled Substances
24 Act, Section 70 of the Methamphetamine Control and Community
25 Protection Act, or Section 10 of the Steroid Control Act or

1 placed on supervision for a violation of the Cannabis Control
2 Act, the Illinois Controlled Substances Act or the Steroid
3 Control Act shall be assessed a criminal laboratory analysis
4 fee of \$100 for each offense for which he was charged. Upon
5 verified petition of the person, the court may suspend payment
6 of all or part of the fee if it finds that the person does not
7 have the ability to pay the fee.

8 (c) In addition to any other disposition made pursuant to
9 the provisions of the Juvenile Court Act of 1987, any minor
10 adjudicated delinquent for an offense which if committed by an
11 adult would constitute a violation of the Cannabis Control Act,
12 the Illinois Controlled Substances Act, the Methamphetamine
13 Control and Community Protection Act, or the Steroid Control
14 Act shall be ~~required to pay~~ assessed a criminal laboratory
15 analysis ~~assessment~~ fee of \$100 for each adjudication. Upon
16 verified petition of the minor, the court may suspend payment
17 of all or part of the ~~assessment~~ fee if it finds that the minor
18 does not have the ability to pay the ~~assessment~~ fee. The
19 parent, guardian or legal custodian of the minor may pay some
20 or all of such ~~assessment~~ fee on the minor's behalf.

21 (d) All criminal laboratory analysis fees provided for by
22 this Section shall be collected by the clerk of the court and
23 forwarded to the appropriate crime laboratory fund as provided
24 in subsection (f).

25 (e) Crime laboratory funds shall be established as follows:

26 (1) Any unit of local government which maintains a

1 crime laboratory may establish a crime laboratory fund
2 within the office of the county or municipal treasurer.

3 (2) Any combination of units of local government which
4 maintains a crime laboratory may establish a crime
5 laboratory fund within the office of the treasurer of the
6 county where the crime laboratory is situated.

7 (3) The State Crime Laboratory Fund is hereby created
8 as a special fund in the State Treasury.

9 (f) The analysis ~~assessment~~ fee provided for in ~~subsection~~
10 subsections (b) and (c) of this Section shall be forwarded to
11 the office of the treasurer of the unit of local government
12 that performed the analysis if that unit of local government
13 has established a crime laboratory fund, or to the State Crime
14 Laboratory Fund if the analysis was performed by a laboratory
15 operated by the Illinois State Police. If the analysis was
16 performed by a crime laboratory funded by a combination of
17 units of local government, the analysis ~~assessment~~ fee shall be
18 forwarded to the treasurer of the county where the crime
19 laboratory is situated if a crime laboratory fund has been
20 established in that county. If the unit of local government or
21 combination of units of local government has not established a
22 crime laboratory fund, then the analysis ~~assessment~~ fee shall
23 be forwarded to the State Crime Laboratory Fund. The clerk of
24 the circuit court may retain the amount of \$10 from each
25 collected analysis fee to offset administrative costs incurred
26 in carrying out the clerk's responsibilities under this

1 Section.

2 (g) ~~Moneys~~ Fees deposited into a crime laboratory fund
3 created pursuant to paragraphs (1) or (2) of subsection (e) of
4 this Section shall be in addition to any allocations made
5 pursuant to existing law and shall be designated for the
6 exclusive use of the crime laboratory. These uses may include,
7 but are not limited to, the following:

8 (1) costs incurred in providing analysis for
9 controlled substances in connection with criminal
10 investigations conducted within this State;

11 (2) purchase and maintenance of equipment for use in
12 performing analyses; and

13 (3) continuing education, training and professional
14 development of forensic scientists regularly employed by
15 these laboratories.

16 (h) ~~Moneys~~ Fees deposited in the State Crime Laboratory
17 Fund created pursuant to paragraph (3) of subsection (d) of
18 this Section shall be used by State crime laboratories as
19 designated by the Director of State Police. These funds shall
20 be in addition to any allocations made pursuant to existing law
21 and shall be designated for the exclusive use of State crime
22 laboratories. These uses may include those enumerated in
23 subsection (g) of this Section.

24 (Source: P.A. 94-556, eff. 9-11-05.)

25 (730 ILCS 5/5-9-1.7) (from Ch. 38, par. 1005-9-1.7)

1 Sec. 5-9-1.7. Sexual assault fines.

2 (a) Definitions. The terms used in this Section shall have
3 the following meanings ascribed to them:

4 (1) "Sexual assault" means the commission or attempted
5 commission of the following: sexual exploitation of a
6 child, criminal sexual assault, predatory criminal sexual
7 assault of a child, aggravated criminal sexual assault,
8 criminal sexual abuse, aggravated criminal sexual abuse,
9 indecent solicitation of a child, public indecency, sexual
10 relations within families, promoting juvenile
11 prostitution, soliciting for a juvenile prostitute,
12 keeping a place of juvenile prostitution, patronizing a
13 juvenile prostitute, juvenile pimping, exploitation of a
14 child, obscenity, child pornography, aggravated child
15 pornography, harmful material, or ritualized abuse of a
16 child, as those offenses are defined in the Criminal Code
17 of 1961 or the Criminal Code of 2012.

18 (2) ~~(Blank)~~. "Family member" shall have the meaning
19 ascribed to it in Section 11-0.1 of the Criminal Code of
20 2012.

21 (3) "Sexual assault organization" means any
22 not-for-profit organization providing comprehensive,
23 community-based services to victims of sexual assault.
24 "Community-based services" include, but are not limited
25 to, direct crisis intervention through a 24-hour response,
26 medical and legal advocacy, counseling, information and

1 referral services, training, and community education.

2 (b) ~~(Blank)~~. Sexual assault fine; collection by clerk.

3 (1) In addition to any other penalty imposed, a fine of
4 \$200 shall be imposed upon any person who pleads guilty or
5 who is convicted of, or who receives a disposition of court
6 supervision for, a sexual assault or attempt of a sexual
7 assault. Upon request of the victim or the victim's
8 representative, the court shall determine whether the fine
9 will impose an undue burden on the victim of the offense.
10 For purposes of this paragraph, the defendant may not be
11 considered the victim's representative. If the court finds
12 that the fine would impose an undue burden on the victim,
13 the court may reduce or waive the fine. The court shall
14 order that the defendant may not use funds belonging solely
15 to the victim of the offense for payment of the fine.

16 (2) Sexual assault fines shall be assessed by the court
17 imposing the sentence and shall be collected by the circuit
18 clerk. The circuit clerk shall retain 10% of the penalty to
19 cover the costs involved in administering and enforcing
20 this Section. The circuit clerk shall remit the remainder
21 of each fine within one month of its receipt to the State
22 Treasurer for deposit as follows:

23 (i) for family member offenders, one-half to the
24 Sexual Assault Services Fund, and one-half to the
25 Domestic Violence Shelter and Service Fund; and

26 (ii) for other than family member offenders, the

1 full amount to the Sexual Assault Services Fund.

2 (c) Sexual Assault Services Fund; administration. There is
3 created a Sexual Assault Services Fund. Moneys deposited into
4 the Fund under ~~Section 15-20 and 15-40 of the Criminal and~~
5 ~~Traffic Assessment Act~~ this Section shall be appropriated to
6 the Department of Public Health. Upon appropriation of moneys
7 from the Sexual Assault Services Fund, the Department of Public
8 Health shall make grants of these moneys from the Fund to
9 sexual assault organizations with whom the Department has
10 contracts for the purpose of providing community-based
11 services to victims of sexual assault. Grants made under this
12 Section are in addition to, and are not substitutes for, other
13 grants authorized and made by the Department.

14 (Source: P.A. 96-1551, eff. 7-1-11; 97-1109, eff. 1-1-13;
15 97-1150, eff. 1-25-13.)

16 (730 ILCS 5/5-9-1.9)

17 Sec. 5-9-1.9. DUI analysis fee.

18 (a) "Crime laboratory" means a not-for-profit laboratory
19 substantially funded by a single unit or combination of units
20 of local government or the State of Illinois that regularly
21 employs at least one person engaged in the DUI analysis of
22 blood, other bodily substance, and urine for criminal justice
23 agencies in criminal matters and provides testimony with
24 respect to such examinations.

25 "DUI analysis" means an analysis of blood, other bodily

1 substance, or urine for purposes of determining whether a
2 violation of Section 11-501 of the Illinois Vehicle Code has
3 occurred.

4 (b) ~~(Blank)~~. When a person has been adjudged guilty of an
5 offense in violation of Section 11-501 of the Illinois Vehicle
6 Code, in addition to any other disposition, penalty, or fine
7 imposed, a crime laboratory DUI analysis fee of \$150 for each
8 offense for which the person was convicted shall be levied by
9 the court for each case in which a laboratory analysis
10 occurred. Upon verified petition of the person, the court may
11 suspend payment of all or part of the fee if it finds that the
12 person does not have the ability to pay the fee.

13 (c) In addition to any other disposition made under the
14 provisions of the Juvenile Court Act of 1987, any minor
15 adjudicated delinquent for an offense which if committed by an
16 adult would constitute a violation of Section 11-501 of the
17 Illinois Vehicle Code shall ~~pay~~ be assessed a crime laboratory
18 DUI analysis ~~assessment~~ fee of \$150 for each adjudication. Upon
19 verified petition of the minor, the court may suspend payment
20 of all or part of the ~~assessment~~ fee if it finds that the minor
21 does not have the ability to pay the ~~assessment~~ fee. The
22 parent, guardian, or legal custodian of the minor may pay some
23 or all of the ~~assessment~~ fee on the minor's behalf.

24 (d) All crime laboratory DUI analysis ~~assessments~~ fees
25 provided for by this Section shall be collected by the clerk of
26 the court and forwarded to the appropriate crime laboratory DUI

1 fund as provided in subsection (f).

2 (e) Crime laboratory funds shall be established as follows:

3 (1) A unit of local government that maintains a crime
4 laboratory may establish a crime laboratory DUI fund within
5 the office of the county or municipal treasurer.

6 (2) Any combination of units of local government that
7 maintains a crime laboratory may establish a crime
8 laboratory DUI fund within the office of the treasurer of
9 the county where the crime laboratory is situated.

10 (3) The State Police DUI Fund is created as a special
11 fund in the State Treasury.

12 (f) The analysis ~~assessment~~ fee provided for in ~~subsection~~
13 subsections (b) and (c) of this Section shall be forwarded to
14 the office of the treasurer of the unit of local government
15 that performed the analysis if that unit of local government
16 has established a crime laboratory DUI fund, or to the State
17 Treasurer for deposit into the State Police ~~Operations~~
18 ~~Assistance~~ DUI Fund if the analysis was performed by a
19 laboratory operated by the Department of State Police. If the
20 analysis was performed by a crime laboratory funded by a
21 combination of units of local government, the analysis
22 ~~assessment~~ fee shall be forwarded to the treasurer of the
23 county where the crime laboratory is situated if a crime
24 laboratory DUI fund has been established in that county. If the
25 unit of local government or combination of units of local
26 government has not established a crime laboratory DUI fund,

1 then the analysis ~~assessment~~ fee shall be forwarded to the
2 State Treasurer for deposit into the State Police ~~Operations~~
3 ~~Assistance Fund~~ DUI Fund. The clerk of the circuit court may
4 retain the amount of \$10 from each collected analysis fee to
5 offset administrative costs incurred in carrying out the
6 clerk's responsibilities under this Section.

7 (g) ~~Moneys~~ Fees deposited into a crime laboratory DUI fund
8 created under paragraphs (1) and (2) of subsection (e) of this
9 Section shall be in addition to any allocations made pursuant
10 to existing law and shall be designated for the exclusive use
11 of the crime laboratory. These uses may include, but are not
12 limited to, the following:

13 (1) Costs incurred in providing analysis for DUI
14 investigations conducted within this State.

15 (2) Purchase and maintenance of equipment for use in
16 performing analyses.

17 (3) Continuing education, training, and professional
18 development of forensic scientists regularly employed by
19 these laboratories.

20 (h) ~~Moneys~~ Fees deposited in the State Police ~~Operations~~
21 ~~Assistance~~ DUI Fund created under paragraph (3) of subsection
22 (e) of this Section shall be used by State crime laboratories
23 as designated by the Director of State Police. These funds
24 shall be in addition to any allocations made according to
25 existing law and shall be designated for the exclusive use of
26 State crime laboratories. These uses may include those

1 enumerated in subsection (g) of this Section.

2 (Source: P.A. 99-697, eff. 7-29-16.)

3 (730 ILCS 5/5-9-1.11)

4 Sec. 5-9-1.11. ~~Domestic Violence Abuser Services~~ Violation
5 of an order of protection; Fund.

6 (a) ~~(Blank)~~. In addition to any other penalty imposed, a
7 fine of \$20 shall be imposed upon any person who is convicted
8 of or placed on supervision for violation of an order of
9 protection; provided that the offender and victim are family or
10 household members as defined in Section 103 of the Illinois
11 Domestic Violence Act of 1986.

12 The additional amount shall be assessed by the court
13 imposing sentence and shall be collected by the Circuit Clerk
14 in addition to the fine, if any, and costs in the case. Each
15 such additional penalty shall be remitted by the Circuit Clerk
16 within one month after receipt to the State Treasurer for
17 deposit into the Domestic Violence Abuser Services Fund. The
18 Circuit Clerk shall retain 10% of the penalty to cover the
19 costs incurred in administering and enforcing this Section. The
20 additional penalty shall not be considered a part of the fine
21 for purposes of any reduction in the fine for time served
22 either before or after sentencing.

23 The State Treasurer shall deposit into the Domestic
24 Violence Abuser Services Fund each fine received from circuit
25 clerks under Section 5-9-1.5 of the Unified Code of

1 Corrections.

2 Upon request of the victim or the victim's representative,
3 the court shall determine whether the fine will impose an undue
4 burden on the victim of the offense. For purposes of this
5 paragraph, the defendant may not be considered the victim's
6 representative. If the court finds that the fine would impose
7 an undue burden on the victim, the court may reduce or waive
8 the fine. The court shall order that the defendant may not use
9 funds belonging solely to the victim of the offense for payment
10 of the fine.

11 Not later than March 1 of each year the Clerk of the
12 Circuit Court shall submit to the State Comptroller a report of
13 the amount of funds remitted by her or him to the State
14 Treasurer under this Section during the preceding calendar
15 year. Except as otherwise provided by Supreme Court Rules, if a
16 court in sentencing an offender levies a gross amount for fine,
17 costs, fees and penalties, the amount of the additional penalty
18 provided for in this Section shall be collected from the amount
19 remaining after deducting from the gross amount levied all fees
20 of the Circuit Clerk, the State's Attorney, and the Sheriff.
21 After deducting from the gross amount levied the fees and
22 additional penalty provided for in this Section, less any other
23 additional penalties provided by law, the clerk shall remit the
24 net balance remaining to the entity authorized by law to
25 receive the fine imposed in the case. For purposes of this
26 Section "Fees of the Circuit Clerk" shall include, if

1 applicable, the fee provided for under Section 27.3a of the
2 Clerks of Courts Act and the fee, if applicable, payable to the
3 county in which the violation occurred under Section 5-1101 of
4 the Counties Code.

5 (b) Domestic Violence Abuser Services Fund;
6 administration. There is created a Domestic Violence Abuser
7 Services Fund in the State Treasury. Moneys deposited into the
8 Fund under ~~Section 15-70 of the Criminal and Traffic~~
9 ~~Assessments Act~~ this Section shall be appropriated to the
10 Department of Human Services for the purpose of providing
11 services specified by this Section. Upon appropriation of
12 moneys from the Domestic Violence Abuser Services Fund, the
13 Department of Human Services shall set aside 10% of all
14 appropriated funds for the purposes of program training,
15 development and assessment. The Department shall make grants of
16 all remaining moneys from the Fund to qualified domestic
17 violence abuser services programs through a competitive
18 application process. A "qualified domestic violence abuser
19 services program" is one which the Department determines is in
20 compliance with protocols for abuser services promulgated by
21 the Department. To the extent possible the Department shall
22 ensure that moneys received from penalties imposed by courts in
23 judicial districts are returned to qualified abuser services
24 programs serving those districts.

25 (Source: P.A. 90-241, eff. 1-1-98.)

1 (730 ILCS 5/5-9-1.16)

2 Sec. 5-9-1.16. Protective order violation ~~service provider~~
3 fees.

4 (a) ~~(Blank)~~. There shall be added to every penalty imposed
5 in sentencing for a violation of an order of protection under
6 Section 12-3.4 or 12-30 of the Criminal Code of 1961 or the
7 Criminal Code of 2012 an additional fee to be set in an amount
8 not less than \$200 to be imposed upon a plea of guilty or
9 finding of guilty resulting in a judgment of conviction.

10 (b) ~~(Blank)~~. Such additional amount shall be assessed by
11 the court imposing sentence and shall be collected by the
12 Circuit Clerk in addition to the fine, if any, and costs in the
13 case to be used by the supervising authority in implementing
14 the domestic violence surveillance program. The clerk of the
15 circuit court shall pay all monies collected from this fee to
16 the county treasurer for deposit in the probation and court
17 services fund under Section 15.1 of the Probation and
18 Probations Officers Act.

19 (c) The supervising authority of a domestic violence
20 surveillance program under Section 5-8A-7 of this Act shall
21 assess a person either convicted of, or charged with, the
22 violation of an order of protection an additional ~~service~~
23 ~~provider~~ fee to cover the costs of providing the equipment used
24 and the additional supervision needed for such domestic
25 violence surveillance program. If the court finds that the fee
26 would impose an undue burden on the victim, the court may

1 reduce or waive the fee. The court shall order that the
2 defendant may not use funds belonging solely to the victim of
3 the offense for payment of the fee.

4 When the supervising authority is the court or the
5 probation and court services department, the fee shall be
6 collected by the circuit court clerk. The clerk of the circuit
7 court shall pay all monies collected from this fee and all
8 other required probation fees that are assessed to the county
9 treasurer for deposit in the probation and court services fund
10 under Section 15.1 of the Probation and Probations Officers
11 Act. In counties with a population of 2 million or more, when
12 the supervising authority is the court or the probation and
13 court services department, the fee shall be collected by the
14 supervising authority. In these counties, the supervising
15 authority shall pay all monies collected from this fee and all
16 other required probation fees that are assessed, to the county
17 treasurer for deposit in the probation and court services fund
18 under Section 15.1 of the Probation and Probation Officers Act.

19 When the supervising authority is the Department of
20 Corrections, the Department shall collect the fee for deposit
21 into the Department of Corrections Reimbursement and Education
22 Fund. The Circuit Clerk shall retain 10% of such penalty and
23 deposit that percentage into the Circuit Court Clerk Operation
24 and Administrative Fund to cover the costs incurred in
25 administering and enforcing this Section.

26 (d) (Blank).

1 (e) (Blank).

2 (Source: P.A. 99-933, eff. 1-27-17.)

3 (730 ILCS 5/5-9-1.21)

4 Sec. 5-9-1.21. Specialized Services for Survivors of Human
5 Trafficking Fund.

6 (a) There is created in the State treasury a Specialized
7 Services for Survivors of Human Trafficking Fund. Moneys
8 deposited into the Fund under this Section shall be available
9 for the Department of Human Services for the purposes in this
10 Section.

11 (b) ~~(Blank)~~. Each plea of guilty, stipulation of facts, or
12 finding of guilt resulting in a judgment of conviction or order
13 of supervision for an offense under Section 10-9, 11-14.1,
14 11-14.3, or 11-18 of the Criminal Code of 2012 that results in
15 the imposition of a fine shall have a portion of that fine
16 deposited into the Specialized Services for Survivors of Human
17 Trafficking Fund.

18 (c) ~~(Blank)~~. If imposed, the fine shall be collected by the
19 circuit court clerk in addition to any other imposed fee. The
20 circuit court clerk shall retain \$50 to cover the costs in
21 administering and enforcing this Section. The circuit court
22 clerk shall remit the remainder of the fine within one month of
23 its receipt as follows:

24 (1) \$300 shall be distributed equally between all State
25 law enforcement agencies whose officers or employees

1 conducted the investigation or prosecution that resulted
2 in the finding of guilt; and

3 (2) the remainder of the fine shall be remitted to the
4 Department of Human Services for deposit into the
5 Specialized Services for Survivors of Human Trafficking
6 Fund.

7 (d) Upon appropriation of moneys from the Specialized
8 Services for Survivors of Human Trafficking Fund, the
9 Department of Human Services shall use these moneys to make
10 grants to non-governmental organizations to provide
11 specialized, trauma-informed services specifically designed to
12 address the priority service needs associated with
13 prostitution and human trafficking. Priority services include,
14 but are not limited to, community based drop-in centers,
15 emergency housing, and long-term safe homes. The Department
16 shall consult with prostitution and human trafficking
17 advocates, survivors, and service providers to identify
18 priority service needs in their respective communities.

19 (e) Grants made under this Section are in addition to, and
20 not substitutes for, other grants authorized and made by the
21 Department.

22 (f) Notwithstanding any other law to the contrary, the
23 Specialized Services for Survivors of Human Trafficking Fund is
24 not subject to sweeps, administrative charge-backs, or any
25 other fiscal maneuver that would in any way transfer any
26 amounts from the Specialized Services for Survivors of Human

1 Trafficking Fund into any other fund of the State.

2 (Source: P.A. 98-1013, eff. 1-1-15.)

3 Section 145. The Unified Code of Corrections is amended by
4 reenacting Sections 5-9-1.5, 5-9-1.6, 5-9-1.10, 5-9-1.12,
5 5-9-1.14, 5-9-1.15, 5-9-1.17, 5-9-1.18, 5-9-1.19, and 5-9-1.20
6 as follows:

7 (730 ILCS 5/5-9-1.5) (from Ch. 38, par. 1005-9-1.5)

8 Sec. 5-9-1.5. Domestic violence fine. In addition to any
9 other penalty imposed, a fine of \$200 shall be imposed upon any
10 person who pleads guilty or no contest to or who is convicted
11 of murder, voluntary manslaughter, involuntary manslaughter,
12 burglary, residential burglary, criminal trespass to
13 residence, criminal trespass to vehicle, criminal trespass to
14 land, criminal damage to property, telephone harassment,
15 kidnapping, aggravated kidnapping, unlawful restraint,
16 forcible detention, child abduction, indecent solicitation of
17 a child, sexual relations between siblings, exploitation of a
18 child, child pornography, assault, aggravated assault,
19 battery, aggravated battery, heinous battery, aggravated
20 battery of a child, domestic battery, reckless conduct,
21 intimidation, criminal sexual assault, predatory criminal
22 sexual assault of a child, aggravated criminal sexual assault,
23 criminal sexual abuse, aggravated criminal sexual abuse,
24 violation of an order of protection, disorderly conduct,

1 endangering the life or health of a child, child abandonment,
2 contributing to dependency or neglect of child, or cruelty to
3 children and others; provided that the offender and victim are
4 family or household members as defined in Section 103 of the
5 Illinois Domestic Violence Act of 1986. Upon request of the
6 victim or the victim's representative, the court shall
7 determine whether the fine will impose an undue burden on the
8 victim of the offense. For purposes of this paragraph, the
9 defendant may not be considered the victim's representative. If
10 the court finds that the fine would impose an undue burden on
11 the victim, the court may reduce or waive the fine. The court
12 shall order that the defendant may not use funds belonging
13 solely to the victim of the offense for payment of the fine.
14 The circuit clerk shall remit each fine within one month of its
15 receipt to the State Treasurer for deposit as follows: (i) for
16 sexual assault, as defined in Section 5-9-1.7, when the
17 offender and victim are family members, one-half to the
18 Domestic Violence Shelter and Service Fund, and one-half to the
19 Sexual Assault Services Fund; (ii) for the remaining offenses
20 to the Domestic Violence Shelter and Service Fund.

21 (Source: P.A. 93-810, eff. 1-1-05.)

22 (730 ILCS 5/5-9-1.6) (from Ch. 38, par. 1005-9-1.6)

23 Sec. 5-9-1.6. Fine for Domestic Battery. There shall be
24 added to every penalty imposed in sentencing for the offense of
25 domestic battery an additional fine in the amount of \$10 to be

1 imposed upon a plea of guilty, stipulation of facts or finding
2 of guilty resulting in a judgment of conviction or order of
3 supervision.

4 Such additional amount shall be assessed by the court
5 imposing sentence and shall be collected by the Circuit Clerk
6 in addition to the fine, if any, and costs in the case. Each
7 such additional penalty shall be remitted by the Circuit Clerk
8 within one month after receipt to the State Treasurer for
9 deposit into the Domestic Violence Shelter and Service Fund.
10 The Circuit Clerk shall retain 10% of such penalty to cover the
11 costs incurred in administering and enforcing this Section.
12 Such additional penalty shall not be considered a part of the
13 fine for purposes of any reduction in the fine for time served
14 either before or after sentencing.

15 Not later than March 1 of each year the Clerk of the
16 Circuit Court shall submit to the State Comptroller a report of
17 the amount of funds remitted by him to the State Treasurer
18 under this Section during the preceding calendar year. Except
19 as otherwise provided by Supreme Court Rules, if a court in
20 sentencing an offender levies a gross amount for fine, costs,
21 fees and penalties, the amount of the additional penalty
22 provided for herein shall be collected from the amount
23 remaining after deducting from the gross amount levied all fees
24 of the Circuit Clerk, the State's Attorney and the Sheriff.
25 After deducting from the gross amount levied the fees and
26 additional penalty provided for herein, less any other

1 additional penalties provided by law, the clerk shall remit the
2 net balance remaining to the entity authorized by law to
3 receive the fine imposed in the case. For purposes of this
4 Section "fees of the Circuit Clerk" shall include, if
5 applicable, the fee provided for under Section 27.3a of the
6 Clerks of Courts Act and the fee, if applicable, payable to the
7 county in which the violation occurred under Section 5-1101 of
8 the Counties Code.

9 (Source: P.A. 87-480; 87-895.)

10 (730 ILCS 5/5-9-1.10)

11 Sec. 5-9-1.10. Additional fines. There shall be added to
12 every penalty imposed in sentencing for a violation of Sections
13 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the
14 Criminal Code of 2012 an additional fine of \$100 payable to the
15 clerk, which shall be imposed upon the entry of a judgment of
16 conviction. This additional fee, less 2 1/2% that shall be used
17 to defray administrative costs incurred by the clerk, shall be
18 remitted by the clerk to the Treasurer within 60 days after
19 receipt for deposit into the Trauma Center Fund. This
20 additional fee of \$100 shall not be considered a part of the
21 fine for purposes of any reduction in the fine for time served
22 either before or after sentencing. Not later than March 1 of
23 each year the circuit clerk shall submit a report of the amount
24 of funds remitted to the State Treasurer under this Section
25 during the preceding calendar year. All moneys collected by the

1 circuit clerk and remitted to the State Treasurer under Section
2 27.6 of the Clerks of Courts Act shall be deposited into the
3 Trauma Center Fund for distribution as provided under Section
4 3.225 of the Emergency Medical Services (EMS) Systems Act.

5 (Source: P.A. 97-1150, eff. 1-25-13.)

6 (730 ILCS 5/5-9-1.12)

7 Sec. 5-9-1.12. Arson fines.

8 (a) In addition to any other penalty imposed, a fine of
9 \$500 shall be imposed upon a person convicted of the offense of
10 arson, residential arson, or aggravated arson.

11 (b) The additional fine shall be assessed by the court
12 imposing sentence and shall be collected by the Circuit Clerk
13 in addition to the fine, if any, and costs in the case. Each
14 such additional fine shall be remitted by the Circuit Clerk
15 within one month after receipt to the State Treasurer for
16 deposit into the Fire Prevention Fund. The Circuit Clerk shall
17 retain 10% of such fine to cover the costs incurred in
18 administering and enforcing this Section. The additional fine
19 may not be considered a part of the fine for purposes of any
20 reduction in the fine for time served either before or after
21 sentencing. Arson fines that were previously deposited into the
22 Fire Prevention Fund prior to the adoption of Public Act 96-400
23 shall be used according to the purposes established in Section
24 13.1 of the Fire Investigation Act.

25 (c) (Blank).

1 (d) (Blank).

2 (Source: P.A. 96-400, eff. 8-13-09; 97-901, eff. 1-1-13.)

3 (730 ILCS 5/5-9-1.14)

4 Sec. 5-9-1.14. Additional child pornography fines. In
5 addition to any other penalty imposed, a fine of \$500 shall be
6 imposed upon a person convicted of child pornography under
7 Section 11-20.1 of the Criminal Code of 1961 or the Criminal
8 Code of 2012. The additional fine shall be assessed by the
9 court imposing sentence and shall be collected by the circuit
10 clerk. Of this fee, \$5 shall be deposited into the Circuit
11 Court Clerk Operation and Administrative Fund created by the
12 circuit clerk to be used to offset the costs incurred by the
13 circuit clerk in performing the additional duties required to
14 collect and disburse funds to entities of State and local
15 government as provided by law. Each additional fine shall be
16 remitted by the circuit clerk within one month after receipt to
17 the unit of local or State government whose law enforcement
18 officers investigated the case that gave rise to the conviction
19 of the defendant for child pornography. When Department of
20 State Police officers investigated the case that gave rise to
21 the conviction of the defendant for child pornography, the
22 additional fine shall be remitted by the circuit clerk within
23 one month after receipt to the Department of State Police for
24 deposit into the State Crime Laboratory Fund. When the
25 Department of State Police provides digital or electronic

1 forensic examination assistance, or both, to another law
2 enforcement agency which investigated the case that gave rise
3 to the conviction of the defendant for child pornography, \$100
4 of the additional fine shall be remitted by the circuit clerk
5 within one month after receipt to the Department of State
6 Police for deposit into the State Crime Laboratory Fund.

7 (Source: P.A. 97-1150, eff. 1-25-13; 98-359, eff. 1-1-14.)

8 (730 ILCS 5/5-9-1.15)

9 Sec. 5-9-1.15. Sex offender fines.

10 (a) There shall be added to every penalty imposed in
11 sentencing for a sex offense as defined in Section 2 of the Sex
12 Offender Registration Act an additional fine in the amount of
13 \$500 to be imposed upon a plea of guilty, stipulation of facts
14 or finding of guilty resulting in a judgment of conviction or
15 order of supervision.

16 (b) Such additional amount shall be assessed by the court
17 imposing sentence and shall be collected by the circuit clerk
18 in addition to the fine, if any, and costs in the case. Each
19 such additional penalty shall be remitted by the circuit clerk
20 within one month after receipt to the State Treasurer for
21 deposit into the Sex Offender Investigation Fund. The circuit
22 clerk shall retain 10% of such penalty for deposit into the
23 Circuit Court Clerk Operation and Administrative Fund created
24 by the Clerk of the Circuit Court to cover the costs incurred
25 in administering and enforcing this Section. Such additional

1 penalty shall not be considered a part of the fine for purposes
2 of any reduction in the fine for time served either before or
3 after sentencing.

4 (c) Not later than March 1 of each year the clerk of the
5 circuit court shall submit to the State Comptroller a report of
6 the amount of funds remitted by him or her to the State
7 Treasurer under this Section during the preceding calendar
8 year. Except as otherwise provided by Supreme Court Rules, if a
9 court in sentencing an offender levies a gross amount for fine,
10 costs, fees and penalties, the amount of the additional penalty
11 provided for herein shall be collected from the amount
12 remaining after deducting from the gross amount levied all fees
13 of the circuit clerk, the State's Attorney, and the sheriff.
14 After deducting from the gross amount levied the fees and
15 additional penalty provided for herein, less any other
16 additional penalties provided by law, the clerk shall remit
17 \$100 of each \$500 additional fine imposed under this Section to
18 the State's Attorney of the county which prosecuted the case or
19 the local law enforcement agency that investigated the case
20 leading to the defendant's judgment of conviction or order of
21 supervision and after such remission the net balance remaining
22 to the entity authorized by law to receive the fine imposed in
23 the case. For purposes of this Section "fees of the circuit
24 clerk" shall include, if applicable, the fee provided for under
25 Section 27.3a of the Clerks of Courts Act and the fee, if
26 applicable, payable to the county in which the violation

1 occurred under Section 5-1101 of the Counties Code.

2 (d) Subject to appropriation, moneys in the Sex Offender
3 Investigation Fund shall be used by the Department of State
4 Police to investigate alleged sex offenses and to make grants
5 to local law enforcement agencies to investigate alleged sex
6 offenses as such grants are awarded by the Director of State
7 Police under rules established by the Director of State Police.
8 (Source: P.A. 95-600, eff. 6-1-08; 95-876, eff. 8-21-08.)

9 (730 ILCS 5/5-9-1.17)

10 Sec. 5-9-1.17. Additional fine to fund expungement of
11 juvenile records.

12 (a) There shall be added to every penalty imposed in
13 sentencing for a criminal offense an additional fine of \$30 to
14 be imposed upon a plea of guilty or finding of guilty resulting
15 in a judgment of conviction.

16 (b) Ten dollars of each such additional fine shall be
17 remitted to the State Treasurer for deposit into the State
18 Police Services Fund to be used to implement the expungement of
19 juvenile records as provided in Section 5-622 of the Juvenile
20 Court Act of 1987, \$10 shall be paid to the State's Attorney's
21 Office that prosecuted the criminal offense, and \$10 shall be
22 retained by the Circuit Clerk for administrative costs
23 associated with the expungement of juvenile records and shall
24 be deposited into the Circuit Court Clerk Operation and
25 Administrative Fund.

1 (Source: P.A. 96-707, eff. 1-1-10; 96-1000, eff. 7-2-10.)

2 (730 ILCS 5/5-9-1.18)

3 Sec. 5-9-1.18. Fee; Roadside Memorial Fund. A person who is
4 convicted or receives a disposition of court supervision for a
5 violation of Section 11-501 of the Illinois Vehicle Code shall,
6 in addition to any other disposition, penalty, or fine imposed,
7 pay a fee of \$50 which shall be collected by the clerk of the
8 court and then remitted to the State Treasurer for deposit into
9 the Roadside Memorial Fund, a special fund that is created in
10 the State treasury. However, the court may waive the fee if
11 full restitution is complied with. Subject to appropriation,
12 all moneys in the Roadside Memorial Fund shall be used by the
13 Department of Transportation to pay fees imposed under
14 subsection (f) of Section 20 of the Roadside Memorial Act.

15 (Source: P.A. 96-667, eff. 8-25-09; 96-1000, eff. 7-2-10.)

16 (730 ILCS 5/5-9-1.19)

17 Sec. 5-9-1.19. Additional streetgang fine. In addition to
18 any other penalty imposed, a fine of \$100 shall be imposed upon
19 a person convicted of any violation of the Criminal Code of
20 1961 or the Criminal Code of 2012 who was, at the time of the
21 commission of the violation a streetgang member, as defined in
22 Section 10 of the Illinois Streetgang Terrorism Omnibus
23 Prevention Act. Such additional fine shall be assessed by the
24 court imposing sentence and shall be collected by the circuit

1 clerk. Of this fee, \$5 shall be deposited into the Circuit
2 Court Clerk Operation and Administrative Fund created by the
3 Clerk of the Circuit Court to be used to offset the costs
4 incurred by the Circuit Court Clerk in performing the
5 additional duties required to collect and disburse funds as
6 provided by law. Each such additional fine shall be remitted by
7 the Circuit Court Clerk within one month after receipt to the
8 State Police Streetgang-Related Crime Fund in the State
9 treasury.

10 (Source: P.A. 96-1029, eff. 7-13-10; 97-1150, eff. 1-25-13.)

11 (730 ILCS 5/5-9-1.20)

12 Sec. 5-9-1.20. Additional violation of parole fines. In
13 addition to any other penalty imposed, a fine of \$25 shall be
14 imposed upon a person convicted of any violation of the
15 Criminal Code of 1961 or the Criminal Code of 2012 who was, at
16 the time of the commission of the offense on parole or
17 mandatory supervised release. Such additional fine shall be
18 assessed by the court imposing sentence and shall be collected
19 by the circuit clerk. Of this fine, \$5 shall be deposited into
20 the Circuit Court Clerk Operation and Administrative Fund
21 created by the Clerk of the Circuit Court to be used to offset
22 the costs incurred by the Circuit Court Clerk in performing the
23 additional duties required to collect and disburse funds as
24 provided by law. The remainder of each such additional fine
25 shall be remitted by the Circuit Court Clerk within one month

1 after receipt to the State Treasurer for deposit into the
2 Illinois Department of Corrections Parole Division Offender
3 Supervision Fund in the State treasury.

4 (Source: P.A. 97-262, eff. 8-5-11; 97-1150, eff. 1-25-13.)

5 Section 150. The County Jail Act is amended by changing
6 Section 17 as follows:

7 (730 ILCS 125/17) (from Ch. 75, par. 117)

8 Sec. 17. Bedding, clothing, fuel, and medical aid;
9 reimbursement for medical expenses. The Warden of the jail
10 shall furnish necessary bedding, clothing, fuel, and medical
11 services for all prisoners under his charge, and keep an
12 accurate account of the same. When services that result in
13 qualified medical expenses are required by any person held in
14 custody, the county, private hospital, physician or any public
15 agency which provides such services shall be entitled to obtain
16 reimbursement from the county for the cost of such services.
17 The county board of a county may adopt an ordinance or
18 resolution providing for reimbursement for the cost of those
19 services at the Department of Healthcare and Family Services'
20 rates for medical assistance. To the extent that such person is
21 reasonably able to pay for such care, including reimbursement
22 from any insurance program or from other medical benefit
23 programs available to such person, he or she shall reimburse
24 the county or arresting authority. If such person has already

1 been determined eligible for medical assistance under the
2 Illinois Public Aid Code at the time the person is detained,
3 the cost of such services, to the extent such cost exceeds
4 \$500, shall be reimbursed by the Department of Healthcare and
5 Family Services under that Code. A reimbursement under any
6 public or private program authorized by this Section shall be
7 paid to the county or arresting authority to the same extent as
8 would have been obtained had the services been rendered in a
9 non-custodial environment.

10 The sheriff or his or her designee may cause an application
11 for medical assistance under the Illinois Public Aid Code to be
12 completed for an arrestee who is a hospital inpatient. If such
13 arrestee is determined eligible, he or she shall receive
14 medical assistance under the Code for hospital inpatient
15 services only. An arresting authority shall be responsible for
16 any qualified medical expenses relating to the arrestee until
17 such time as the arrestee is placed in the custody of the
18 sheriff. However, the arresting authority shall not be so
19 responsible if the arrest was made pursuant to a request by the
20 sheriff. When medical expenses are required by any person held
21 in custody, the county shall be entitled to obtain
22 reimbursement from the County Jail Medical Costs Fund to the
23 extent moneys are available from the Fund. To the extent that
24 the person is reasonably able to pay for that care, including
25 reimbursement from any insurance program or from other medical
26 benefit programs available to the person, he or she shall

1 reimburse the county.

2 The county shall be entitled to a \$10 fee for each
3 conviction or order of supervision for a criminal violation,
4 other than a petty offense or business offense. The fee shall
5 be taxed as costs to be collected from the defendant, if
6 possible, upon conviction or entry of an order of supervision.
7 The fee shall not be considered a part of the fine for purposes
8 of any reduction in the fine.

9 All such fees collected shall be deposited by the county in
10 a fund to be established and known as the County Jail Medical
11 Costs Fund. Moneys in the Fund shall be used solely for
12 reimbursement to the county of costs for medical expenses and
13 administration of the Fund.

14 For the purposes of this Section, "arresting authority"
15 means a unit of local government, other than a county, which
16 employs peace officers and whose peace officers have made the
17 arrest of a person. For the purposes of this Section,
18 "qualified medical expenses" include medical and hospital
19 services but do not include (i) expenses incurred for medical
20 care or treatment provided to a person on account of a
21 self-inflicted injury incurred prior to or in the course of an
22 arrest, (ii) expenses incurred for medical care or treatment
23 provided to a person on account of a health condition of that
24 person which existed prior to the time of his or her arrest, or
25 (iii) expenses for hospital inpatient services for arrestees
26 enrolled for medical assistance under the Illinois Public Aid

1 Code.

2 (Source: P.A. 95-842, eff. 8-15-08; 96-1280, eff. 7-26-10.)

3 Section 155. The Code of Civil Procedure is amended by
4 changing Section 5-105 as follows:

5 (735 ILCS 5/5-105) (from Ch. 110, par. 5-105)

6 Sec. 5-105. ~~Waiver of court fees, costs, and charges~~ Leave
7 to sue or defend as an indigent person.

8 (a) As used in this Section:

9 (1) "Fees, costs, and charges" means payments imposed
10 on a party in connection with the prosecution or defense of
11 a civil action, including, but not limited to: ~~fees set~~
12 ~~forth in Section 27.1b of the Clerks of Courts Act~~ filing
13 fees; appearance fees; fees for service of process and
14 other papers served either within or outside this State,
15 including service by publication pursuant to Section 2-206
16 of this Code and publication of necessary legal notices;
17 motion fees; jury demand fees; charges for participation
18 in, or attendance at, any mandatory process or procedure
19 including, but not limited to, conciliation, mediation,
20 arbitration, counseling, evaluation, "Children First",
21 "Focus on Children" or similar programs; fees for
22 supplementary proceedings; charges for translation
23 services; guardian ad litem fees; charges for certified
24 copies of court documents; and all other processes and

1 procedures deemed by the court to be necessary to commence,
2 prosecute, defend, or enforce relief in a civil action.

3 (2) "Indigent person" means any person who meets one or
4 more of the following criteria:

5 (i) He or she is receiving assistance under one or
6 more of the following ~~means-based governmental~~ public
7 benefits programs: Supplemental Security Income (SSI),
8 Aid to the Aged, Blind and Disabled (AABD), Temporary
9 Assistance for Needy Families (TANF), ~~Supplemental~~
10 ~~Nutrition Assistance Program (SNAP)~~ Food Stamps,
11 General Assistance, Transitional Assistance, or State
12 Children and Family Assistance.

13 (ii) His or her available ~~personal~~ income is ~~200%~~
14 125% or less of the current poverty level as
15 established by the United States Department of Health
16 and Human Services, unless the applicant's assets that
17 are not exempt under Part 9 or 10 of Article XII of
18 this Code are of a nature and value that the court
19 determines that the applicant is able to pay the fees,
20 costs, and charges.

21 (iii) He or she is, in the discretion of the court,
22 unable to proceed in an action without payment of fees,
23 costs, and charges and whose payment of those fees,
24 costs, and charges would result in substantial
25 hardship to the person or his or her family.

26 (iv) He or she is an indigent person pursuant to

1 Section 5-105.5 of this Code.

2 ~~(3) "Poverty level" means the current poverty level as~~
3 ~~established by the United States Department of Health and~~
4 ~~Human Services.~~

5 (b) On the application of any person, before, or after the
6 commencement of an action, a

7 ~~(1) If the court finds, on finding that the applicant~~
8 ~~is an indigent person, the court shall grant the applicant~~
9 ~~a full fees, costs, and charges waiver entitling him or her~~
10 ~~leave to sue or defend the action without payment of any of~~
11 ~~the fees, costs, and charges. of the action~~

12 ~~(2) If the court finds that the applicant satisfies any~~
13 ~~of the criteria contained in items (i), (ii), or (iii) of~~
14 ~~this subdivision (b) (2), the court shall grant the~~
15 ~~applicant a partial fees, costs, and charges waiver~~
16 ~~entitling him or her to sue or defend the action upon~~
17 ~~payment of the applicable percentage of the assessments,~~
18 ~~costs, and charges of the action, as follows:~~

19 ~~(i) the court shall waive 75% of all fees, costs,~~
20 ~~and charges if the available income of the applicant is~~
21 ~~greater than 200% but does not exceed 250% of the~~
22 ~~poverty level, unless the assets of the applicant that~~
23 ~~are not exempt under Part 9 or 10 of Article XII of~~
24 ~~this Code are such that the applicant is able, without~~
25 ~~undue hardship, to pay a greater portion of the fees,~~
26 ~~costs, and charges;~~

1 ~~(ii) the court shall waive 50% of all fees, costs,~~
2 ~~and charges if the available income is greater than~~
3 ~~250% but does not exceed 300% of the poverty level,~~
4 ~~unless the assets of the applicant that are not exempt~~
5 ~~under Part 9 or 10 of Article XII of this Code are such~~
6 ~~that the applicant is able, without undue hardship, to~~
7 ~~pay a greater portion of the fees, costs, and charges;~~
8 ~~and~~

9 ~~(iii) the court shall waive 25% of all fees, costs,~~
10 ~~and charges if the available income of the applicant is~~
11 ~~greater than 300% but does not exceed 400% of the~~
12 ~~current poverty level, unless the assets of the~~
13 ~~applicant that are not exempt under Part 9 or 10 of~~
14 ~~Article XII of this Code are such that the applicant is~~
15 ~~able, without undue hardship, to pay a greater portion~~
16 ~~of the fees, costs, and charges.~~

17 (c) An application for ~~waiver of court fees, costs, and~~
18 ~~charges~~ leave to sue or defend an action as an indigent person
19 shall be in writing and ~~signed~~ supported by the affidavit of
20 the applicant, or, if the applicant is a minor or an
21 incompetent adult, by the affidavit of another person having
22 knowledge of the facts. The contents of the ~~application for~~
23 ~~waiver of court fees, costs, and charges, and the procedure for~~
24 ~~the decision of the applications,~~ affidavit shall be
25 established by Supreme Court Rule. ~~Factors to consider in~~
26 ~~evaluating an application shall include:~~

1 ~~(1) the applicant's receipt of needs based~~
2 ~~governmental public benefits, including Supplemental~~
3 ~~Security Income (SSI); Aid to the Aged, Blind and Disabled~~
4 ~~(ADBBD); Temporary Assistance for Needy Families (TANF);~~
5 ~~Supplemental Nutrition Assistance Program (SNAP or "food~~
6 ~~stamps"); General Assistance; Transitional Assistance; or~~
7 ~~State Children and Family Assistance;~~

8 ~~(2) the employment status of the applicant and amount~~
9 ~~of monthly income, if any;~~

10 ~~(3) income received from the applicant's pension,~~
11 ~~Social Security benefits, unemployment benefits, and other~~
12 ~~sources;~~

13 ~~(4) income received by the applicant from other~~
14 ~~household members;~~

15 ~~(5) the applicant's monthly expenses, including rent,~~
16 ~~home mortgage, other mortgage, utilities, food, medical,~~
17 ~~vehicle, childcare, debts, child support, and other~~
18 ~~expenses; and~~

19 ~~(6) financial affidavits or other similar supporting~~
20 ~~documentation provided by the applicant showing that~~
21 ~~payment of the imposed fees, costs, and charges would~~
22 ~~result in substantial hardship to the applicant or the~~
23 ~~applicant's family.~~

24 ~~(e-5) The court shall provide, through the office of the~~
25 ~~clerk of the court, the application for waiver of court fees,~~
26 ~~costs, and charges simplified forms consistent with the~~

1 requirements of this Section and applicable Supreme Court Rules
2 to any person seeking to sue or defend an action who indicates
3 an inability to pay the fees, costs, and charges of the action.
4 The application and supporting affidavit may be incorporated
5 into one simplified form. The clerk of the court shall post in
6 a conspicuous place in the courthouse a notice no smaller than
7 8.5 x 11 inches, using no smaller than 30-point typeface
8 printed in English and in Spanish, advising the public that
9 they may ask the court for permission to sue or defend a civil
10 action without payment of fees, costs, and charges. The notice
11 shall be substantially as follows:

12 "If you are unable to pay the fees, costs, and charges
13 of an action you may ask the court to allow you to proceed
14 without paying them. Ask the clerk of the court for forms."

15 (d) ~~(Blank)~~. The court shall rule on applications under
16 this Section in a timely manner based on information contained
17 in the application unless the court, in its discretion,
18 requires the applicant to personally appear to explain or
19 clarify information contained in the application. If the court
20 finds that the applicant is an indigent person, the court shall
21 enter an order permitting the applicant to sue or defend
22 without payment of fees, costs, or charges. If the application
23 is denied, the court shall enter an order to that effect
24 stating the specific reasons for the denial. The clerk of the
25 court shall promptly mail or deliver a copy of the order to the
26 applicant.

1 (e) The clerk of the court shall not refuse to accept and
2 file any complaint, appearance, or other paper presented by the
3 applicant if accompanied by an application ~~for waiver of court~~
4 ~~fees, costs, and charges~~ to sue or defend in forma pauperis,
5 and those papers shall be considered filed on the date the
6 application is presented. If the application is denied ~~or a~~
7 ~~partial fees, costs, and charges waiver is granted,~~ the order
8 shall state a date certain by which the necessary fees, costs,
9 and charges must be paid. ~~For~~ The court, for good cause shown,
10 ~~the court~~ may allow an applicant ~~who receives a partial fees,~~
11 ~~costs, and charges waiver~~ whose application is denied to defer
12 payment of fees, costs, and charges, make installment payments,
13 or make payment upon reasonable terms and conditions stated in
14 the order. The court may dismiss the claims or ~~strike the~~
15 defenses of any party failing to pay the fees, costs, ~~and or~~
16 charges within the time and in the manner ordered by the court.
17 ~~A judicial ruling on an application for waiver of court~~
18 ~~assessments does not constitute a decision of a substantial~~
19 ~~issue in the case under Section 2-1001 of this Code~~ A
20 determination concerning an application to sue or defend in
21 forma pauperis shall not be construed as a ruling on the
22 merits.

23 (f) The court may order ~~granting a full or partial fees,~~
24 ~~costs, and charges waiver shall expire after one year. Upon~~
25 ~~expiration of the waiver, or a reasonable period of time before~~
26 ~~expiration, the party whose fees, costs, and charges were~~

1 ~~waived may file another application for waiver and the court~~
2 ~~shall consider the application in accordance with the~~
3 ~~applicable Supreme Court Rule. an indigent person to pay all or~~
4 ~~a portion of the fees, costs, or charges waived pursuant to~~
5 ~~this Section out of moneys recovered by the indigent person~~
6 ~~pursuant to a judgment or settlement resulting from the civil~~
7 ~~action. However, nothing in this Section shall be construed to~~
8 ~~limit the authority of a court to order another party to the~~
9 ~~action to pay the fees, costs, or charges of the action.~~

10 ~~(f 5) If, before or at the time of final disposition of the~~
11 ~~case, the court obtains information, including information~~
12 ~~from the court file, suggesting that a person whose fees,~~
13 ~~costs, and charges were initially waived was not entitled to a~~
14 ~~full or partial waiver at the time of application, the court~~
15 ~~may require the person to appear at a court hearing by giving~~
16 ~~the applicant no less than 10 days' written notice of the~~
17 ~~hearing and the specific reasons why the initial waiver might~~
18 ~~be reconsidered. The court may require the applicant to provide~~
19 ~~reasonably available evidence, including financial~~
20 ~~information, to support his or her eligibility for the waiver,~~
21 ~~but the court shall not require submission of information that~~
22 ~~is unrelated to the criteria for eligibility and application~~
23 ~~requirements set forth in subdivisions (b) (1) or (b) (2) of this~~
24 ~~Section. If the court finds that the person was not initially~~
25 ~~entitled to any waiver, the person shall pay all fees, costs,~~
26 ~~and charges relating to the civil action, including any~~

1 ~~previously waived fees, costs, and charges. The order may state~~
2 ~~terms of payment in accordance with subsection (e). The court~~
3 ~~shall not conduct a hearing under this subsection more often~~
4 ~~than once every 6 months.~~

5 ~~(f 10) If, before or at the time of final disposition of~~
6 ~~the case, the court obtains information, including information~~
7 ~~from the court file, suggesting that a person who received a~~
8 ~~full or partial waiver has experienced a change in financial~~
9 ~~condition so that he or she is no longer eligible for that~~
10 ~~waiver, the court may require the person to appear at a court~~
11 ~~hearing by giving the applicant no less than 10 days' written~~
12 ~~notice of the hearing and the specific reasons why the waiver~~
13 ~~might be reconsidered. The court may require the person to~~
14 ~~provide reasonably available evidence, including financial~~
15 ~~information, to support his or her continued eligibility for~~
16 ~~the waiver, but shall not require submission of information~~
17 ~~that is unrelated to the criteria for eligibility and~~
18 ~~application requirements set forth in subsections (b) (1) and~~
19 ~~(b) (2) of this Section. If the court enters an order finding~~
20 ~~that the person is no longer entitled to a waiver, or is~~
21 ~~entitled to a partial waiver different than that which the~~
22 ~~person had previously received, the person shall pay the~~
23 ~~requisite fees, costs, and charges from the date of the order~~
24 ~~going forward. The order may state terms of payment in~~
25 ~~accordance with subsection (e) of this Section. The court shall~~
26 ~~not conduct a hearing under this subsection more often than~~

1 ~~once every 6 months.~~

2 (g) A court, in its discretion, may appoint counsel to
3 represent an indigent person, and that counsel shall perform
4 his or her duties without fees, charges, or reward.

5 (h) Nothing in this Section shall be construed to affect
6 the right of a party to sue or defend an action in forma
7 pauperis without the payment of fees, costs, or charges, or the
8 right of a party to court-appointed counsel, as authorized by
9 any other provision of law or by the rules of the Illinois
10 Supreme Court. ~~Nothing in this Section shall be construed to~~
11 ~~limit the authority of a court to order another party to the~~
12 ~~action to pay the fees, costs, and charges of the action.~~

13 ~~(h-5) If a party is represented by a civil legal services~~
14 ~~provider or an attorney in a court sponsored pro bono program~~
15 ~~as defined in Section 5-105.5 of this Code, the attorney~~
16 ~~representing that party shall file a certification with the~~
17 ~~court in accordance with Supreme Court Rule 298 and that party~~
18 ~~shall be allowed to sue or defend without payment of fees,~~
19 ~~costs, and charges without filing an application under this~~
20 ~~Section.~~

21 ~~(h-10) If an attorney files an appearance on behalf of a~~
22 ~~person whose fees, costs, and charges were initially waived~~
23 ~~under this Section, the attorney must pay all fees, costs, and~~
24 ~~charges relating to the civil action, including any previously~~
25 ~~waived fees, costs, and charges, unless the attorney is either~~
26 ~~a civil legal services provider, representing his or her client~~

1 ~~as part of a court sponsored pro bono program as defined in~~
2 ~~Section 5-105.1 of this Code, or appearing under a limited~~
3 ~~scope appearance in accordance with Supreme Court Rule~~
4 ~~13(c)(6).~~

5 (i) The provisions of this Section are severable under
6 Section 1.31 of the Statute on Statutes.

7 (Source: P.A. 97-689, eff. 6-14-12; 97-813, eff. 7-13-12.)

8 Section 999. Effective date. This Act takes effect July 1,
9 2019.

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