



Rep. Steven A. Andersson

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LRB100 06972 MRW 22771 a

1 AMENDMENT TO HOUSE BILL 2591

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2591 by replacing  
3 everything after the enacting clause with the following:

4 "Article I. General Provisions

5 Section 1-1. Short title. This Act may be cited as the  
6 Criminal and Traffic Assessment Act.

7 Section 1-5. Definitions. In this Act:

8 "Assessment" means any costs imposed on a defendant under  
9 this Act.

10 "Business offense" means a petty offense for which the fine  
11 is in excess of \$1,000.

12 "Case" means all charges and counts filed against a single  
13 defendant which are being prosecuted as a single proceeding  
14 before the court.

15 "Count" means each separate offense charged in the same

1 indictment, information, or complaint when the indictment,  
2 information, or complaint alleges the commission of more than  
3 one offense.

4 "Conservation offense" means any violation of the  
5 following Acts, Codes, or ordinances, except any offense  
6 punishable upon conviction by imprisonment in the  
7 penitentiary:

8 (1) Fish and Aquatic Life Code;

9 (2) Wildlife Code;

10 (3) Boat Registration and Safety Act;

11 (4) Park District Code;

12 (5) Chicago Park District Act;

13 (6) State Parks Act;

14 (7) State Forest Act;

15 (8) Forest Fire Protection District Act;

16 (9) Snowmobile Registration and Safety Act;

17 (10) Endangered Species Protection Act;

18 (11) Forest Products Transportation Act;

19 (12) Timber Buyers Licensing Act;

20 (13) Downstate Forest Preserve District Act;

21 (14) Exotic Weed Act;

22 (15) Ginseng Harvesting Act;

23 (16) Cave Protection Act;

24 (17) ordinances adopted under the Counties Code for the  
25 acquisition of property for parks or recreational areas;

26 (18) Recreational Trails of Illinois Act;

1 (19) Herptiles-Herps Act; or

2 (20) any rule, regulation, proclamation, or ordinance  
3 adopted under any Code or Act named in paragraphs (1)  
4 through 19 of this definition.

5 "Conviction" means a judgment of conviction or sentence  
6 entered upon a plea of guilty or upon a verdict or finding of  
7 guilty of an offense, rendered by a legally constituted jury or  
8 by a court of competent jurisdiction authorized to try the case  
9 without a jury.

10 "Drug offense" means any violation of the Cannabis Control  
11 Act, the Illinois Controlled Substances Act, the  
12 Methamphetamine Control and Community Protection Act, or any  
13 similar local ordinance which involves the possession or  
14 delivery of a drug.

15 "Drug-related emergency response" means the act of  
16 collecting evidence from or securing a site where controlled  
17 substances were manufactured, or where by-products from the  
18 manufacture of controlled substances are present, and cleaning  
19 up the site, whether these actions are performed by public  
20 entities or private contractors paid by public entities.

21 "Electronic citation" means the process of transmitting  
22 traffic, misdemeanor, municipal ordinance, conservation, or  
23 other citations and law enforcement data via electronic means  
24 to a circuit court clerk.

25 "Emergency response" means any incident requiring a  
26 response by a police officer, an ambulance, a firefighter

1 carried on the rolls of a regularly constituted fire department  
2 or fire protection district, a firefighter of a volunteer fire  
3 department, or a member of a recognized not-for-profit rescue  
4 or emergency medical service provider. "Emergency response"  
5 does not include a drug-related emergency response.

6 "Felony offense" means an offense for which a sentence to  
7 death or to a term of imprisonment in a penitentiary for one  
8 year or more is provided.

9 "Highest classified offense" means the offense in the case  
10 which carries the most severe potential disposition under  
11 Article 4.5 of the Unified Code of Corrections.

12 "Major traffic offense" means a traffic offense under the  
13 Illinois Vehicle Code or a similar provision of a local  
14 ordinance other than a petty offense or business offense.

15 "Minor traffic offense" means a petty offense or business  
16 offense under the Illinois Vehicle Code or a similar provision  
17 of a local ordinance.

18 "Misdemeanor offense" means any offense for which a  
19 sentence to a term of imprisonment in other than a penitentiary  
20 for less than one year may be imposed.

21 "Petty offense" means any offense for which a sentence of  
22 imprisonment is not an authorized disposition.

23 "Service provider costs" means costs incurred as a result  
24 of services provided by an entity including, but not limited  
25 to, traffic safety programs, laboratories, ambulance  
26 companies, and fire departments. "Service provider costs"

1 includes conditional amounts under this Act that are  
2 reimbursements for services provided.

3 "Street value" means the amount determined by the court on  
4 the basis of testimony of law enforcement personnel and the  
5 defendant as to the amount of drug or materials seized and any  
6 testimony as may be required by the court as to the current  
7 street value of the cannabis, controlled substance,  
8 methamphetamine or salt of an optical isomer of  
9 methamphetamine, or methamphetamine manufacturing materials  
10 seized.

11 "Supervision" means a disposition of conditional and  
12 revocable release without probationary supervision, but under  
13 the conditions and reporting requirements as are imposed by the  
14 court, at the successful conclusion of which disposition the  
15 defendant is discharged and a judgment dismissing the charges  
16 is entered.

17 Section 1-10. Minimum fine. Unless otherwise specified by  
18 law, the minimum fine for a conviction is \$25. If the court  
19 finds that the fine would impose an undue burden on the victim,  
20 the court may reduce or waive the fine.

21 Section 1-15. Schedules; payment.

22 (a) In each case, the court shall order an assessment, as  
23 set forth in this Act, for a defendant to pay in addition to  
24 any fine, restitution, or forfeiture ordered by the court when

1 the defendant is convicted of, pleads guilty to, or is placed  
2 on court supervision for a violation of a statute of this State  
3 or a similar local ordinance. The court may order a fine,  
4 restitution, or forfeiture on any conviction that is being  
5 sentenced but shall order only one assessment from the Schedule  
6 of Assessments 1 through 13 of this Act for all convictions in  
7 a case, that being the schedule applicable to the highest  
8 classified offense conviction that is being sentenced, plus any  
9 conditional assessments under Section 2-70 applicable to any  
10 conviction in the case.

11 (b) If the court finds that the schedule of assessments  
12 will cause an undue burden on any victim in a case or if the  
13 court orders community service or some other punishment in  
14 place of the a schedule of assessments, the court may reduce  
15 the amount set forth in the applicable schedule of assessments  
16 or not order the applicable schedule of assessments. If the  
17 court reduces the amount set forth in the applicable schedule  
18 of assessments, then all recipients of the funds collected will  
19 receive a prorated amount to reflect the reduction.

20 (c) The court may order the assessments to be paid  
21 forthwith or within a specified period of time or in  
22 installments.

23 (d) Except as provided in Section 1-20 of this Act, the  
24 defendant shall pay to the clerk of the court and the clerk  
25 shall remit the assessment to the appropriate entity as set  
26 forth in the ordered schedule of assessments within one month

1 of its receipt.

2 Section 1-20. Service provider costs. Unless otherwise  
3 provided in Article II of this Act, the defendant shall pay  
4 service provider costs to the entity that provided the service.  
5 Service provider costs are not eligible for credit for time  
6 served, substitution of community service, or waiver. The  
7 circuit court may, through administrative order or local rule,  
8 appoint the clerk of the court as the receiver and remitter of  
9 certain service provider costs, which may include, but are not  
10 limited to, probation fees, traffic school fees, or drug or  
11 alcohol testing fees.

12 Section 1-25. Credit for time served. Any credit for time  
13 served prior to sentencing that reduces the amount a defendant  
14 is required to pay shall be deducted first from the fine, if  
15 any, ordered by the court. Any remainder of the credit shall be  
16 equally divided between the assessments indicated in the  
17 ordered schedule and conditional assessments.

18 Section 1-30. Funds.

19 (a) All money collected by the Clerk of the Circuit Court  
20 under Article II of this Act shall be remitted as directed in  
21 Article II of this Act to the county treasurer, to the State  
22 Treasurer, and to the treasurers of the units of local  
23 government. If an amount payable to any of the treasurers is

1 less than \$10, the clerk may postpone remitting the money until  
2 \$10 has accrued or by the end of fiscal year. The treasurers  
3 shall deposit the money as indicated in the schedules. For  
4 Schedule of Assessments 5 through 11, \$15 shall be deducted  
5 from the money paid to the county treasurer for the county  
6 General Fund and remitted to the treasurer of the unit of local  
7 government if the violation was prosecuted by the prosecuting  
8 attorney for that unit of local government.

9 (a-5) Partial payments received by the Clerk of the Court  
10 shall be prorated among all funds defined in the ordered  
11 schedule of assessments.

12 (b) The county treasurer or the treasurer of the unit of  
13 local government may create the funds indicated in paragraphs  
14 (1) through (5) of subsection (d) of this Section, if not  
15 already in existence. If a county or unit of local government  
16 has not instituted, and does not plan to institute a program  
17 that uses a particular fund, the treasurer need not create the  
18 fund and may instead deposit the money intended for the fund  
19 into the general fund of the county or unit of local government  
20 for use in financing the court system.

21 (c) If the arresting agency is a State agency, the  
22 arresting agency portion shall be remitted by the clerk of  
23 court to the State Treasurer who shall deposit the portion as  
24 follows:

25 (1) if the arresting agency is the Department of State  
26 Police, into the State Police Operations Assistance Fund;



1           (2) if the arresting agency is the Department of  
2 Natural Resources, into the Conservation Police Operations  
3 Assistance Fund;

4           (3) if the arresting agency is the Secretary of State,  
5 into the Secretary of State Police Services Fund; and

6           (4) if the arresting agency is the Illinois Commerce  
7 Commission, into the Public Utility Fund.

8           (d) Fund descriptions and provisions:

9           (1) The Court Automation Fund is to defray the expense,  
10 borne by the county, of establishing and maintaining  
11 automated record keeping systems in the Office of the Clerk  
12 of the Circuit Court. The money shall be remitted monthly  
13 by the clerk to the county treasurer and identified as  
14 funds for the Circuit Court Clerk. The fund shall be  
15 audited by the county auditor, and the board shall make  
16 expenditures from the fund in payment of any costs related  
17 to the automation of court records including hardware,  
18 software, research and development costs, provided that  
19 the expenditure is approved by the clerk of the court and  
20 by the chief judge of the circuit court or his or her  
21 designee.

22           (2) The Document Storage Fund is to defray the expense,  
23 borne by the county, of establishing and maintaining a  
24 document storage system and convert the records of the  
25 circuit court clerk to electronic or micrographic storage.  
26 The money shall be remitted monthly by the clerk to the

1 county treasurer and identified as funds for the circuit  
2 court clerk. The fund shall be audited by the county  
3 auditor, and the board shall make expenditure from the fund  
4 in payment of any cost related to the storage of court  
5 records, including hardware, software, research and  
6 development costs, provided that the expenditure is  
7 approved by the clerk of the court.

8 (3) The Circuit Clerk Operations and Administration  
9 Fund is to defray the expenses incurred for collection and  
10 disbursement of the various assessment schedules. The  
11 money shall be remitted monthly by the clerk to the county  
12 treasurer and identified as funds for the circuit court  
13 clerk.

14 (4) The State's Attorney Records Automation Fund is to  
15 defray the expense of establishing and maintaining  
16 automated record keeping systems in the offices of the  
17 State's Attorney. The money shall be remitted monthly by  
18 the clerk to the county treasurer for deposit into the  
19 State's Attorney Records Automation Fund. Expenditures  
20 from this fund may be made by the State's Attorney for  
21 hardware, software, and research and development related  
22 to automated record keeping systems.

23 (5) The Public Defender Records Automation Fund is to  
24 defray the expense of establishing and maintaining  
25 automated record keeping systems in the offices of the  
26 Public Defender. The money shall be remitted monthly by the

1 clerk to the county treasurer for deposit into the Public  
2 Defender Records Automation Fund. Expenditures from this  
3 fund may be made by the Public Defender for hardware,  
4 software, and research and development related to  
5 automated record keeping systems.

6 (6) The DUI Fund shall be used for enforcement and  
7 prevention of driving while under the influence of alcohol,  
8 other drug or drugs, intoxicating compound or compounds or  
9 any combination thereof, as defined by Section 11-501 of  
10 the Illinois Vehicle Code, including, but not limited to,  
11 the purchase of law enforcement equipment and commodities  
12 that will assist in the prevention of alcohol-related  
13 criminal violence throughout the State; police officer  
14 training and education in areas related to alcohol related  
15 crime, including, but not limited to, DUI training; and  
16 police officer salaries, including, but not limited to,  
17 salaries for hire back funding for safety checkpoints,  
18 saturation patrols, and liquor store sting operations. Any  
19 moneys received by the Department of State Police may be  
20 deposited into the State Police Operations Assistance Fund  
21 and shall be used to purchase law enforcement equipment  
22 that will assist in the prevention of alcohol related  
23 criminal violence throughout the State. The money shall be  
24 remitted monthly by the clerk to the State or local  
25 treasurer for deposit as provided by law.

26 (7) The Trauma Center Fund shall be distributed as

1 provided under Section 3.225 of the Emergency Medical  
2 Services (EMS) Systems Act. The money shall be remitted  
3 monthly by the clerk to the State Treasurer for deposit  
4 into the Trauma Center Fund.

5 (8) The Probation and Court Services Fund is to be  
6 expended as described in Section 15.1 of the Probation and  
7 Probation Officers Act. The money shall be remitted monthly  
8 by the clerk to the county treasurer for deposit into the  
9 Probation and Court Services Fund.

10 (9) The Circuit Court Clerk Electronic Citation Fund  
11 shall have the Circuit Court Clerk as the custodian, ex  
12 officio, of the Fund and shall be used to perform the  
13 duties required by the office for establishing and  
14 maintaining electronic citations. The Fund shall be  
15 audited by the county's auditor.

16 (10) The Drug Treatment Fund is a special fund in the  
17 State treasury. Expenditure of moneys in the Fund shall as  
18 provided in Section 411.2 of the Illinois Controlled  
19 Substances Act.

20 (11) The Violent Crime Victims Assistance Fund is a  
21 special fund in the State treasury to provide moneys for  
22 the grants to be awarded under the Violent Crime Victims  
23 Assistance Act. The clerk of the circuit court shall remit  
24 moneys collected under this Act within one month after  
25 receipt to the State Treasurer for deposit into this fund.

26 (12) The Criminal Justice Information Projects Fund

1 shall be appropriated to and administered by the Illinois  
2 Criminal Justice Information Authority for funding of drug  
3 task forces and Metropolitan Enforcement Groups.

4 (13) The Sexual Assault Services Fund shall be  
5 appropriated to the Department of Public Health. Upon  
6 appropriation of moneys from the Sexual Assault Services  
7 Fund, the Department of Public Health shall make grants of  
8 these moneys to sexual assault organizations with whom the  
9 Department has contracts for the purpose of providing  
10 community-based services to victims of sexual assault.  
11 Grants are in addition to, and are not substitutes for,  
12 other grants authorized and made by the Department.

13 (14) The County Jail Medical Costs Fund is to help  
14 defray the costs outlined in Section 17 of the County Jail  
15 Act. Moneys in the Fund shall be used solely for  
16 reimbursement to the county of costs for medical expenses  
17 and administration of the Fund.

18 Article II. Assessment Schedules

19 Section 2-5. SCHEDULE 1; generic felony offenses. SCHEDULE  
20 1: Unless assessments are imposed by the court under another  
21 schedule of this Act, for a felony offense, the Clerk of the  
22 Circuit Court shall collect \$454 and remit as follows:

23 (1) As the county's portion, \$304 to the county treasurer,  
24 who shall deposit the money as follows:

- 1 (A) \$20 into the Court Automation Fund;
- 2 (B) \$20 into the Court Document Storage Fund;
- 3 (C) \$5 into the Circuit Court Clerk Operation and  
4 Administrative Fund;
- 5 (D) \$225 into the county's General Fund;
- 6 (E) \$10 into the Child Advocacy Center Fund;
- 7 (F) \$2 into the State's Attorney Records Automation  
8 Fund;
- 9 (G) \$2 into the Public Defender Records Automation  
10 Fund;
- 11 (H) \$10 into the County Jail Medical Costs Fund; and
- 12 (I) \$10 into the Probation and Court Services Fund.
- 13 (2) As the State's portion, \$150 to the State Treasurer,  
14 who shall deposit the money as follows:
- 15 (A) \$40 into the State Police Operations Assistance  
16 Fund;
- 17 (B) \$100 into the Violent Crime Victims Assistance  
18 Fund; and
- 19 (C) \$10 into the State Police Merit Board Public Safety  
20 Fund.

21 Section 2-10. SCHEDULE 2; felony DUI offenses. SCHEDULE 2:  
22 For a felony under Section 11-501 of the Illinois Vehicle Code,  
23 Section 5-7 of the Snowmobile Registration and Safety Act,  
24 Section 5-16 of the Boat Registration and Safety Act, or a  
25 similar provision of a local ordinance, the Clerk of the

1 Circuit Court shall collect \$1,609 and remit as follows:

2 (1) As the county's portion, \$304 to the county treasurer,  
3 who shall deposit the money as follows:

4 (A) \$20 into the Court Automation Fund;

5 (B) \$20 into the Court Document Storage Fund;

6 (C) \$5 into the Circuit Court Clerk Operation and  
7 Administrative Fund;

8 (D) \$225 into the county's General Fund;

9 (E) \$10 into the Child Advocacy Center Fund;

10 (F) \$2 into the State's Attorney Records Automation  
11 Fund;

12 (G) \$2 into the Public Defender Records Automation  
13 Fund;

14 (H) \$10 into the County Jail Medical Costs Fund; and

15 (I) \$10 into the Probation and Court Services Fund.

16 (2) As the State's portion, \$1,105 to the State Treasurer,  
17 who shall deposit the money as follows:

18 (A) \$840 into the State Police Operations Assistance  
19 Fund;

20 (B) \$100 into the Violent Crime Victims Assistance  
21 Fund;

22 (C) \$50 into the Drivers Education Fund;

23 (D) \$100 into the Trauma Center Fund;

24 (E) \$5 into the Spinal Cord Injury Paralysis Cure  
25 Research Trust Fund; and

26 (F) \$10 into the State Police Merit Board Public Safety

1 Fund.

2 (3) As the arresting agency's portion, \$200 to the  
3 treasurer of the unit of local government of the arresting  
4 agency, who shall deposit the money into the DUI Fund of that  
5 unit of local government or as provided in subsection (c) of  
6 Section 1-30 of this Act if the arresting agency is a State  
7 agency, unless more than one agency is responsible for the  
8 arrest in which case the amount shall be remitted to each unit  
9 of government equally.

10 Section 2-15. SCHEDULE 3; felony drug offenses. SCHEDULE 3:  
11 For a felony under the Illinois Controlled Substances Act, the  
12 Cannabis Control Act, or the Methamphetamine Control and  
13 Community Protection Act, the Clerk of the Circuit Court shall  
14 collect \$2,124 and remit as follows:

15 (1) As the county's portion, \$304 to the county treasurer,  
16 who shall deposit the money as follows:

17 (A) \$20 into the Court Automation Fund;

18 (B) \$20 into the Court Document Storage Fund;

19 (C) \$5 into the Circuit Court Clerk Operation and  
20 Administrative Fund;

21 (D) \$225 into the county's General Fund;

22 (E) \$10 into the Child Advocacy Center Fund;

23 (F) \$2 into the State's Attorney Records Automation  
24 Fund;

25 (G) \$2 into the Public Defender Records Automation



1 Fund;

2 (H) \$10 into the County Jail Medical Costs Fund; and

3 (I) \$10 into the Probation and Court Services Fund.

4 (2) As the State's portion, \$1,820 to the State Treasurer,  
5 who shall deposit the money as follows:

6 (A) \$40 into the State Police Operations Assistance  
7 Fund;

8 (B) \$100 into the Violent Crime Victims Assistance  
9 Fund;

10 (C) \$100 into the Trauma Center Fund; and

11 (D) \$5 into the Spinal Cord Injury Paralysis Cure  
12 Research Trust Fund;

13 (E) \$1,500 into the Drug Treatment Fund;

14 (F) \$10 into the State Police Merit Board Public Safety  
15 Fund;

16 (G) \$38 into the Prescription Pill and Drug Disposal  
17 Fund; and

18 (H) \$27 into the Criminal Justice Information Projects  
19 Fund.

20 Section 2-20. SCHEDULE 4; felony sex offenses. SCHEDULE 4:  
21 For a felony or attempted felony under Article 11 or Section  
22 12-33 of the Criminal Code of 2012, the Clerk of the Circuit  
23 Court shall collect \$1,144 and remit as follows:

24 (1) As the county's portion, \$304 to the county treasurer,  
25 who shall deposit the money as follows:

- 1 (A) \$20 into the Court Automation Fund;
- 2 (B) \$20 into the Court Document Storage Fund;
- 3 (C) \$5 into the Circuit Court Clerk Operation and  
4 Administrative Fund;
- 5 (D) \$225 into the county's General Fund;
- 6 (E) \$10 into the Child Advocacy Center Fund;
- 7 (F) \$2 into the State's Attorney Records Automation  
8 Fund;
- 9 (G) \$2 into the Public Defender Records Automation  
10 Fund;
- 11 (H) \$10 into the County Jail Medical Costs Fund; and
- 12 (I) \$10 into the Probation and Court Services Fund.
- 13 (2) As the State's portion, \$840 to the State Treasurer,  
14 who shall deposit the money as follows:
- 15 (A) \$530 into the State Police Operations Assistance  
16 Fund;
- 17 (B) \$100 into the Violent Crime Victims Assistance  
18 Fund;
- 19 (C) \$100 into the Sexual Assault Services Fund;
- 20 (D) \$100 into the Domestic Violence Shelter and  
21 Services Fund; and
- 22 (E) \$10 into the State Police Merit Board Public Safety  
23 Fund.

24 Section 2-25. SCHEDULE 5; generic misdemeanor offenses.  
25 SCHEDULE 5: Unless assessments are imposed under another

1 schedule of this Act, for a misdemeanor offense, the Clerk of  
2 the Circuit Court shall collect \$370 and remit as follows:

3 (1) As the county's portion, \$243 to the county treasurer,  
4 who shall deposit the money as follows:

5 (A) \$20 into the Court Automation Fund;

6 (B) \$20 into the Court Document Storage Fund;

7 (C) \$5 into the Circuit Court Clerk Operation and  
8 Administrative Fund;

9 (D) \$8 into the Circuit Court Clerk Electronic Citation  
10 Fund;

11 (E) \$160 into the county's General Fund;

12 (F) \$10 into the Child Advocacy Center Fund;

13 (G) \$10 into the County Jail Medical Costs Fund; and

14 (H) \$10 into the Probation and Court Services Fund.

15 (2) As the State's portion, \$125 to the State Treasurer,  
16 who shall deposit the money as follows:

17 (A) \$40 into the State Police Operations Assistance  
18 Fund;

19 (B) \$10 into the State Police Merit Board Public Safety  
20 Fund; and

21 (C) \$75 into the Violent Crime Victims Assistance Fund.

22 (3) As the arresting agency's portion, \$2, to the treasurer  
23 of the unit of local government of the arresting agency, who  
24 shall deposit the money into the E-citation Fund of that unit  
25 of local government or as provided in subsection (c) of Section  
26 1-30 of this Act if the arresting agency is a State agency,

1 unless more than one agency is responsible for the arrest in  
2 which case the amount shall be remitted to each unit of  
3 government equally.

4 Section 2-30. SCHEDULE 6; misdemeanor DUI offenses.  
5 SCHEDULE 6: For a misdemeanor under Section 11-501 of the  
6 Illinois Vehicle Code, Section 5-7 of the Snowmobile  
7 Registration and Safety Act, Section 5-16 of the Boat  
8 Registration and Safety Act, or a similar provision of a local  
9 ordinance, the Clerk of the Circuit Court shall collect \$1,275  
10 and remit as follows:

11 (1) As the county's portion, \$243 to the county treasurer,  
12 who shall deposit the money as follows:

13 (A) \$20 into the Court Automation Fund;

14 (B) \$20 into the Court Document Storage Fund;

15 (C) \$5 into the Circuit Court Clerk Operation and  
16 Administrative Fund;

17 (D) \$8 into the Circuit Court Clerk Electronic Citation  
18 Fund;

19 (E) \$160 into the county's General Fund;

20 (F) \$10 into the Child Advocacy Center Fund;

21 (G) \$10 into the County Jail Medical Costs Fund; and

22 (H) \$10 into the Probation and Court Services Fund.

23 (2) As the State's portion, \$680 to the State Treasurer,  
24 who shall deposit the money as follows:

25 (A) \$440 into the State Police Operations Assistance

1 Fund;

2 (B) \$75 into the Violent Crime Victims Assistance Fund;

3 (C) \$50 into the Drivers Education Fund;

4 (D) \$10 into the State Police Merit Board Public Safety  
5 Fund;

6 (E) \$100 into the Trauma Center Fund; and

7 (F) \$5 into the Spinal Cord Injury Paralysis Cure  
8 Research Trust Fund.

9 (3) As the arresting agency's portion, \$352 as follows,  
10 unless more than one agency is responsible for the arrest in  
11 which case the amount shall be remitted to each unit of  
12 government equally:

13 (A) if the arresting agency is a local agency to the  
14 treasurer of the unit of local government of the arresting  
15 agency, who shall deposit the money as follows:

16 (i) \$2 into the E-citation Fund of the unit of  
17 local government; and

18 (ii) \$350 into the DUI Fund of the unit of local  
19 government; or

20 (B) as provided in subsection (c) of Section 1-30 of  
21 this Act if the arresting agency is a State agency.

22 Section 2-35. SCHEDULE 7; misdemeanor drug offenses.  
23 SCHEDULE 7: For a misdemeanor under the Illinois Controlled  
24 Substances Act, the Cannabis Control Act, or the  
25 Methamphetamine Control and Community Protection Act, the

1 Clerk of the Circuit Court shall collect \$840 and remit as  
2 follows:

3 (1) As the county's portion, \$243 to the county treasurer,  
4 who shall deposit the money as follows:

5 (A) \$20 into the Court Automation Fund;

6 (B) \$20 into the Court Document Storage Fund;

7 (C) \$5 into the Circuit Court Clerk Operation and  
8 Administrative Fund;

9 (D) \$8 into the Circuit Court Clerk Electronic Citation  
10 Fund;

11 (E) \$160 into the county's General Fund;

12 (F) \$10 into the Child Advocacy Center Fund;

13 (G) \$10 into the County Jail Medical Costs Fund; and

14 (H) \$10 into the Probation and Court Services Fund.

15 (2) As the State's portion, \$595 to the State Treasurer,  
16 who shall deposit the money as follows:

17 (A) \$40 into the State Police Operations Assistance  
18 Fund;

19 (B) \$75 into the Violent Crime Victims Assistance Fund;

20 (C) \$100 into the Trauma Center Fund;

21 (D) \$5 into the Spinal Cord Injury Paralysis Cure  
22 Research Trust Fund;

23 (E) \$300 into the Drug Treatment Fund;

24 (F) \$38 into the Prescription Pill and Drug Disposal  
25 Fund;

26 (G) \$27 into the Criminal Justice Information Projects

1 Fund; and

2 (H) \$10 into the State Police Merit Board Public Safety  
3 Fund.

4 (3) As the arresting agency's portion, \$2, to the treasurer  
5 of the unit of local government of the arresting agency, who  
6 shall deposit the money into the E-citation Fund of that unit  
7 of local government or as provided in subsection (c) of Section  
8 1-30 of this Act if the arresting agency is a State agency,  
9 unless more than one agency is responsible for the arrest in  
10 which case the amount shall be remitted to each unit of  
11 government equally.

12 Section 2-40. SCHEDULE 8; misdemeanor sex offenses.  
13 SCHEDULE 8: For a misdemeanor or attempted misdemeanor under  
14 Article 11 of the Criminal Code of 2012, the Clerk of the  
15 Circuit Court shall collect \$1,060 and remit as follows:

16 (1) As the county's portion, \$243 to the county treasurer,  
17 who shall deposit the money as follows:

18 (A) \$20 into the Court Automation Fund;

19 (B) \$20 into the Court Document Storage Fund;

20 (C) \$5 into the Circuit Court Clerk Operation and  
21 Administrative Fund;

22 (D) \$8 into the Circuit Court Clerk Electronic Citation  
23 Fund;

24 (E) \$160 into the county's General Fund;

25 (F) \$10 into the Child Advocacy Center Fund;

1 (G) \$10 into the County Jail Medical Costs Fund; and

2 (H) \$10 into the Probation and Court Services Fund.

3 (2) As the State's portion, \$815 to the State Treasurer,  
4 who shall deposit the money as follows:

5 (A) \$530 into the State Police Operations Assistance  
6 Fund;

7 (B) \$75 into the Violent Crime Victims Assistance Fund;

8 (C) \$100 into the Sexual Assault Services Fund;

9 (D) \$100 into the Domestic Violence Shelter and Service  
10 Fund; and

11 (E) \$10 into the State Police Merit Board Public Safety  
12 Fund.

13 (3) As the arresting agency's portion, \$2, to the treasurer  
14 of the unit of local government of the arresting agency, who  
15 shall deposit the money into the E-citation Fund of that unit  
16 of local government or as provided in subsection (c) of Section  
17 1-30 of this Act if the arresting agency is a State agency,  
18 unless more than one agency is responsible for the arrest in  
19 which case the amount shall be remitted to each unit of  
20 government equally.

21 Section 2-45. SCHEDULE 9; major traffic offenses. SCHEDULE  
22 9: For a major traffic offense, the Clerk of the Circuit Court  
23 shall collect \$300 and remit as follows:

24 (1) As the county's portion, \$198 to the county treasurer,  
25 who shall deposit the money as follows:



1 (A) \$20 into the Court Automation Fund;

2 (B) \$20 into the Court Document Storage Fund;

3 (C) \$5 into the Circuit Court Clerk Operation and  
4 Administrative Fund;

5 (D) \$8 into the Circuit Court Clerk Electronic Citation  
6 Fund; and

7 (E) \$145 into the county's General Fund.

8 (2) As the State's portion, \$100 to the State Treasurer,  
9 who shall deposit the money as follows:

10 (A) \$40 into the State Police Operations Assistance  
11 Fund;

12 (B) \$50 into the Drivers Education Fund; and

13 (C) \$10 into the State Police Merit Board Public Safety  
14 Fund.

15 (3) As the arresting agency's portion, \$2, to the treasurer  
16 of the unit of local government of the arresting agency, who  
17 shall deposit the money into the E-citation Fund of that unit  
18 of local government or as provided in subsection (c) of Section  
19 1-30 of this Act if the arresting agency is a State agency,  
20 unless more than one agency is responsible for the arrest in  
21 which case the amount shall be remitted to each unit of  
22 government equally.

23 Section 2-50. SCHEDULE 10; minor traffic offenses.

24 SCHEDULE 10: For a minor traffic offense, the Clerk of the  
25 Circuit Court shall collect \$145 and remit as follows:

1 (1) As the county's portion, \$123 to the county treasurer,  
2 who shall deposit the money as follows:

3 (A) \$20 into the Court Automation Fund;

4 (B) \$20 into the Court Document Storage Fund;

5 (C) \$5 into the Circuit Court Clerk Operation and  
6 Administrative Fund;

7 (D) \$8 into the Circuit Court Clerk Electronic Citation  
8 Fund; and

9 (E) \$70 into the county's General Fund.

10 (2) As the State's portion, \$20 to the State Treasurer, who  
11 shall deposit the money as follows:

12 (A) \$5 into the State Police Operations Assistance  
13 Fund;

14 (B) \$10 into the State Police Merit Board Public Safety  
15 Fund; and

16 (C) \$5 into the Drivers Education Fund.

17 (3) As the arresting agency's portion, \$2, to the treasurer  
18 of the unit of local government of the arresting agency, who  
19 shall deposit the money into the E-citation Fund of that unit  
20 of local government or as provided in subsection (c) of Section  
21 1-30 of this Act if the arresting agency is a State agency,  
22 unless more than one agency is responsible for the arrest in  
23 which case the amount shall be remitted to each unit of  
24 government equally.

25 Section 2-55. SCHEDULE 11; conservation offenses. SCHEDULE

1 11: For a conservation offense, the Clerk of the Circuit Court  
2 shall collect \$140 and remit as follows:

3 (1) As the county's portion, \$123, to the county treasurer,  
4 who shall deposit the money as follows:

5 (A) \$20 into the Court Automation Fund;

6 (B) \$20 into the Court Document Storage Fund;

7 (C) \$5 into the Circuit Court Clerk Operation and  
8 Administrative Fund;

9 (D) \$8 into the Circuit Court Clerk Electronic Citation  
10 Fund; and

11 (E) \$70 into the county's General Fund.

12 (2) As the State's portion, \$15, to the State Treasurer,  
13 who shall deposit the money into the Conservation Police  
14 Operations Assistance Fund.

15 (3) As the arresting agency's portion, \$2, to the treasurer  
16 of the unit of local government of the arresting agency, who  
17 shall deposit the money into the E-citation Fund of that unit  
18 of local government or as provided in subsection (c) of Section  
19 1-30 of this Act if the arresting agency is a State agency,  
20 unless more than one agency is responsible for the arrest in  
21 which case the amount shall be remitted to each unit of  
22 government equally.

23 Section 2-60. SCHEDULE 12; dispositions under Supreme  
24 Court Rule 529. SCHEDULE 12: For a disposition under Supreme  
25 Court Rule 529, the Clerk of the Circuit Court shall collect

1 \$155 and remit as follows:

2 (1) As the county's portion, \$83, to the county treasurer,  
3 who shall deposit the money as follows:

4 (A) \$20 into the Court Automation Fund;

5 (B) \$20 into the Court Document Storage Fund;

6 (C) \$5 into the Circuit Court Clerk Operation and  
7 Administrative Fund;

8 (D) \$8 into the Circuit Court Clerk Electronic Citation  
9 Fund; and

10 (E) \$30 into the county's General Fund.

11 (2) As the State's portion, \$20 to the State Treasurer, who  
12 shall deposit the money as follows:

13 (A) \$5 into the State Police Operations Assistance  
14 Fund;

15 (B) \$5 into the Drivers Education Fund; and

16 (C) \$10 into the State Police Merit Board Public Safety  
17 Fund.

18 (3) As the arresting agency's portion, \$52 as follows,  
19 unless more than one agency is responsible for the arrest in  
20 which case the amount shall be remitted to each unit of  
21 government equally:

22 (A) if the arresting agency is a local agency to the  
23 treasurer of the unit of local government of the arresting  
24 agency, who shall deposit the money as follows:

25 (i) \$2 into the E-citation Fund of the unit of  
26 local government; and

1           (ii) \$50 into the General Fund of the unit of local  
2           government; or

3           (B) as provided in subsection (c) of Section 1-30 of  
4           this Act if the arresting agency is a State agency.

5           Section 2-65. SCHEDULE 13; non-traffic local ordinance  
6           violations. SCHEDULE 13: For a petty offense, business offense,  
7           or non-traffic ordinance violation, the Clerk of the Circuit  
8           Court shall collect \$90 and remit as follows:

9           (1) As the county's portion, \$73, to the county treasurer,  
10          who shall deposit the money as follows:

11           (A) \$20 into the Court Automation Fund;

12           (B) \$20 into the Court Document Storage Fund;

13           (C) \$5 into the Circuit Court Clerk Operation and  
14          Administrative Fund;

15           (D) \$8 into the Circuit Court Clerk Electronic Citation  
16          Fund; and

17           (E) \$20 into the county's General Fund.

18          (2) As the arresting agency's portion, \$17 as follows,  
19          unless more than one agency is responsible for the arrest in  
20          which case the amount shall be remitted to each unit of  
21          government equally:

22           (A) if the arresting agency is a local agency to the  
23          treasurer of the unit of local government of the arresting  
24          agency, who shall deposit the money as follows:

25           (i) \$2 into the E-citation Fund of the unit of

1 local government; and

2 (ii) \$50 into the General Fund of the unit of local  
3 government; or

4 (B) as provided in subsection (c) of Section 1-30 of  
5 this Act if the arresting agency is a State agency.

6 Section 2-70. CONDITIONAL ASSESSMENTS.

7 CONDITIONAL ASSESSMENTS: In addition to payments under one  
8 of the Schedule of Assessments 1 through 13 of this Act, the  
9 court shall also order payment of any of the following  
10 conditional assessment amounts for each conviction in the case  
11 to which a conditional assessment is applicable, which shall be  
12 collected and remitted by the Clerk of the Circuit Court as  
13 provided in this Section:

14 (1) arson, residential arson, or aggravated arson,  
15 \$500 per conviction to the State Treasurer for deposit into  
16 the Fire Prevention Fund;

17 (2) child pornography under Section 11-20.1 of the  
18 Criminal Code of 1961 or the Criminal Code of 2012, \$500  
19 per conviction with \$5 to the county treasurer for deposit  
20 into the Circuit Court Clerk Operation and Administrative  
21 Fund and the remainder as follows, unless more than one  
22 agency is responsible for the arrest in which case the  
23 amount shall be remitted to each unit of government  
24 equally:

25 (A) if the arresting agency is an agency of a unit

1 of local government \$495 to the treasurer of the unit  
2 of local government for deposit into the unit of local  
3 government's General Fund, except that if the  
4 Department of State Police provides digital or  
5 electronic forensic examination assistance, or both,  
6 to the arresting agency then \$100 to the State  
7 Treasurer for deposit into the State Crime Laboratory  
8 Fund; or

9 (B) if the arresting agency is the Department of  
10 State Police remitted to the State Treasurer for  
11 deposit into the State Crime Laboratory Fund;

12 (3) crime laboratory drug analysis for a drug-related  
13 offense involving possession or delivery of cannabis or  
14 possession or delivery of a controlled substance as defined  
15 in the Cannabis Control Act, the Illinois Controlled  
16 Substances Act, or the Methamphetamine Control and  
17 Community Protection Act, \$100 reimbursement for  
18 laboratory analysis, as set forth in subsection (f) of  
19 Section 5-9-1.4 of the Unified Code of Corrections;

20 (4) DNA analysis, \$250 on each conviction in which it  
21 was used to the State Treasurer for deposit into the State  
22 Offender DNA Identification System Fund;

23 (5) DUI analysis, \$150 on each conviction in which it  
24 was used as set forth in subsection (f) of Section 5-9-1.9  
25 of the Unified Code of Corrections;

26 (6) drug-related offense involving possession or

1 delivery of cannabis or possession or delivery of a  
2 controlled substance, other than methamphetamine, as  
3 defined in the Cannabis Control Act or the Illinois  
4 Controlled Substances Act, an amount not less than the full  
5 street value of the cannabis or controlled substance seized  
6 for each conviction to the State Treasurer for deposit into  
7 the General Revenue Fund;

8 (7) methamphetamine-related offense involving  
9 possession or delivery of methamphetamine or any salt of an  
10 optical isomer of methamphetamine or possession of a  
11 methamphetamine manufacturing material as set forth in  
12 Section 10 of the Methamphetamine Control and Community  
13 Protection Act with the intent to manufacture a substance  
14 containing methamphetamine or salt of an optical isomer of  
15 methamphetamine, an amount not less than the full street  
16 value of the methamphetamine or salt of an optical isomer  
17 of methamphetamine or methamphetamine manufacturing  
18 materials seized for each conviction to the State Treasurer  
19 for deposit into the General Revenue Fund;

20 (8) order of protection violation under Section 12-3.4  
21 of the Criminal Code of 2012, \$200 for each conviction to  
22 the county treasurer for deposit into the Probation and  
23 Court Services Fund for implementation of a domestic  
24 violence surveillance program and any other assessments or  
25 fees imposed under Section 5-9-1.16 of the Unified Code of  
26 Corrections;



1           (9) order of protection violation, \$25 for each  
2 violation to the State Treasurer, for deposit into the  
3 Domestic Violence Abuser Services Fund;

4           (10) prosecution by the State's Attorney of a:

5           (A) misdemeanor, petty, or business offense, \$4 to  
6 the county treasurer of which \$2 deposited into the  
7 State's Attorney Records Automation Fund and \$2 into  
8 the Public Defender Records Automation Fund;

9           (B) conservation or traffic offense, \$2 to the  
10 county treasurer for deposit into the State's Attorney  
11 Records Automation Fund;

12           (11) speeding in a construction zone violation if the  
13 fine is \$250 or more, \$125 to the State Treasurer for  
14 deposit into the Transportation Safety Highway Hire-back  
15 Fund, unless (i) the violation occurred on a highway other  
16 than an interstate highway and (ii) a county police officer  
17 wrote the ticket for the violation, in which case to the  
18 county treasurer for deposit into that county's  
19 Transportation Safety Highway Hire-back Fund;

20           (12) streetgang member at the time of the commission of  
21 the violation, as defined in Section 10 of the Illinois  
22 Streetgang Terrorism Omnibus Prevention Act, convicted of  
23 any violation of the Criminal Code of 1961 or the Criminal  
24 Code of 2012, \$100 with \$5 to the county treasurer for  
25 deposit into the Circuit Court Clerk Operation and  
26 Administrative Fund and \$95 to the State Treasurer for

1 deposit into the State Police Streetgang-Related Crime  
2 Fund;

3 (13) victim and offender are family or household  
4 members as defined in Section 103 of the Illinois Domestic  
5 Violence Act of 1986 and offender pleads guilty or no  
6 contest to or is convicted of murder, voluntary  
7 manslaughter, involuntary manslaughter, burglary,  
8 residential burglary, criminal trespass to residence,  
9 criminal trespass to vehicle, criminal trespass to land,  
10 criminal damage to property, telephone harassment,  
11 kidnapping, aggravated kidnaping, unlawful restraint,  
12 forcible detention, child abduction, indecent solicitation  
13 of a child, sexual relations between siblings,  
14 exploitation of a child, child pornography, assault,  
15 aggravated assault, battery, aggravated battery, heinous  
16 battery, aggravated battery of a child, domestic battery,  
17 reckless conduct, intimidation, criminal sexual assault,  
18 predatory criminal sexual assault of a child, aggravated  
19 criminal sexual assault, criminal sexual abuse, aggravated  
20 criminal sexual abuse, violation of an order of protection,  
21 disorderly conduct, endangering the life or health of a  
22 child, child abandonment, contributing to dependency or  
23 neglect of child, or cruelty to children and others, \$200  
24 for each conviction to the State Treasurer for deposit as  
25 follows: (i) for sexual assault, as defined in Section  
26 5-9-1.7 of the Unified Code of Corrections, when the

1 offender and victim are family members, one-half to the  
2 Domestic Violence Shelter and Service Fund, and one-half to  
3 the Sexual Assault Services Fund; (ii) for the remaining  
4 offenses to the Domestic Violence Shelter and Service Fund;

5 (14) violation of Section 11-501 of the Illinois  
6 Vehicle Code, Section 5-7 of the Snowmobile Registration  
7 and Safety Act, Section 5-16 of the Boat Registration and  
8 Safety Act, or a similar provision, whose operation of a  
9 motor vehicle, snowmobile, or watercraft while in  
10 violation of Section 11-501, Section 5-7 of the Snowmobile  
11 Registration and Safety Act, Section 5-16 of the Boat  
12 Registration and Safety Act, or a similar provision  
13 proximately caused an incident resulting in an appropriate  
14 emergency response, \$1,000 maximum to the public agency  
15 that provided an emergency response related to the person's  
16 violation, and if more than one agency responded, the  
17 amount payable to public agencies shall be shared equally;

18 (15) violation of Sections 401, 407, or 407.2 of the  
19 Illinois Controlled Substances Act that proximately caused  
20 any incident resulting in an appropriate drug-related  
21 emergency response, \$750 as reimbursement for the  
22 emergency response to the law enforcement agency that made  
23 the arrest, and if more than one agency is responsible for  
24 the arrest, the amount payable to law enforcement agencies  
25 shall be shared equally;

26 (16) violation of reckless driving, aggravated

1 reckless driving, or driving 26 miles per hour or more in  
2 excess of the speed limit that triggered an emergency  
3 response, \$1,000 maximum reimbursement for the emergency  
4 response to be distributed in its entirety to a public  
5 agency that provided an emergency response related to the  
6 person's violation, and if more than one agency responded,  
7 the amount payable to public agencies shall be shared  
8 equally; and

9 (17) weapons violation under Section 24-1.1, 24-1.2,  
10 or 24-1.5 of the Criminal Code of 1961 or the Criminal Code  
11 of 2012, \$100 for each conviction to the State Treasurer  
12 for deposit into the Trauma Center Fund.

13 Article III. Amendatory Provisions

14 Section 3-1. The Domestic Violence Shelters Act is amended  
15 by changing Section 3.2 as follows:

16 (20 ILCS 1310/3.2) (from Ch. 40, par. 2403.2)

17 Sec. 3.2. All funds collected pursuant to P.A. 82-645,  
18 which are held in escrow for refund and for which a refund is  
19 not approved by September 1, 1988, shall be forwarded to the  
20 State Treasurer for deposit into the Domestic Violence Shelter  
21 and Service Fund. The Domestic Violence Shelter and Service  
22 Fund shall also include assessments ~~finer~~ received by the State  
23 Treasurer from circuit clerks under the Criminal and Traffic

1 ~~Assessment Act in accordance with Section 5-9-1.5 of the~~  
2 ~~Unified Code of Corrections.~~ Monies deposited in the Fund  
3 pursuant to this Section and the income tax check-off for the  
4 Domestic Violence Shelter and Service Fund authorized by  
5 Section 507F of the Illinois Income Tax Act shall be  
6 appropriated to the Department of Human Services for the  
7 purpose of providing services specified by this Act; however,  
8 the Department may waive the matching funds requirement of this  
9 Act with respect to such monies. Any such waiver shall be  
10 uniform throughout the State. This amendatory Act of 1987  
11 applies to all funds collected pursuant to PA 82-645, held in  
12 escrow and for which no refund is approved by September 1,  
13 1988, whether those funds are administered by the State, a  
14 county, a court, or any other unit or agency of government.

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

16 Section 3-2. The Burn Victims Relief Act is amended by  
17 changing Section 10 as follows:

18 (20 ILCS 1410/10)

19 Sec. 10. Payments to the George Bailey Memorial Fund. The  
20 George Bailey Memorial Fund is created as a special fund in the  
21 State treasury. ~~The George Bailey Memorial Fund shall be funded~~  
22 ~~pursuant to subsection (p) of Section 27.6 of the Clerks of~~  
23 ~~Courts Act and Section 16-104d of the Illinois Vehicle Code.~~  
24 Funds received under Section 16-104d of the Illinois Vehicle

1 Code shall be repaid in full to the Fire Truck Revolving Loan  
2 Fund, without the deduction of the 20% administrative fee  
3 authorized in subsection (b) of Section 5, upon receipt by the  
4 George Bailey Memorial Fund from the person or his or her  
5 estate, trust, or heirs of any moneys from a settlement for the  
6 injury that is the proximate cause of the person's disability  
7 under this Act or moneys received from Social Security  
8 disability benefits. Moneys in the George Bailey Memorial Fund  
9 may only be used for the purposes set forth in this Act.

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

11 Section 3-3. The State Police Act is amended by changing  
12 Section 7.2 as follows:

13 (20 ILCS 2610/7.2)

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

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

1 Safety Fund into any other fund of the State.

2 (b) The Fund may receive State appropriations, gifts,  
3 grants, and federal funds and shall include earnings from the  
4 investment of moneys in the Fund.

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

18 Section 3-4. The Illinois Criminal Justice Information Act  
19 is amended by changing Section 9.1 as follows:

20 (20 ILCS 3930/9.1)

21 Sec. 9.1. Criminal Justice Information Projects Fund. The  
22 Criminal Justice Information Projects Fund is hereby created as  
23 a special fund in the State Treasury. Grants and other moneys  
24 obtained by the Authority from governmental entities (other

1 than the federal government), private sources, and  
2 not-for-profit organizations for use in investigating criminal  
3 justice issues or undertaking other criminal justice  
4 information projects shall be deposited into the Fund. Moneys  
5 in the Fund may be used by the Authority, subject to  
6 appropriation, for undertaking such projects and for the  
7 operating and other expenses of the Authority incidental to  
8 those projects. The moneys deposited into the Criminal Justice  
9 Information Projects Fund under Sections 2-15 and 2-35 of the  
10 Criminal and Traffic Assessment Act shall be appropriated to  
11 and administered by the Illinois Criminal Justice Information  
12 Authority for funding of drug task forces and Metropolitan  
13 Enforcement Groups and for the costs associated with making  
14 grants from the Prescription Pill and Drug Disposal Fund.

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

16 Section 3-5. The State Finance Act is amended by changing  
17 Sections 6b-4, 6z-82, 6z-87, 8p, and 8q as follows:

18 (30 ILCS 105/6b-4) (from Ch. 127, par. 142b4)

19 Sec. 6b-4. On the second Monday of every month, the  
20 Director of Public Health shall certify to the State  
21 Comptroller and the State Treasurer the amount generated by the  
22 issuance of commemorative birth certificates under subsection  
23 (14) of Section 25 of the Vital Records Act in excess of the  
24 costs incurred in issuing the documents. Within 15 days of



1 receipt of the certification required by this Section, the  
2 State Comptroller and the State Treasurer shall transfer from  
3 the General Revenue Fund, one-half of the amount certified as  
4 being received from the issuance of commemorative birth  
5 certificates to the Child Abuse Prevention Fund and one-half of  
6 the amount to the Domestic Violence Shelter and Service Fund.

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

12 The State Treasurer shall deposit into the Sexual Assault  
13 Services Fund and the Domestic Violence Shelter and Service  
14 Fund each of those fines received from circuit clerks under  
15 Section 5-9-1.7 of the Unified Code of Corrections in  
16 accordance with the provisions of that Section.

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

18 (30 ILCS 105/6z-82)

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

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

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

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

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

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

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

- 18 State Police Vehicle Fund ..... \$2,250,000
- 19 State Police Wireless Service
- 20 Emergency Fund ..... \$2,500,000
- 21 State Police Services Fund ..... \$3,500,000

22 (Source: P.A. 96-1029, eff. 7-13-10; 97-333, eff. 8-12-11;  
23 97-732, eff. 6-30-12.)

24 (30 ILCS 105/6z-87)

25 Sec. 6z-87. Conservation Police Operations Assistance

1 Fund.

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

8 (b) The Department of Natural Resources may use moneys in  
9 the Fund to support any lawful operations of the Illinois  
10 Conservation Police.

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

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

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

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

19 (30 ILCS 105/8p)

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

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

23 (b) All moneys collected and payable to the Department of  
24 State Police from the State Police Streetgang-Related Crime  
25 Fund ~~under Section 5-9-1.19 of the Unified Code of Corrections~~

1 ~~shall be deposited into the State Police Streetgang Related~~  
2 ~~Crime Fund and~~ shall be appropriated to and administered by the  
3 Department of State Police for operations and initiatives to  
4 combat and prevent streetgang-related crime.

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

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

8 (30 ILCS 105/8q)

9 Sec. 8q. Illinois Department of Corrections Parole  
10 Division Offender Supervision Fund.

11 (a) The Illinois Department of Corrections Parole Division  
12 Offender Supervision Fund is created as a special fund in the  
13 State treasury.

14 (b) All moneys collected and payable to the Department of  
15 Corrections and ~~under Section 5-9-1.20 of the Unified Code of~~  
16 ~~Corrections shall be~~ deposited into the Illinois Department of  
17 Corrections Parole Division Offender Supervision Fund ~~and~~  
18 shall be appropriated to and administered by the Department of  
19 Corrections for operations and initiatives to combat and  
20 supervise paroled offenders in the community.

21 (c) The Illinois Department of Corrections Parole Division  
22 Offender Supervision Fund shall not be subject to  
23 administrative chargebacks.

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

1 Section 3-6. The State Property Control Act is amended by  
2 changing Section 7c as follows:

3 (30 ILCS 605/7c)

4 Sec. 7c. Acquisition of State Police vehicles. The State  
5 Police Vehicle Fund is created as a special fund in the State  
6 treasury. ~~The Fund shall consist of fees received pursuant to~~  
7 ~~Section 16-104e of the Illinois Vehicle Code.~~ All moneys in the  
8 Fund, subject to appropriation, shall be used by the Department  
9 of State Police:

- 10 (1) for the acquisition of vehicles for that  
11 Department; or  
12 (2) for debt service on bonds issued to finance the  
13 acquisition of vehicles for that Department.

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

15 Section 3-7. Illinois Police Training Act is amended by  
16 changing Section 9 as follows:

17 (50 ILCS 705/9) (from Ch. 85, par. 509)

18 Sec. 9. A special fund is hereby established in the State  
19 Treasury to be known as the Traffic and Criminal Conviction  
20 Surcharge Fund ~~and shall be financed as provided in Section 9.1~~  
21 ~~of this Act and Section 5-9-1 of the Unified Code of~~  
22 ~~Corrections, unless the fines, costs, or additional amounts~~  
23 ~~imposed are subject to disbursement by the circuit clerk under~~

1 ~~Section 27.5 of the Clerks of Courts Act.~~ Moneys in this Fund  
2 shall be expended as follows:

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

7 (2) a portion of the total amount deposited in the Fund  
8 shall be appropriated for the reimbursement of local  
9 governmental agencies participating in training programs  
10 certified by the Board, in an amount equaling 1/2 of the  
11 total sum paid by such agencies during the State's previous  
12 fiscal year for mandated training for probationary police  
13 officers or probationary county corrections officers and  
14 for optional advanced and specialized law enforcement or  
15 county corrections training; these reimbursements may  
16 include the costs for tuition at training schools, the  
17 salaries of trainees while in schools, and the necessary  
18 travel and room and board expenses for each trainee; if the  
19 appropriations under this paragraph (2) are not sufficient  
20 to fully reimburse the participating local governmental  
21 agencies, the available funds shall be apportioned among  
22 such agencies, with priority first given to repayment of  
23 the costs of mandatory training given to law enforcement  
24 officer or county corrections officer recruits, then to  
25 repayment of costs of advanced or specialized training for  
26 permanent police officers or permanent county corrections

1 officers;

2 (3) a portion of the total amount deposited in the Fund  
3 may be used to fund the Intergovernmental Law Enforcement  
4 Officer's In-Service Training Act, veto overridden October  
5 29, 1981, as now or hereafter amended, at a rate and method  
6 to be determined by the board;

7 (4) a portion of the Fund also may be used by the  
8 Illinois Department of State Police for expenses incurred  
9 in the training of employees from any State, county or  
10 municipal agency whose function includes enforcement of  
11 criminal or traffic law;

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

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

21 (7) a portion of the Fund may be used by the Board,  
22 subject to appropriation, to administer grants to local law  
23 enforcement agencies for the purpose of purchasing  
24 bulletproof vests under the Law Enforcement Officer  
25 Bulletproof Vest Act.

26 All payments from the Traffic and Criminal Conviction

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

11 (Source: P.A. 98-24, eff. 6-19-13; 98-674, eff. 6-30-14;  
12 98-743, eff. 1-1-15; 99-78, eff. 7-20-15; 99-523, eff.  
13 6-30-16.)

14 Section 3-8. The Counties Code is amended by changing  
15 Sections 3-6023, 4-2002, 4-2002.1, 4-2004, 4-2005, and 4-2006  
16 as follows:

17 (55 ILCS 5/3-6023) (from Ch. 34, par. 3-6023)

18 Sec. 3-6023. Attendance at courts. Each sheriff shall, in  
19 person or by deputy, county corrections officer, or court  
20 security officer, attend upon all courts held in his or her  
21 county when in session, and obey the lawful orders and  
22 directions of the court, and shall maintain the security of the  
23 courthouse. Court services customarily performed by sheriffs  
24 shall be provided by the sheriff or his or her deputies, county



1 corrections officers, or court security officers, rather than  
2 by employees of the court, unless there are no deputies, county  
3 corrections officers, or court security officers available to  
4 perform such services. The expenses of the sheriff in carrying  
5 out his or her duties under this Section, including the  
6 compensation of deputies, county corrections officers, or  
7 court security officers assigned to such services, shall be  
8 paid to the county from fees collected pursuant to court order  
9 for services of the sheriff and from any court services fees  
10 collected by the county under the Criminal and Traffic  
11 Assessment Act ~~pursuant to Section 5-1103, as now or hereafter~~  
12 ~~amended.~~

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

14 (55 ILCS 5/4-2002) (from Ch. 34, par. 4-2002)

15 Sec. 4-2002. State's attorney assessments fees in counties  
16 under 3,000,000 population. This Section applies only to  
17 counties with fewer than 3,000,000 inhabitants.

18 (a) State's attorneys shall be entitled to the following  
19 assessments fees, however, the assessment fee requirement of  
20 this subsection does not apply to county boards:

21 ~~For each conviction in prosecutions on indictments for~~  
22 ~~first degree murder, second degree murder, involuntary~~  
23 ~~manslaughter, criminal sexual assault, aggravated criminal~~  
24 ~~sexual assault, aggravated criminal sexual abuse, kidnapping,~~  
25 ~~arson and forgery, \$30. All other cases punishable by~~

1 ~~imprisonment in the penitentiary, \$30.~~

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

7 ~~For preliminary examinations for each defendant held to~~  
8 ~~bail or recognizance, \$10.~~

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

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

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

14 For each case of appeal taken from his county or from the  
15 county to which a change of venue is taken to his county to the  
16 Supreme or Appellate Court when prosecuted or defended by him,  
17 \$50.

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

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

1 ~~the duty of each State's attorney to prepare and try each case~~  
2 ~~of felony arising when so taken by change of venue.~~

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

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

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

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

19 ~~For each violation of the Criminal Code of 1961 or the~~  
20 ~~Criminal Code of 2012 and the Illinois Vehicle Code in which a~~  
21 ~~defendant has entered a plea of guilty or a defendant has~~  
22 ~~stipulated to the facts supporting the charge or a finding of~~  
23 ~~guilt and the court has entered an order of supervision, \$10.~~

24 ~~State's attorneys shall be entitled to a \$2 fee to be paid~~  
25 ~~by the defendant on a judgment of guilty or a grant of~~  
26 ~~supervision for a violation of any provision of the Illinois~~

1 ~~Vehicle Code or any felony, misdemeanor, or petty offense to~~  
2 ~~discharge the expenses of the State's Attorney's office for~~  
3 ~~establishing and maintaining automated record keeping systems.~~

4 ~~The fee shall be remitted monthly to the county treasurer,~~  
5 ~~to be deposited by him or her into a special fund designated as~~  
6 ~~the State's Attorney Records Automation Fund. Expenditures~~  
7 ~~from this fund may be made by the State's Attorney for~~  
8 ~~hardware, software, research, and development costs and~~  
9 ~~personnel related thereto.~~

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

19 Ten per cent of all moneys except revenue, collected by  
20 them and paid over to the authorities entitled thereto, which  
21 per cent together with the assessments ~~fees~~ provided for herein  
22 that are not collected from the parties tried or examined,  
23 shall be paid out of any fines and forfeited recognizances  
24 collected by them, provided however, that in proceedings to  
25 foreclose the lien of delinquent real estate taxes State's  
26 attorneys shall receive an assessment ~~a fee~~, to be credited to

1 the earnings of their office, of 10% of the total amount  
2 realized from the sale of real estate sold in such proceedings.  
3 Such assessments ~~fees~~ shall be paid from the total amount  
4 realized from the sale of the real estate sold in such  
5 proceedings.

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

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

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

26 (1) where the monies result from child support

1 obligations, not more than 25% of the federal share of the  
2 monies received,

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

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

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

1 ~~prosecutions for violations of the Illinois Vehicle Code and~~  
2 ~~municipal vehicle ordinances or nontraffic ordinances.~~

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

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

12 (55 ILCS 5/4-2002.1) (from Ch. 34, par. 4-2002.1)

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

16 (a) State's attorneys shall be entitled to the following  
17 assessments fees:

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

24 ~~For each conviction in other cases tried before judges of~~  
25 ~~the circuit court, \$30; except that if the conviction is in a~~

1 ~~case which may be assigned to an associate judge, whether or~~  
2 ~~not it is in fact assigned to an associate judge, the fee shall~~  
3 ~~be \$20.~~

4 ~~For preliminary examinations for each defendant held to~~  
5 ~~bail or recognizance, \$20.~~

6 ~~For each examination of a party bound over to keep the~~  
7 ~~peace, \$20.~~

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

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

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

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

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

26 ~~For assisting in a trial of each case on an indictment for~~



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

7 ~~For each case of forfeited recognizance where the~~  
8 ~~forfeiture is set aside at the instance of the defense, in~~  
9 ~~addition to the ordinary costs, \$20 for each defendant.~~

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

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

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

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

25 Ten per cent of all moneys except revenue, collected by  
26 them and paid over to the authorities entitled thereto, which

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

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

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

19 The Circuit Court may direct that of all monies received,  
20 by restitution or otherwise, which monies are ordered paid to  
21 the Department of Healthcare and Family Services (formerly  
22 Department of Public Aid) or the Department of Human Services  
23 (acting as successor to the Department of Public Aid under the  
24 Department of Human Services Act) as a direct result of the  
25 efforts of the State's attorney and which payments arise from  
26 Civil or Criminal prosecutions involving the Illinois Public

1 Aid Code or the Criminal Code, the following amounts shall be  
2 paid quarterly by the Department of Healthcare and Family  
3 Services or the Department of Human Services to the General  
4 Corporate Fund of the County in which the prosecution or cause  
5 of action took place:

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

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

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

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

1 ~~procured by the municipal attorney from prosecutions for~~  
2 ~~violations of the Illinois Vehicle Code and municipal vehicle~~  
3 ~~ordinances.~~

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

16 ~~For the purposes of this subsection (b), "municipal vehicle~~  
17 ~~ordinance" means any ordinance enacted pursuant to Sections~~  
18 ~~11 40 1, 11 40 2, 11 40 2a, and 11 40 3 of the Illinois~~  
19 ~~Municipal Code or any ordinance enacted by a municipality which~~  
20 ~~is similar to a provision of Chapter 11 of the Illinois Vehicle~~  
21 ~~Code.~~

22 (Source: P.A. 96-707, eff. 1-1-10; 96-1186, eff. 7-22-10;  
23 97-673, eff. 6-1-12; revised 10-31-16.)

24 (55 ILCS 5/4-2004) (from Ch. 34, par. 4-2004)

25 Sec. 4-2004. Collection and disposition of fines and

1 forfeitures. It shall be the duty of State's attorneys to  
2 attend to the collection of all fines and forfeitures in  
3 criminal cases, and they shall, without delay, pay over all  
4 fines and forfeitures collected by them to the county treasurer  
5 to be deposited into the general corporate fund of the county,  
6 except as otherwise specifically provided by law ~~and except for~~  
7 ~~such portion as is required by Section 9.1 of "The Illinois~~  
8 ~~Police Training Act" and Section 5-9-1 of the "Unified Code of~~  
9 ~~Corrections" to be paid into The Traffic and Criminal~~  
10 ~~Conviction Surcharge Fund in the State Treasury, unless the~~  
11 ~~fines and forfeitures are subject to disbursement by the~~  
12 ~~circuit clerk under Section 27.5 of the Clerks of Courts Act.~~

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

14 (55 ILCS 5/4-2005) (from Ch. 34, par. 4-2005)

15 Sec. 4-2005. Payment of salaries; disposition of fees. The  
16 salaries of the State's attorneys, excepting that part which is  
17 to be paid out of the State treasury as now provided for by  
18 law, and the salaries of all Assistant State's attorneys shall  
19 be paid out of the general corporate fund of the county  
20 treasury of the county in which the State's attorney resides,  
21 on the order of the county board by the treasurer of the  
22 county: The fees which are now, or may hereafter, be provided  
23 by law to be paid by the defendant or defendants, as State's  
24 attorney's fees, shall be taxed as costs and all fees, fines,  
25 forfeitures and penalties shall be collected by the State's

1 attorney, except as otherwise specifically provided by law ~~for~~  
2 ~~those amounts required by Section 9.1 of the "Illinois Police~~  
3 ~~Training Act" and Section 5-9-1 of the "Unified Code of~~  
4 ~~Corrections" to be paid into The Traffic and Criminal~~  
5 ~~Conviction Surcharge Fund and those amounts subject to~~  
6 ~~disbursement by the circuit clerk under Section 27.5 of the~~  
7 ~~Clerks of Courts Act,~~ and shall be paid by him directly into  
8 the county treasury to be deposited into the general corporate  
9 fund of the county. The county treasurer shall receipt  
10 therefor.

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

12 (55 ILCS 5/4-2006) (from Ch. 34, par. 4-2006)

13 Sec. 4-2006. Report of fees.

14 (a) It is hereby made the duty of all State's attorneys to  
15 report to the circuit court at such times as the court shall  
16 determine by rule, the payment and collection of all fees,  
17 fines, forfeitures and penalties and to satisfy the court by  
18 voucher or otherwise, that all fees, fines, forfeitures and  
19 penalties by them collected, except as otherwise specifically  
20 provided by law ~~for those amounts required by Section 9.1 of~~  
21 ~~the Illinois Police Training Act and Section 5-9-1 of the~~  
22 ~~Unified Code of Corrections to be paid into the Traffic and~~  
23 ~~Criminal Conviction Surcharge Fund,~~ have been duly paid over to  
24 the county treasurer, as required by Section 4-2005, and the  
25 State's attorney shall have no further interest in conviction

1 fees, fines, forfeitures and penalties or moneys collected by  
2 virtue of such office. The court shall note the filing of the  
3 report and fix a day certain not less than 30 days thereafter,  
4 when objections in writing may be filed to such report by any  
5 one or more taxpayers of the county, and when objections are  
6 filed to such report a hearing may be had upon such report and  
7 objections at such time and in such manner as the court may  
8 direct and after such hearing the court may approve or  
9 disapprove of such report as justice may require, and make all  
10 proper orders in reference thereto, and if no objections have  
11 been filed, the court shall inspect such report and require the  
12 State's attorney to produce evidence in proof of his having  
13 paid over as required by law all fines and forfeitures  
14 collected by him; and if it appears to the court that any  
15 State's attorney has failed or refused to turn over the fines  
16 and forfeitures collected by him as required by law the court  
17 shall at once suspend him and appoint a State's attorney pro  
18 tempore to perform the duties of the office until such State's  
19 attorney shall have complied with the provisions of this  
20 Division or the orders of the court in regard thereto. The  
21 court, for the purpose of carrying out the provisions of this  
22 Section shall have the power to examine books and papers and to  
23 issue subpoenas to compel the appearance of persons and the  
24 production of books and records: Provided, however, no order  
25 entered under this Section shall be a bar to any proper  
26 proceedings against such State's attorney and his bondsman to

1 require him to account for moneys collected and not paid over  
2 by him as required by law.

3 (b) Waiver of report of fees. The filing of the report of  
4 fees as provided by subsection (a) of this Section may be  
5 waived by written administrative order of the chief judge of  
6 the circuit upon written request and affidavit of the State's  
7 attorney of a county within the circuit that all fines, fees,  
8 forfeitures, and restitution are collected by the clerk of the  
9 circuit court and that none of those funds pass through the  
10 office of the State's attorney.

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

12 Section 3-10. The Illinois Vehicle Code is amended by  
13 changing Sections 2-120, 6-118, 11-501.01, 11-605, 11-605.1,  
14 11-605.3, 11-1002.5, and 16-105 as follows:

15 (625 ILCS 5/2-120) (from Ch. 95 1/2, par. 2-120)

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

17 (a) Except as provided in subsection (f) of Section 11-605  
18 and subsection (c) of Section 11-1002.5 of this Code, fines and  
19 penalties recovered under the provisions of this Act  
20 administered by the Secretary of State, except those fines,  
21 assessments, and penalties subject to disbursement by the  
22 circuit clerk under the Criminal and Traffic Assessment Act  
23 ~~Section 27.5 of the Clerks of Courts Act~~, shall be paid over  
24 and used as follows:



1           1. For violations of this Act committed within the  
2 limits of an incorporated city or village, to the treasurer  
3 of the particular city or village, if arrested by the  
4 authorities of the city or village and reasonably  
5 prosecuted for all fines and penalties under this Act by  
6 the police officers and officials of the city or village.

7           2. For violations of this Act committed outside the  
8 limits of an incorporated city or village to the county  
9 treasurer of the court where the offense was committed.

10          3. For the purposes of this Act an offense for  
11 violation of any provision of this Act not committed upon  
12 the highway shall be deemed to be committed where the  
13 violator resides or where he has a place of business  
14 requiring some registration, permit or license to operate  
15 such business under this Act.

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

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

23           (625 ILCS 5/6-118)

24           Sec. 6-118. Fees.

25           (a) The fee for licenses and permits under this Article is

1 as follows:

2 Original driver's license ..... \$30

3 Original or renewal driver's license

4 issued to 18, 19 and 20 year olds ..... 5

5 All driver's licenses for persons

6 age 69 through age 80 ..... 5

7 All driver's licenses for persons

8 age 81 through age 86 ..... 2

9 All driver's licenses for persons

10 age 87 or older ..... 0

11 Renewal driver's license (except for

12 applicants ages 18, 19 and 20 or

13 age 69 and older) ..... 30

14 Original instruction permit issued to

15 persons (except those age 69 and older)

16 who do not hold or have not previously

17 held an Illinois instruction permit or

18 driver's license ..... 20

19 Instruction permit issued to any person

20 holding an Illinois driver's license

21 who wishes a change in classifications,

22 other than at the time of renewal ..... 5

23 Any instruction permit issued to a person

24 age 69 and older ..... 5

25 Instruction permit issued to any person,

26 under age 69, not currently holding a

1 valid Illinois driver's license or  
2 instruction permit but who has  
3 previously been issued either document  
4 in Illinois ..... 10  
5 Restricted driving permit ..... 8  
6 Monitoring device driving permit ..... 8  
7 Duplicate or corrected driver's license  
8 or permit ..... 5  
9 Duplicate or corrected restricted  
10 driving permit ..... 5  
11 Duplicate or corrected monitoring  
12 device driving permit ..... 5  
13 Duplicate driver's license or permit issued to  
14 an active-duty member of the  
15 United States Armed Forces,  
16 the member's spouse, or  
17 the dependent children living  
18 with the member ..... 0  
19 Original or renewal M or L endorsement..... 5

20 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

21 The fees for commercial driver licenses and permits  
22 under Article V shall be as follows:

23 Commercial driver's license:

- 24 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund
- 25 (Commercial Driver's License Information
- 26 System/American Association of Motor Vehicle

1 Administrators network/National Motor Vehicle  
2 Title Information Service Trust Fund);  
3 \$20 for the Motor Carrier Safety Inspection Fund;  
4 \$10 for the driver's license;  
5 and \$24 for the CDL: ..... \$60  
6 Renewal commercial driver's license:  
7 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund;  
8 \$20 for the Motor Carrier Safety Inspection Fund;  
9 \$10 for the driver's license; and  
10 \$24 for the CDL: ..... \$60  
11 Commercial learner's permit  
12 issued to any person holding a valid  
13 Illinois driver's license for the  
14 purpose of changing to a  
15 CDL classification: \$6 for the  
16 CDLIS/AAMVAnet/NMVTIS Trust Fund;  
17 \$20 for the Motor Carrier  
18 Safety Inspection Fund; and  
19 \$24 for the CDL classification ..... \$50  
20 Commercial learner's permit  
21 issued to any person holding a valid  
22 Illinois CDL for the purpose of  
23 making a change in a classification,  
24 endorsement or restriction ..... \$5  
25 CDL duplicate or corrected license ..... \$5  
26 In order to ensure the proper implementation of the Uniform

1 Commercial Driver License Act, Article V of this Chapter, the  
 2 Secretary of State is empowered to pro-rate the \$24 fee for the  
 3 commercial driver's license proportionate to the expiration  
 4 date of the applicant's Illinois driver's license.

5 The fee for any duplicate license or permit shall be waived  
 6 for any person who presents the Secretary of State's office  
 7 with a police report showing that his license or permit was  
 8 stolen.

9 The fee for any duplicate license or permit shall be waived  
 10 for any person age 60 or older whose driver's license or permit  
 11 has been lost or stolen.

12 No additional fee shall be charged for a driver's license,  
 13 or for a commercial driver's license, when issued to the holder  
 14 of an instruction permit for the same classification or type of  
 15 license who becomes eligible for such license.

16 (b) Any person whose license or privilege to operate a  
 17 motor vehicle in this State has been suspended or revoked under  
 18 Section 3-707, any provision of Chapter 6, Chapter 11, or  
 19 Section 7-205, 7-303, or 7-702 of the Family Financial  
 20 Responsibility Law of this Code, shall in addition to any other  
 21 fees required by this Code, pay a reinstatement fee as follows:

22	Suspension under Section 3-707 .....	\$100
23	Suspension under Section 11-1431 .....	\$100
24	Summary suspension under Section 11-501.1 .....	\$250
25	Suspension under Section 11-501.9 .....	\$250
26	Summary revocation under Section 11-501.1 .....	\$500

1           Other suspension ..... \$70  
 2           Revocation ..... \$500

3           However, any person whose license or privilege to operate a  
 4 motor vehicle in this State has been suspended or revoked for a  
 5 second or subsequent time for a violation of Section 11-501,  
 6 11-501.1, or 11-501.9 of this Code or a similar provision of a  
 7 local ordinance or a similar out-of-state offense or Section  
 8 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012  
 9 and each suspension or revocation was for a violation of  
 10 Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar  
 11 provision of a local ordinance or a similar out-of-state  
 12 offense or Section 9-3 of the Criminal Code of 1961 or the  
 13 Criminal Code of 2012 shall pay, in addition to any other fees  
 14 required by this Code, a reinstatement fee as follows:

15           Summary suspension under Section 11-501.1 ..... \$500  
 16           Suspension under Section 11-501.9 ..... \$500  
 17           Summary revocation under Section 11-501.1 ..... \$500  
 18           Revocation ..... \$500

19           However, the Secretary shall collect only one fee equal to  
 20 the highest amount due for any one sanction in satisfaction of  
 21 all fees due for multiple sanctions for violation of Sections  
 22 11-501, 11-501.1, or 11-501.9 of this Code or a similar  
 23 provision of a local ordinance or a similar out-of-state  
 24 offense or Section 9-3 of the Criminal Code of 1961 or the  
 25 Criminal Code of 2012.

26           (c) All fees collected under the provisions of this Chapter

1 6 shall be disbursed under subsection (g) of Section 2-119 of  
2 this Code, except as follows:

3 1. The following amounts shall be paid into the Drivers  
4 Education Fund:

5 (A) \$16 of the \$20 fee for an original driver's  
6 instruction permit;

7 (B) \$5 of the \$30 fee for an original driver's  
8 license;

9 (C) \$5 of the \$30 fee for a 4 year renewal driver's  
10 license;

11 (D) \$4 of the \$8 fee for a restricted driving  
12 permit; and

13 (E) \$4 of the \$8 fee for a monitoring device  
14 driving permit.

15 2. \$30 of the \$250 fee for reinstatement of a license  
16 summarily suspended under Section 11-501.1 or suspended  
17 under Section 11-501.9 shall be deposited into the Drunk  
18 and Drugged Driving Prevention Fund. However, for a person  
19 whose license or privilege to operate a motor vehicle in  
20 this State has been suspended or revoked for a second or  
21 subsequent time for a violation of Section 11-501,  
22 11-501.1, or 11-501.9 of this Code or Section 9-3 of the  
23 Criminal Code of 1961 or the Criminal Code of 2012, \$190 of  
24 the \$500 fee for reinstatement of a license summarily  
25 suspended under Section 11-501.1 or suspended under  
26 Section 11-501.9, and \$190 of the \$500 fee for

1 reinstatement of a revoked license shall be deposited into  
2 the Drunk and Drugged Driving Prevention Fund. \$190 of the  
3 \$500 fee for reinstatement of a license summarily revoked  
4 pursuant to Section 11-501.1 shall be deposited into the  
5 Drunk and Drugged Driving Prevention Fund.

6 3. \$6 of the original or renewal fee for a commercial  
7 driver's license and \$6 of the commercial learner's permit  
8 fee when the permit is issued to any person holding a valid  
9 Illinois driver's license, shall be paid into the  
10 CDLIS/AAMVAnet/NMVTIS Trust Fund.

11 4. \$30 of the \$70 fee for reinstatement of a license  
12 suspended under the Family Financial Responsibility Law  
13 shall be paid into the Family Responsibility Fund.

14 5. The \$5 fee for each original or renewal M or L  
15 endorsement shall be deposited into the Cycle Rider Safety  
16 Training Fund.

17 6. \$20 of any original or renewal fee for a commercial  
18 driver's license or commercial learner's permit shall be  
19 paid into the Motor Carrier Safety Inspection Fund.

20 7. The following amounts shall be paid into the General  
21 Revenue Fund:

22 (A) \$190 of the \$250 reinstatement fee for a  
23 summary suspension under Section 11-501.1 or a  
24 suspension under Section 11-501.9;

25 (B) \$40 of the \$70 reinstatement fee for any other  
26 suspension provided in subsection (b) of this Section;



1           and

2                   (C) \$440 of the \$500 reinstatement fee for a first  
3           offense revocation and \$310 of the \$500 reinstatement  
4           fee for a second or subsequent revocation.

5           8. Fees collected under paragraph (4) of subsection (d)  
6           and subsection (h) of Section 6-205 of this Code;  
7           subparagraph (C) of paragraph 3 of subsection (c) of  
8           Section 6-206 of this Code; and paragraph (4) of subsection  
9           (a) of Section 6-206.1 of this Code, shall be paid into the  
10          funds set forth in those Sections.

11          (d) All of the proceeds of the additional fees imposed by  
12          this amendatory Act of the 96th General Assembly shall be  
13          deposited into the Capital Projects Fund.

14          (e) The additional fees imposed by this amendatory Act of  
15          the 96th General Assembly shall become effective 90 days after  
16          becoming law.

17          (f) As used in this Section, "active-duty member of the  
18          United States Armed Forces" means a member of the Armed  
19          Services or Reserve Forces of the United States or a member of  
20          the Illinois National Guard who is called to active duty  
21          pursuant to an executive order of the President of the United  
22          States, an act of the Congress of the United States, or an  
23          order of the Governor.

24          (Source: P.A. 98-176 (see Section 10 of P.A. 98-722 and Section  
25          10 of P.A. 99-414 for the effective date of changes made by  
26          P.A. 98-176); 98-177, eff. 1-1-14; 98-756, eff. 7-16-14;

1 98-1172, eff. 1-12-15; 99-127, eff. 1-1-16; 99-438, eff.  
2 1-1-16; 99-642, eff. 7-28-16; 99-933, eff. 1-27-17.)

3 (625 ILCS 5/11-501.01)

4 Sec. 11-501.01. Additional administrative sanctions.

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

17 (b) Any person who is found guilty of or pleads guilty to  
18 violating Section 11-501, including any person receiving a  
19 disposition of court supervision for violating that Section,  
20 may be required by the Court to attend a victim impact panel  
21 offered by, or under contract with, a county State's Attorney's  
22 office, a probation and court services department, Mothers  
23 Against Drunk Driving, or the Alliance Against Intoxicated  
24 Motorists. All costs generated by the victim impact panel shall  
25 be paid from fees collected from the offender or as may be

1 determined by the court.

2 (c) (Blank). ~~Every person found guilty of violating Section~~  
3 ~~11-501, whose operation of a motor vehicle while in violation~~  
4 ~~of that Section proximately caused any incident resulting in an~~  
5 ~~appropriate emergency response, shall be liable for the expense~~  
6 ~~of an emergency response as provided in subsection (i) of this~~  
7 ~~Section.~~

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

11 (e) The Secretary of State shall require the use of  
12 ignition interlock devices for a period not less than 5 years  
13 on all vehicles owned by a person who has been convicted of a  
14 second or subsequent offense of Section 11-501 or a similar  
15 provision of a local ordinance. The person must pay to the  
16 Secretary of State DUI Administration Fund an amount not to  
17 exceed \$30 for each month that he or she uses the device. The  
18 Secretary shall establish by rule and regulation the procedures  
19 for certification and use of the interlock system, the amount  
20 of the fee, and the procedures, terms, and conditions relating  
21 to these fees. During the time period in which a person is  
22 required to install an ignition interlock device under this  
23 subsection (e), that person shall only operate vehicles in  
24 which ignition interlock devices have been installed, except as  
25 allowed by subdivision (c) (5) or (d) (5) of Section 6-205 of  
26 this Code.

1           (f) (Blank). ~~In addition to any other penalties and~~  
2 ~~liabilities, a person who is found guilty of or pleads guilty~~  
3 ~~to violating Section 11-501, including any person placed on~~  
4 ~~court supervision for violating Section 11-501, shall be~~  
5 ~~assessed \$750, payable to the circuit clerk, who shall~~  
6 ~~distribute the money as follows: \$350 to the law enforcement~~  
7 ~~agency that made the arrest, and \$400 shall be forwarded to the~~  
8 ~~State Treasurer for deposit into the General Revenue Fund. If~~  
9 ~~the person has been previously convicted of violating Section~~  
10 ~~11-501 or a similar provision of a local ordinance, the fine~~  
11 ~~shall be \$1,000, and the circuit clerk shall distribute \$200 to~~  
12 ~~the law enforcement agency that made the arrest and \$800 to the~~  
13 ~~State Treasurer for deposit into the General Revenue Fund. In~~  
14 ~~the event that more than one agency is responsible for the~~  
15 ~~arrest, the amount payable to law enforcement agencies shall be~~  
16 ~~shared equally. Any moneys received by a law enforcement agency~~  
17 ~~under this subsection (f) shall be used for enforcement and~~  
18 ~~prevention of driving while under the influence of alcohol,~~  
19 ~~ether drug or drugs, intoxicating compound or compounds or any~~  
20 ~~combination thereof, as defined by Section 11-501 of this Code,~~  
21 ~~including but not limited to the purchase of law enforcement~~  
22 ~~equipment and commodities that will assist in the prevention of~~  
23 ~~alcohol related criminal violence throughout the State; police~~  
24 ~~officer training and education in areas related to alcohol~~  
25 ~~related crime, including but not limited to DUI training; and~~  
26 ~~police officer salaries, including but not limited to salaries~~

1 ~~for hire back funding for safety checkpoints, saturation~~  
2 ~~patrols, and liquor store sting operations. Any moneys received~~  
3 ~~by the Department of State Police under this subsection (f)~~  
4 ~~shall be deposited into the State Police DUI Fund and shall be~~  
5 ~~used to purchase law enforcement equipment that will assist in~~  
6 ~~the prevention of alcohol related criminal violence throughout~~  
7 ~~the State.~~

8 (g) (Blank). ~~The Secretary of State Police DUI Fund is~~  
9 ~~created as a special fund in the State treasury. All moneys~~  
10 ~~received by the Secretary of State Police under subsection (f)~~  
11 ~~of this Section shall be deposited into the Secretary of State~~  
12 ~~Police DUI Fund and, subject to appropriation, shall be used~~  
13 ~~for enforcement and prevention of driving while under the~~  
14 ~~influence of alcohol, other drug or drugs, intoxicating~~  
15 ~~compound or compounds or any combination thereof, as defined by~~  
16 ~~Section 11-501 of this Code, including but not limited to the~~  
17 ~~purchase of law enforcement equipment and commodities to assist~~  
18 ~~in the prevention of alcohol related criminal violence~~  
19 ~~throughout the State; police officer training and education in~~  
20 ~~areas related to alcohol related crime, including but not~~  
21 ~~limited to DUI training; and police officer salaries, including~~  
22 ~~but not limited to salaries for hire back funding for safety~~  
23 ~~checkpoints, saturation patrols, and liquor store sting~~  
24 ~~operations.~~

25 (h) Whenever an individual is sentenced for an offense  
26 based upon an arrest for a violation of Section 11-501 or a

1 similar provision of a local ordinance, and the professional  
2 evaluation recommends remedial or rehabilitative treatment or  
3 education, neither the treatment nor the education shall be the  
4 sole disposition and either or both may be imposed only in  
5 conjunction with another disposition. The court shall monitor  
6 compliance with any remedial education or treatment  
7 recommendations contained in the professional evaluation.  
8 Programs conducting alcohol or other drug evaluation or  
9 remedial education must be licensed by the Department of Human  
10 Services. If the individual is not a resident of Illinois,  
11 however, the court may accept an alcohol or other drug  
12 evaluation or remedial education program in the individual's  
13 state of residence. Programs providing treatment must be  
14 licensed under existing applicable alcoholism and drug  
15 treatment licensure standards.

16 (i) (Blank). ~~In addition to any other fine or penalty~~  
17 ~~required by law, an individual convicted of a violation of~~  
18 ~~Section 11-501, Section 5-7 of the Snowmobile Registration and~~  
19 ~~Safety Act, Section 5-16 of the Boat Registration and Safety~~  
20 ~~Act, or a similar provision, whose operation of a motor~~  
21 ~~vehicle, snowmobile, or watercraft while in violation of~~  
22 ~~Section 11-501, Section 5-7 of the Snowmobile Registration and~~  
23 ~~Safety Act, Section 5-16 of the Boat Registration and Safety~~  
24 ~~Act, or a similar provision proximately caused an incident~~  
25 ~~resulting in an appropriate emergency response, shall be~~  
26 ~~required to make restitution to a public agency for the costs~~

1 ~~of that emergency response. The restitution may not exceed~~  
2 ~~\$1,000 per public agency for each emergency response. As used~~  
3 ~~in this subsection (i), "emergency response" means any incident~~  
4 ~~requiring a response by a police officer, a firefighter carried~~  
5 ~~on the rolls of a regularly constituted fire department, or an~~  
6 ~~ambulance. With respect to funds designated for the Department~~  
7 ~~of State Police, the moneys shall be remitted by the circuit~~  
8 ~~court clerk to the State Police within one month after receipt~~  
9 ~~for deposit into the State Police DUI Fund. With respect to~~  
10 ~~funds designated for the Department of Natural Resources, the~~  
11 ~~Department of Natural Resources shall deposit the moneys into~~  
12 ~~the Conservation Police Operations Assistance Fund.~~

13 (j) A person that is subject to a chemical test or tests of  
14 blood under subsection (a) of Section 11-501.1 or subdivision  
15 (c) (2) of Section 11-501.2 of this Code, whether or not that  
16 person consents to testing, shall be liable for the expense up  
17 to \$500 for blood withdrawal by a physician authorized to  
18 practice medicine, a licensed physician assistant, a licensed  
19 advanced practice nurse, a registered nurse, a trained  
20 phlebotomist, a licensed paramedic, or a qualified person other  
21 than a police officer approved by the Department of State  
22 Police to withdraw blood, who responds, whether at a law  
23 enforcement facility or a health care facility, to a police  
24 department request for the drawing of blood based upon refusal  
25 of the person to submit to a lawfully requested breath test or  
26 probable cause exists to believe the test would disclose the

1 ingestion, consumption, or use of drugs or intoxicating  
2 compounds if:

3 (1) the person is found guilty of violating Section  
4 11-501 of this Code or a similar provision of a local  
5 ordinance; or

6 (2) the person pleads guilty to or stipulates to facts  
7 supporting a violation of Section 11-503 of this Code or a  
8 similar provision of a local ordinance when the plea or  
9 stipulation was the result of a plea agreement in which the  
10 person was originally charged with violating Section  
11 11-501 of this Code or a similar local ordinance.

12 (Source: P.A. 98-292, eff. 1-1-14; 98-463, eff. 8-16-13;  
13 98-973, eff. 8-15-14; 99-289, eff. 8-6-15; 99-296, eff. 1-1-16;  
14 99-642, eff. 7-28-16.)

15 (625 ILCS 5/11-605) (from Ch. 95 1/2, par. 11-605)

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

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

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

20 (2) A primary or secondary school operated by a  
21 religious institution.

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

23 On a school day when school children are present and so  
24 close thereto that a potential hazard exists because of the  
25 close proximity of the motorized traffic, no person shall drive



1 a motor vehicle at a speed in excess of 20 miles per hour while  
2 passing a school zone or while traveling on a roadway on public  
3 school property or upon any public thoroughfare where children  
4 pass going to and from school.

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

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

16 (b) (Blank).

17 (c) Nothing in this Chapter shall prohibit the use of  
18 electronic speed-detecting devices within 500 feet of signs  
19 within a special school speed zone indicating such zone, as  
20 defined in this Section, nor shall evidence obtained thereby be  
21 inadmissible in any prosecution for speeding provided the use  
22 of such device shall apply only to the enforcement of the speed  
23 limit in such special school speed zone.

24 (d) (Blank).

25 (e) Except as provided in subsection (e-5), a person who  
26 violates this Section is guilty of a petty offense. Violations

1 of this Section are punishable with a minimum fine of \$150 for  
2 the first violation and a minimum fine of \$300 for the second  
3 or subsequent violation.

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

7 (1) 26 miles per hour or more but less than 35 miles  
8 per hour in excess of the applicable special speed limit  
9 established under this Section or a similar provision of a  
10 local ordinance and is guilty of a Class B misdemeanor; or

11 (2) 35 miles per hour or more in excess of the  
12 applicable special speed limit established under this  
13 Section or a similar provision of a local ordinance and is  
14 guilty of a Class A misdemeanor.

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

26 ~~For purposes of this subsection (f), "school safety~~

1 ~~purposes" includes the costs associated with school zone safety~~  
2 ~~education, the Safe Routes to School Program under Section~~  
3 ~~2705-317 of the Department of Transportation Law of the Civil~~  
4 ~~Administrative Code of Illinois, safety programs within the~~  
5 ~~School Safety and Educational Improvement Block Grant Program~~  
6 ~~under Section 2-3.51.5 of the School Code, and the purchase,~~  
7 ~~installation, and maintenance of caution lights which are~~  
8 ~~mounted on school speed zone signs.~~

9 (g) (Blank).

10 (h) (Blank).

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

12 (625 ILCS 5/11-605.1)

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

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

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

21 (b) Nothing in this Chapter prohibits the use of electronic  
22 speed-detecting devices within 500 feet of signs within a  
23 construction or maintenance speed zone indicating the zone, as  
24 defined in this Section, nor shall evidence obtained by use of  
25 those devices be inadmissible in any prosecution for speeding,

1 provided the use of the device shall apply only to the  
2 enforcement of the speed limit in the construction or  
3 maintenance speed zone.

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

16 If it is determined that the preexisting established speed  
17 limit is safe with respect to the conditions expected to exist  
18 in the construction or maintenance speed zone, additional speed  
19 limit signs which conform to the requirements of this  
20 subsection (c) shall be posted.

21 Highway construction or maintenance speed zone special  
22 speed limit signs shall be of a design approved by the  
23 Department. The signs must give proper due warning that a  
24 construction or maintenance speed zone is being approached and  
25 must indicate the maximum speed limit in effect. The signs also  
26 must state the amount of the minimum fine for a violation.

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

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

10 (1) 26 miles per hour or more but less than 35 miles  
11 per hour in excess of the applicable special speed limit  
12 established under this Section or a similar provision of a  
13 local ordinance and is guilty of a Class B misdemeanor; or

14 (2) 35 miles per hour or more in excess of the  
15 applicable special speed limit established under this  
16 Section or a similar provision of a local ordinance and is  
17 guilty of a Class A misdemeanor.

18 (e) (Blank). ~~If a fine for a violation of this Section is~~  
19 ~~\$250 or greater, the person who violated this Section shall be~~  
20 ~~charged an additional \$125, which shall be deposited into the~~  
21 ~~Transportation Safety Highway Hire back Fund in the State~~  
22 ~~treasury, unless (i) the violation occurred on a highway other~~  
23 ~~than an interstate highway and (ii) a county police officer~~  
24 ~~wrote the ticket for the violation, in which case the \$125~~  
25 ~~shall be deposited into that county's Transportation Safety~~  
26 ~~Highway Hire back Fund. In the case of a second or subsequent~~

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

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

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

20 (f-5) Each county shall create a Transportation Safety  
21 Highway Hire-back Fund. The county shall use the moneys in its  
22 Transportation Safety Highway Hire-back Fund to hire off-duty  
23 county police officers to monitor construction or maintenance  
24 zones in that county on highways other than interstate  
25 highways. The county, in its discretion, may also use a portion  
26 of the moneys in its Transportation Safety Highway Hire-back

1 Fund to purchase equipment for county law enforcement and fund  
2 the production of materials to educate drivers on construction  
3 zone safe driving habits.

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

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

14 (625 ILCS 5/11-605.3)

15 Sec. 11-605.3. Special traffic protections while passing  
16 parks and recreation facilities and areas.

17 (a) As used in this Section:

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

19 (A) any park district organized under the Park  
20 District Code;

21 (B) any park district organized under the Chicago  
22 Park District Act; and

23 (C) any municipality, county, forest district,  
24 school district, township, or other unit of local  
25 government that operates a public recreation

1 department or public recreation facilities that has  
2 recreation facilities that are not on land owned by any  
3 park district listed in subparagraphs (A) and (B) of  
4 this subdivision (a) (1).

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

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

20 (4) "Safety purposes" means the costs associated with:  
21 park zone safety education; the purchase, installation,  
22 and maintenance of signs, roadway painting, and caution  
23 lights mounted on park zone signs; and any other expense  
24 associated with park zones and park zone streets.

25 (b) On any day when children are present and within 50 feet  
26 of motorized traffic, a person may not drive a motor vehicle at



1 a speed in excess of 20 miles per hour or any lower posted  
2 speed while traveling on a park zone street that has been  
3 designated for the posted reduced speed.

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

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

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

20 (f) (Blank). ~~When a fine for a violation of this Section is~~  
21 ~~imposed, the person who violates this Section shall be charged~~  
22 ~~an additional \$50, to be paid to the park district for safety~~  
23 ~~purposes.~~

24 (g) The Department shall, within 6 months of the effective  
25 date of this amendatory Act of the 94th General Assembly,  
26 design a set of standardized traffic signs for park zones and

1 park zone streets, including but not limited to: "park zone",  
2 "park zone speed limit", and "warning: approaching a park  
3 zone". The design of these signs shall be made available to all  
4 units of local government or manufacturers at no charge, except  
5 for reproduction and postage.

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

7 (625 ILCS 5/11-1002.5)

8 Sec. 11-1002.5. Pedestrians' right-of-way at crosswalks;  
9 school zones.

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

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

22 For the purpose of this Section, a school day shall begin  
23 at seven ante meridian and shall conclude at four post  
24 meridian.

25 This Section shall not be applicable unless appropriate

1 signs are posted in accordance with Section 11-605.

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

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

16 ~~For purposes of this subsection (c), "school safety~~  
17 ~~purposes" has the meaning ascribed to that term in Section~~  
18 ~~11-605.~~

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

20 (625 ILCS 5/16-105) (from Ch. 95 1/2, par. 16-105)

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

22 (a) Except as provided in Section 15-113 ~~and Section~~  
23 ~~16-104a~~ of this Act ~~and except for those amounts required to be~~  
24 ~~paid into the Traffic and Criminal Conviction Surcharge Fund in~~  
25 ~~the State Treasury pursuant to Section 9.1 of the Illinois~~

1 ~~Police Training Act and Section 5-9-1 of the Unified Code of~~  
2 ~~Corrections~~ and except those amounts subject to disbursement by  
3 the circuit clerk under the Criminal and Traffic Assessment Act  
4 ~~Section 27.5 of the Clerks of Courts Act~~, fines and penalties  
5 recovered under the provisions of Chapters 11 through 16  
6 inclusive of this Code shall be paid and used as follows:

7           1. For offenses committed upon a highway within the  
8           limits of a city, village, or incorporated town or under  
9           the jurisdiction of any park district, to the treasurer of  
10          the particular city, village, incorporated town or park  
11          district, if the violator was arrested by the authorities  
12          of the city, village, incorporated town or park district,  
13          provided the police officers and officials of cities,  
14          villages, incorporated towns and park districts shall  
15          seasonably prosecute for all fines and penalties under this  
16          Code. If the violation is prosecuted by the authorities of  
17          the county, any fines or penalties recovered shall be paid  
18          to the county treasurer. Provided further that if the  
19          violator was arrested by the State Police, fines and  
20          penalties recovered under the provisions of paragraph (a)  
21          of Section 15-113 of this Code or paragraph (e) of Section  
22          15-316 of this Code shall be paid over to the Department of  
23          State Police which shall thereupon remit the amount of the  
24          fines and penalties so received to the State Treasurer who  
25          shall deposit the amount so remitted in the special fund in  
26          the State treasury known as the Road Fund except that if

1 the violation is prosecuted by the State's Attorney, 10% of  
2 the fine or penalty recovered shall be paid to the State's  
3 Attorney as a fee of his office and the balance shall be  
4 paid over to the Department of State Police for remittance  
5 to and deposit by the State Treasurer as hereinabove  
6 provided.

7 2. Except as provided in paragraph 4, for offenses  
8 committed upon any highway outside the limits of a city,  
9 village, incorporated town or park district, to the county  
10 treasurer of the county where the offense was committed  
11 except if such offense was committed on a highway  
12 maintained by or under the supervision of a township,  
13 township district, or a road district to the Treasurer  
14 thereof for deposit in the road and bridge fund of such  
15 township or other district; Provided, that fines and  
16 penalties recovered under the provisions of paragraph (a)  
17 of Section 15-113, paragraph (d) of Section 3-401, or  
18 paragraph (e) of Section 15-316 of this Code shall be paid  
19 over to the Department of State Police which shall  
20 thereupon remit the amount of the fines and penalties so  
21 received to the State Treasurer who shall deposit the  
22 amount so remitted in the special fund in the State  
23 treasury known as the Road Fund except that if the  
24 violation is prosecuted by the State's Attorney, 10% of the  
25 fine or penalty recovered shall be paid to the State's  
26 Attorney as a fee of his office and the balance shall be

1       paid over to the Department of State Police for remittance  
2       to and deposit by the State Treasurer as hereinabove  
3       provided.

4           3. Notwithstanding subsections 1 and 2 of this  
5       paragraph, for violations of overweight and overload  
6       limits found in Sections 15-101 through 15-203 of this  
7       Code, which are committed upon the highways belonging to  
8       the Illinois State Toll Highway Authority, fines and  
9       penalties shall be paid over to the Illinois State Toll  
10      Highway Authority for deposit with the State Treasurer into  
11      that special fund known as the Illinois State Toll Highway  
12      Authority Fund, except that if the violation is prosecuted  
13      by the State's Attorney, 10% of the fine or penalty  
14      recovered shall be paid to the State's Attorney as a fee of  
15      his office and the balance shall be paid over to the  
16      Illinois State Toll Highway Authority for remittance to and  
17      deposit by the State Treasurer as hereinabove provided.

18           4. With regard to violations of overweight and overload  
19      limits found in Sections 15-101 through 15-203 of this Code  
20      committed by operators of vehicles registered as Special  
21      Hauling Vehicles, for offenses committed upon a highway  
22      within the limits of a city, village, or incorporated town  
23      or under the jurisdiction of any park district, all fines  
24      and penalties shall be paid over or retained as required in  
25      paragraph 1. However, with regard to the above offenses  
26      committed by operators of vehicles registered as Special

1 Hauling Vehicles upon any highway outside the limits of a  
2 city, village, incorporated town or park district, fines  
3 and penalties shall be paid over or retained by the entity  
4 having jurisdiction over the road or highway upon which the  
5 offense occurred, except that if the violation is  
6 prosecuted by the State's Attorney, 10% of the fine or  
7 penalty recovered shall be paid to the State's Attorney as  
8 a fee of his office.

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

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

16 Section 3-12. The Access to Justice Act is amended by  
17 changing Section 15 as follows:

18 (705 ILCS 95/15)

19 Sec. 15. Access to Justice Fund.

20 (a) The Access to Justice Fund is created as a special fund  
21 in the State treasury. ~~The Fund shall consist of fees collected~~  
22 ~~under Section 27.3g of the Clerks of Courts Act.~~ Moneys in the  
23 Access to Justice Fund shall be appropriated to the Attorney  
24 General for disbursements to the Foundation. The Foundation

1 shall use the moneys to make grants and distributions for the  
2 administration of the pilot programs created under this Act.  
3 Grants or distributions made under this Act to the Foundation  
4 are subject to the requirements of the Illinois Grant Funds  
5 Recovery Act.

6 (b) In accordance with the requirements of the Illinois  
7 Equal Justice Act, the Foundation may make grants, enter into  
8 contracts, and take other actions recommended by the Council to  
9 effectuate the pilot programs and comply with the other  
10 requirements of this Act.

11 (c) The governing board of the Foundation must prepare and  
12 submit an annual report to the Governor, the President of the  
13 Senate, the Minority Leader of the Senate, the Speaker of the  
14 House of Representatives, the Minority Leader of the House of  
15 Representatives, and the Justices of the Illinois Supreme  
16 Court. The report must include: (i) a statement of the total  
17 receipts and a breakdown by source during each of the previous  
18 2 calendar years; (ii) a list of the names and addresses of the  
19 recipients that are currently receiving grants or  
20 distributions and that received grants or distributions in the  
21 previous year and the amounts committed to recipients for the  
22 current year and paid in the previous year; (iii) a breakdown  
23 of the amounts of grants or distributions paid during the  
24 previous year to recipients and the amounts committed to each  
25 recipient for the current year; (iv) a breakdown of the  
26 Foundation's costs in administering the Fund; (v) a statement



1 of the Fund balance at the start and at the close of the  
2 previous year and the interest earned during the previous year;  
3 and (vi) any notices the Foundation issued denying applications  
4 for grants or distributions under this Act. The report, in its  
5 entirety, is a public record, and the Foundation and the  
6 Governor shall make the report available for inspection upon  
7 request.

8 (d) The Foundation may annually retain a portion of the  
9 disbursements it receives under this Section to reimburse the  
10 Foundation for the actual cost of administering the Council and  
11 for making the grants and distributions pursuant to this Act  
12 during that year.

13 (e) No moneys distributed by the Foundation from the Access  
14 to Justice Fund may be directly or indirectly used for lobbying  
15 activities, as defined in Section 2 of the Lobbyist  
16 Registration Act or as defined in any ordinance or resolution  
17 of a municipality, county, or other unit of local government in  
18 Illinois.

19 (f) The Foundation may make, enter into, and execute  
20 contracts, agreements, leases, and other instruments with any  
21 person, including without limitation any federal, State, or  
22 local governmental agency, and may take other actions that may  
23 be necessary or convenient to accomplish any purpose authorized  
24 by this Act.

25 (g) The Foundation has the authority to receive and accept  
26 any and all grants, loans, subsidies, matching funds,

1 reimbursements, federal grant moneys, fees for services, and  
2 other things of value from the federal or State government or  
3 any agency of any other state or from any institution, person,  
4 firm, or corporation, public or private, to be used to carry  
5 out the purposes of this Act.

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

7 Section 3-15. The Clerks of Courts Act is amended by  
8 changing Sections 27.2b and 27.3 and by adding Section 27.1b as  
9 follows:

10 (705 ILCS 105/27.1b new)

11 Sec. 27.1b. Circuit court clerk fees. Notwithstanding any  
12 other provision of law, all fees charged by the clerks of the  
13 circuit court for the services described in this Section shall  
14 be established, collected, and disbursed in accordance with  
15 this Section. All fees under this Section shall be paid in  
16 advance and disbursed by each clerk on a monthly basis. Unless  
17 otherwise specified in this Section, the amount of a fee shall  
18 be determined by ordinance or resolution of the county board  
19 and remitted to the county treasurer to be used for purposes  
20 related to the operation of the court system in the county.

21 (a) Civil cases. The fee for filing a complaint, petition,  
22 or other pleading initiating a civil action shall be as set  
23 forth in the applicable schedule under this subsection in  
24 accordance with case categories established by the Supreme

1 Court in schedules.

2 (1) SCHEDULE 1: not to exceed a total of \$289. The fees  
3 collected under this schedule shall be disbursed as  
4 follows:

5 (A) The clerk shall retain a sum, in an amount not  
6 to exceed \$45 determined by the clerk with the approval  
7 of the Supreme Court, to be used for court automation,  
8 court document storage, and administrative purposes.

9 (B) The clerk shall remit up to \$21 to the State  
10 Treasurer. The State Treasurer shall deposit the  
11 appropriate amounts, in accordance with the clerk's  
12 instructions, as follows:

13 (i) up to \$10, as specified by the Supreme  
14 Court in accordance with Part 10A of Article II of  
15 the Code of Civil Procedure, into the Mandatory  
16 Arbitration Fund;

17 (ii) \$2 into the Access to Justice Fund; and

18 (iii) \$9 into the Supreme Court Special  
19 Purposes Fund.

20 (C) The clerk shall remit a sum to the County  
21 Treasurer, in an amount not to exceed \$223 specified by  
22 ordinance or resolution passed by the county board, for  
23 purposes related to the operation of the court system  
24 in the county.

25 (2) SCHEDULE 2: not to exceed a total of \$189. The fees  
26 collected under this schedule shall be disbursed as

1       follows:

2               (A) The clerk shall retain a sum, in an amount not  
3               to exceed \$45 determined by the clerk with the approval  
4               of the Supreme Court, to be used for court automation,  
5               court document storage, and administrative purposes.

6               (B) The clerk shall remit up to \$21 to the State  
7               Treasurer. The State Treasurer shall deposit the  
8               appropriate amounts, in accordance with the clerk's  
9               instructions, as follows:

10                       (i) up to \$10, as specified by the Supreme  
11                       Court in accordance with Part 10A of Article II of  
12                       the Code of Civil Procedure, into the Mandatory  
13                       Arbitration Fund;

14                               (ii) \$2 into the Access to Justice Fund: and

15                               (iii) \$9 into the Supreme Court Special  
16                       Purposes Fund.

17               (C) The clerk shall remit a sum to the County  
18               Treasurer, in an amount not to exceed \$123 specified by  
19               ordinance or resolution passed by the county board, for  
20               purposes related to the operation of the court system  
21               in the county.

22               (3) SCHEDULE 3: not to exceed a total of \$89. The fees  
23               collected under this schedule shall be disbursed as  
24               follows:

25               (A) The clerk shall retain a sum, in an amount not  
26               to exceed \$22 determined by the clerk with the approval

1 of the Supreme Court, to be used for court automation,  
2 court document storage, and administrative purposes.

3 (B) The clerk shall remit \$11 to the State  
4 Treasurer. The State Treasurer shall deposit the  
5 appropriate amounts in accordance with the clerk's  
6 instructions, as follows:

7 (i) \$2 into the Access to Justice Fund; and

8 (ii) \$9 into the Supreme Court Special  
9 Purposes Fund.

10 (C) The clerk shall remit a sum to the County  
11 Treasurer, in an amount not to exceed \$56 specified by  
12 ordinance or resolution passed by the county board, for  
13 purposes related to the operation of the court system  
14 in the county.

15 (4) SCHEDULE 4: \$0.

16 (b) Appearance. The fee for filing an appearance in a civil  
17 action, including a cannabis civil law action under the  
18 Cannabis Control Act, shall be as set forth in the applicable  
19 schedule under this subsection in accordance with case  
20 categories established by the Supreme Court in schedules.

21 (1) SCHEDULE 1: not to exceed a total of \$149. The fees  
22 collected under this schedule shall be disbursed as  
23 follows:

24 (A) The clerk shall retain a sum, in an amount not  
25 to exceed \$28 determined by the clerk with the approval  
26 of the Supreme Court, to be used for court automation,

1 court document storage, and administrative purposes.

2 (B) The clerk shall remit up to \$21 to the State  
3 Treasurer. The State Treasurer shall deposit the  
4 appropriate amounts, in accordance with the clerk's  
5 instructions, as follows:

6 (i) up to \$10, as specified by the Supreme  
7 Court in accordance with Part 10A of Article II of  
8 the Code of Civil Procedure, into the Mandatory  
9 Arbitration Fund;

10 (ii) \$2 into the Access to Justice Fund; and

11 (iii) \$9 into the Supreme Court Special  
12 Purposes Fund.

13 (C) The clerk shall remit a sum to the County  
14 Treasurer, in an amount not to exceed \$100 specified by  
15 ordinance or resolution passed by the county board, for  
16 purposes related to the operation of the court system  
17 in the county.

18 (2) SCHEDULE 2: not to exceed a total of \$49. The fees  
19 collected under this schedule shall be disbursed as  
20 follows:

21 (A) The clerk shall retain a sum, in an amount not  
22 to exceed \$10 determined by the clerk with the approval  
23 of the Supreme Court, to be used for court automation,  
24 court document storage, and administrative purposes.

25 (B) The clerk shall remit \$9 to the State  
26 Treasurer, which the State Treasurer shall deposit

1           into the Supreme Court Special Purpose Fund.

2           (C) The clerk shall remit a sum to the County  
3           Treasurer, in an amount not to exceed \$30 specified by  
4           ordinance or resolution passed by the county board, for  
5           purposes related to the operation of the court system  
6           in the county.

7           (3) SCHEDULE 3: \$0.

8           (c) Counterclaim or third party complaint. When any  
9           defendant files a counterclaim or third party complaint, as  
10          part of the defendant's answer or otherwise, the defendant  
11          shall pay a filing fee for each counterclaim or third party  
12          complaint in an amount equal to the filing fee the defendant  
13          would have had to pay had the defendant brought a separate  
14          action for the relief sought in the counterclaim or third party  
15          complaint, less the amount of the appearance fee, if any, that  
16          the defendant has already paid in the action in which the  
17          counterclaim or third party complaint is filed.

18          (d) Alias summons. The clerk shall collect a fee not to  
19          exceed \$5 for each alias summons or citation issued by the  
20          clerk.

21          (e) Jury services. The clerk shall collect, in addition to  
22          other fees allowed by law, a sum not to exceed \$212.50, as a  
23          fee for the services of a jury in every civil action not  
24          quasi-criminal in its nature and not a proceeding for the  
25          exercise of the right of eminent domain and in every other  
26          action wherein the right of trial by jury is or may be given by

1 law. The jury fee shall be paid by the party demanding a jury  
2 at the time of filing the jury demand. If the fee is not paid by  
3 either party, no jury shall be called in the action or  
4 proceeding, and the action or proceeding shall be tried by the  
5 court without a jury.

6 (f) Change of venue. In connection with a change of venue:

7 (1) The clerk of the jurisdiction from which the case  
8 is transferred may charge a fee, not to exceed \$40, for the  
9 preparation and certification of the record; and

10 (2) The clerk of the jurisdiction to which the case is  
11 transferred may charge the same filing fee as if it were  
12 the commencement of a new suit.

13 (g) Petition to vacate or modify.

14 (1) In a proceeding involving a petition to vacate or  
15 modify any final judgment or order filed within 30 days  
16 after the judgment or order was entered, except for a  
17 forcible entry and detainer case, small claims case,  
18 petition to reopen an estate, petition to modify,  
19 terminate, or enforce a judgment or order for child or  
20 spousal support, or petition to modify, suspend, or  
21 terminate an order for withholding, the fee shall not  
22 exceed \$50.

23 (2) In a proceeding involving a petition to vacate or  
24 modify any final judgment or order filed more than 30 days  
25 after the judgment or order was entered, except for a  
26 petition to modify, terminate, or enforce a judgment or



1 order for child or spousal support, or petition to modify,  
2 suspend, or terminate an order for withholding, the fee  
3 shall not exceed \$75.

4 (3) In a proceeding involving a motion to vacate or  
5 amend a final order, motion to vacate an ex parte judgment,  
6 judgment of forfeiture, or "failure to appear" or "failure  
7 to comply" notices sent to the Secretary of State, the fee  
8 shall equal \$40.

9 (h) Appeals preparation. The fee for preparation of a  
10 record on appeal shall be based on the number of pages, as  
11 follows:

12 (1) if the record contains no more than 100 pages, the  
13 fee shall not exceed \$50;

14 (2) if the record contains between 100 and 200 pages,  
15 the fee shall not exceed \$100; and

16 (3) if the record contains 200 or more pages, the clerk  
17 may collect an additional fee not to exceed 25 cents per  
18 page.

19 (i) Remands. In any cases remanded to the circuit court  
20 from the Supreme Court or the appellate court for a new trial,  
21 the clerk shall reinstate the case with either its original  
22 number or a new number. The clerk shall not charge any new or  
23 additional fee for the reinstatement. Upon reinstatement, the  
24 clerk shall advise the parties of the reinstatement. Parties  
25 shall have the same right to a jury trial on remand and  
26 reinstatement that they had before the appeal, and no

1 additional or new fee or charge shall be made for a jury trial  
2 after remand.

3 (j) Garnishment, wage deduction, and citation. In  
4 garnishment affidavit, wage deduction affidavit, and citation  
5 petition proceedings:

6 (1) if the amount in controversy in the proceeding is  
7 not more than \$1,000, the fee may not exceed \$15;

8 (2) if the amount in controversy in the proceeding is  
9 greater than \$1,000 and not more than \$5,000, the fee may  
10 not exceed \$30; and

11 (3) if the amount in controversy in the proceeding is  
12 greater than \$5,000, the fee may not exceed \$50.

13 (k) Collections.

14 (1) For all collections made of others, except the  
15 State and county and except in maintenance or child support  
16 cases, the clerk may collect a fee of up to 2.5% of the  
17 amount collected and turned over.

18 (2) In child support and maintenance cases, the clerk  
19 may collect an annual fee of up to \$36 from the person  
20 making payment for maintaining child support records and  
21 the processing of support orders to the State of Illinois  
22 KIDS system and the recording of payments issued by the  
23 State Disbursement Unit for the official record of the  
24 Court. This fee is in addition to and separate from amounts  
25 ordered to be paid as maintenance or child support and  
26 shall be deposited into a Separate Maintenance and Child

1       Support Collection Fund, of which the clerk shall be the  
2       custodian, ex officio, to be used by the clerk to maintain  
3       child support orders and record all payments issued by the  
4       State Disbursement Unit for the official record of the  
5       Court. The clerk may recover from the person making the  
6       maintenance or child support payment any additional cost  
7       incurred in the collection of this annual fee.

8           (3) The clerk may collect a fee of \$5 for  
9       certifications made to the Secretary of State as provided  
10       in Section 7-703 of the Family Financial Responsibility Law  
11       and these fees shall be deposited into the Separate  
12       Maintenance and Child Support Collection Fund.

13       (1) Mailing. The fee for the clerk mailing documents shall  
14       not exceed \$10 plus the cost of postage.

15       (m) Certified copies. The fee for each certified copy of a  
16       judgment, after the first copy, shall not exceed \$10.

17       (n) Certification, authentication, and reproduction.

18           (1) The fee for each certification or authentication  
19       for taking the acknowledgment of a deed or other instrument  
20       in writing with the seal of office shall not exceed \$6.

21           (2) The fee for reproduction of any document contained  
22       in the clerk's files shall not exceed:

23                   (A) \$2 for the first page;

24                   (B) 50 cents per page for the next 19 pages; and

25                   (C) 25 cents per page for all additional pages.

26       (o) Record search. For each record search, within a

1 division or municipal district, the clerk may collect a search  
2 fee not to exceed \$6 for each year searched.

3 (p) Hard copy. For each page of hard copy print output,  
4 when case records are maintained on an automated medium, the  
5 clerk may collect a fee not to exceed \$6.

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

15 (r) Performing a marriage. There shall be a \$10 fee for  
16 performing a marriage in court.

17 (s) Voluntary assignment. For filing each deed of voluntary  
18 assignment, the clerk shall collect a fee not to exceed \$20.  
19 For recording a deed of voluntary assignment, the clerk shall  
20 collect a fee not to exceed 50 cents for each 100 words.  
21 Exceptions filed to claims presented to an assignee of a debtor  
22 who has made a voluntary assignment for the benefit of  
23 creditors shall be considered and treated, for the purpose of  
24 taxing costs therein, as actions in which the party or parties  
25 filing the exceptions shall be considered as party or parties  
26 plaintiff, and the claimant or claimants as party or parties

1 defendant, and those parties respectively shall pay to the  
2 clerk the same fees as provided by this Section to be paid in  
3 other actions.

4 (t) Expungement petition. The clerk may collect a fee not  
5 to exceed \$60 for each expungement petition filed and an  
6 additional fee not to exceed \$4 for each certified copy of an  
7 order to expunge arrest records.

8 (u) Transcripts of judgment. For the filing of a transcript  
9 of judgment, the clerk may collect the same fee as if it were  
10 the commencement of a new suit.

11 (v) Probate filings.

12 (1) For each account (other than one final account)  
13 filed in the estate of a decedent, or ward, the fee shall  
14 not exceed \$25.

15 (2) For filing a claim in an estate when the amount  
16 claimed is greater than \$150 and not more than \$500, the  
17 fee shall not exceed \$25; when the amount claimed is  
18 greater than \$500 and not more than \$10,000, the fee shall  
19 not exceed \$40; and when the amount claimed is more than  
20 \$10,000, the fee shall not exceed \$60; except the court in  
21 allowing a claim may add to the amount allowed the filing  
22 fee paid by the claimant.

23 (3) For filing in an estate a claim, petition, or  
24 supplemental proceeding based upon an action seeking  
25 equitable relief including the construction or contest of a  
26 will, enforcement of a contract to make a will, and

1 proceedings involving testamentary trusts or the  
2 appointment of testamentary trustees, the fee shall not  
3 exceed \$60.

4 (4) There shall be no fee for filing in an estate: (i)  
5 the appearance of any person for the purpose of consent; or  
6 (ii) the appearance of an executor, administrator,  
7 administrator to collect, guardian, guardian ad litem, or  
8 special administrator.

9 (5) For each jury demand, the fee shall not exceed  
10 \$137.50.

11 (6) For each certified copy of letters of office, of  
12 court order, or other certification, the fee shall not  
13 exceed \$2 per page.

14 (7) For each exemplification, the fee shall not exceed  
15 \$2, plus the fee for certification.

16 (8) 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 (9) The person on whose behalf a charge is incurred for  
21 witness, court reporter, appraiser, or other miscellaneous  
22 fees shall pay the same directly to the person entitled  
23 thereto.

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

1 incurred by the clerk in mailing petitions, orders,  
2 notices, or other documents pursuant to the provisions of  
3 the Probate Act of 1975.

4 (w) Corrections of numbers. For correction of the case  
5 number, case title, or attorney computer identification  
6 number, if required by rule of court, on any document filed in  
7 the clerk's office, to be charged against the party that filed  
8 the document, the fee shall not exceed \$25.

9 (x) Miscellaneous.

10 (1) Interest earned on any fees collected by the clerk  
11 shall be turned over to the county general fund as an  
12 earning of the office.

13 (2) For any check, draft, or other bank instrument  
14 returned to the clerk for non-sufficient funds, account  
15 closed, or payment stopped, the clerk shall collect a fee  
16 of \$25.

17 (y) Other fees. The clerk of the circuit court may provide  
18 services in connection with the operation of the clerk's  
19 office, other than those services mentioned in this Section, as  
20 may be requested by the public and agreed to by the clerk and  
21 approved by the Chief Judge. Any charges for additional  
22 services shall be as agreed to between the clerk and the party  
23 making the request and approved by the Chief Judge. Nothing in  
24 this subsection shall be construed to require any clerk to  
25 provide any service not otherwise required by law.

26 (z) Exceptions.

1           (1) No fee authorized by this Section shall apply to:

2           (A) police departments or other law enforcement  
3           agencies. In this Section, "law enforcement agency"  
4           means: an agency of the State or a unit of local  
5           government which is vested by law or ordinance with the  
6           duty to maintain public order and to enforce criminal  
7           laws or ordinances; the Attorney General; or any  
8           State's Attorney;

9           (B) any unit of local government or school  
10           district;

11           (C) any action instituted under subsection (b) of  
12           Section 11-31-1 of the Illinois Municipal Code by a  
13           private owner or tenant of real property within 1,200  
14           feet of a dangerous or unsafe building seeking an order  
15           compelling the owner or owners of the building to take  
16           any of the actions authorized under that subsection;

17           (D) any commitment petition or petition for an  
18           order authorizing the administration of psychotropic  
19           medication or electroconvulsive therapy under the  
20           Mental Health and Developmental Disabilities Code;

21           (E) a petitioner in any order of protection  
22           proceeding, including, but not limited to, fees for  
23           filing, modifying, withdrawing, certifying, or  
24           photocopying petitions for orders of protection,  
25           issuing alias summons, any related filing service, or  
26           certifying, modifying, vacating, or photocopying any



1           orders of protection; or

2           (F) proceedings for the appointment of a  
3           confidential intermediary under the Adoption Act.

4           (2) No fee other than the filing fee contained in the  
5           applicable schedule in subsection (a) shall be charged to  
6           any person in connection with an adoption proceeding.

7           (3) Upon good cause shown, the court may waive any fees  
8           associated with a special needs adoption. The term "special  
9           needs adoption" has the meaning provided by the Illinois  
10           Department of Children and Family Services.

11           (705 ILCS 105/27.2b)

12           Sec. 27.2b. State income tax refund intercept. The Clerk  
13 of the Circuit Court may enter into an agreement with the  
14 Illinois Department of Revenue to establish a pilot program for  
15 the purpose of collecting certain fees. The purpose shall be to  
16 intercept, in whole or in part, State income tax refunds due  
17 the persons who owe past due fees to the Clerk of the Circuit  
18 Court in order to satisfy unpaid assessments under the Criminal  
19 and Traffic Assessment Act ~~fees pursuant to the fee~~  
20 ~~requirements of Sections 27.1a, 27.2, and 27.2a of this Act.~~  
21 The agreement shall include, but may not be limited to, a  
22 certification by the Clerk of the Circuit Court that the debt  
23 claims forwarded to the Department of Revenue are valid and  
24 that reasonable efforts have been made to notify persons of the  
25 delinquency of the debt. The agreement shall include provisions

1 for payment of the intercept by the Department of Revenue to  
 2 the Clerk of the Circuit Court and procedures for an  
 3 appeal/protest by the debtor when an intercept occurs. The  
 4 agreement may also include provisions to allow the Department  
 5 of Revenue to recover its cost for administering the program.

6 Intercepts made pursuant to this Section shall not  
 7 interfere with the collection of debts related to child  
 8 support. During the collection of debts under this Section,  
 9 when there are 2 or more debt claims certified to the  
 10 Department at the same time, priority of collection shall be as  
 11 provided in Section 911.3 of the Illinois Income Tax Act.

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

13 (705 ILCS 105/27.3) (from Ch. 25, par. 27.3)

14 Sec. 27.3. Compensation.

15 (a) The county board shall provide the compensation of  
 16 Clerks of the Circuit Court, and the amount necessary for clerk  
 17 hire, stationery, fuel and other expenses. Beginning December  
 18 1, 1989, the compensation per annum for Clerks of the Circuit  
 19 Court shall be as follows:

20 In counties where the population is:

21	Less than 14,000 .....	at least \$13,500
22	14,001-30,000.....	at least \$14,500
23	30,001-60,000.....	at least \$15,000
24	60,001-100,000 .....	at least \$15,000
25	100,001-200,000.....	at least \$16,500

1	200,001-300,000.....	at least \$18,000
2	300,001- 3,000,000 .....	at least \$20,000
3	Over 3,000,000 .....	at least \$55,000

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

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

10 (1) Beginning December 1, 1989, base salary plus at  
11 least 3% of base salary.

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

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

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

18 (d) In addition to the compensation provided by the county  
19 board, each Clerk of the Circuit Court shall receive an award  
20 from the State for the additional duties imposed by Sections  
21 5-9-1 and 5-9-1.2 of the Unified Code of Corrections, Section  
22 10 of the Violent Crime Victims Assistance Act, ~~Section 16-104a~~  
23 ~~of the Illinois Vehicle Code,~~ and other laws, in the following  
24 amount:

25 (1) \$3,500 per year before January 1, 1997.

26 (2) \$4,500 per year beginning January 1, 1997.

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

2 (4) \$6,500 per year beginning January 1, 1999.

3 The total amount required for such awards shall be appropriated  
4 each year by the General Assembly to the Supreme Court, which  
5 shall distribute such awards in annual lump sum payments to the  
6 Clerks of the Circuit Court in all counties. This annual award,  
7 and any other award or stipend paid out of State funds to the  
8 Clerks of the Circuit Court, shall not affect any other  
9 compensation provided by law to be paid to Clerks of the  
10 Circuit Court.

11 (e) (Blank).

12 (f) No county board may reduce or otherwise impair the  
13 compensation payable from county funds to a Clerk of the  
14 Circuit Court if the reduction or impairment is the result of  
15 the Clerk of the Circuit Court receiving an award or stipend  
16 payable from State funds.

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

18 Section 3-17. The Juvenile Court Act of 1987 is amended by  
19 changing Section 5-915 as follows:

20 (705 ILCS 405/5-915)

21 Sec. 5-915. Expungement of juvenile law enforcement and  
22 court records.

23 (0.05) For purposes of this Section and Section 5-622:

24 "Expunge" means to physically destroy the records and

1 to obliterate the minor's name from any official index or  
2 public record, or both. Nothing in this Act shall require  
3 the physical destruction of the internal office records,  
4 files, or databases maintained by a State's Attorney's  
5 Office or other prosecutor.

6 "Law enforcement record" includes but is not limited to  
7 records of arrest, station adjustments, fingerprints,  
8 probation adjustments, the issuance of a notice to appear,  
9 or any other records maintained by a law enforcement agency  
10 relating to a minor suspected of committing an offense.

11 (1) Whenever a person has been arrested, charged, or  
12 adjudicated delinquent for an incident occurring before his or  
13 her 18th birthday that if committed by an adult would be an  
14 offense, the person may petition the court at any time for  
15 expungement of law enforcement records and juvenile court  
16 records relating to the incident and, upon termination of all  
17 juvenile court proceedings relating to that incident, the court  
18 shall order the expungement of all records in the possession of  
19 the Department of State Police, the clerk of the circuit court,  
20 and law enforcement agencies relating to the incident, but only  
21 in any of the following circumstances:

22 (a) the minor was arrested and no petition for  
23 delinquency was filed with the clerk of the circuit court;

24 (a-5) the minor was charged with an offense and the  
25 petition or petitions were dismissed without a finding of  
26 delinquency;

1 (b) the minor was charged with an offense and was found  
2 not delinquent of that offense;

3 (c) the minor was placed under supervision pursuant to  
4 Section 5-615, and the order of supervision has since been  
5 successfully terminated; or

6 (d) the minor was adjudicated for an offense which  
7 would be a Class B misdemeanor, Class C misdemeanor, or a  
8 petty or business offense if committed by an adult.

9 (1.5) Commencing 180 days after January 1, 2015 (the  
10 effective date of Public Act 98-637) ~~this amendatory Act of the~~  
11 ~~98th General Assembly~~, the Department of State Police shall  
12 automatically expunge, on or before January 1 of each year, a  
13 person's law enforcement records which are not subject to  
14 subsection (1) relating to incidents occurring before his or  
15 her 18th birthday in the Department's possession or control and  
16 which contains the final disposition which pertain to the  
17 person when arrested as a minor if:

18 (a) the minor was arrested for an eligible offense and  
19 no petition for delinquency was filed with the clerk of the  
20 circuit court; and

21 (b) the person attained the age of 18 years during the  
22 last calendar year; and

23 (c) since the date of the minor's most recent arrest,  
24 at least 6 months have elapsed without an additional  
25 arrest, filing of a petition for delinquency whether  
26 related or not to a previous arrest, or filing of charges

1 not initiated by arrest.

2 The Department of State Police shall allow a person to use  
3 the Access and Review process, established in the Department of  
4 State Police, for verifying that his or her law enforcement  
5 records relating to incidents occurring before his or her 18th  
6 birthday eligible under this subsection have been expunged as  
7 provided in this subsection.

8 The Department of State Police shall provide by rule the  
9 process for access, review, and automatic expungement.

10 (1.6) Commencing on January 1, 2015 (the effective date of  
11 Public Act 98-637) ~~this amendatory Act of the 98th General~~  
12 ~~Assembly~~, a person whose law enforcement records are not  
13 subject to subsection (1) or (1.5) of this Section and who has  
14 attained the age of 18 years may use the Access and Review  
15 process, established in the Department of State Police, for  
16 verifying his or her law enforcement records relating to  
17 incidents occurring before his or her 18th birthday in the  
18 Department's possession or control which pertain to the person  
19 when arrested as a minor, if the incident occurred no earlier  
20 than 30 years before January 1, 2015 (the effective date of  
21 Public Act 98-637) ~~this amendatory Act of the 98th General~~  
22 ~~Assembly~~. If the person identifies a law enforcement record of  
23 an eligible offense that meets the requirements of this  
24 subsection, paragraphs (a) and (c) of subsection (1.5) of this  
25 Section, and all juvenile court proceedings related to the  
26 person have been terminated, the person may file a Request for

1 Expungement of Juvenile Law Enforcement Records, in the form  
2 and manner prescribed by the Department of State Police, with  
3 the Department and the Department shall consider expungement of  
4 the record as otherwise provided for automatic expungement  
5 under subsection (1.5) of this Section. The person shall  
6 provide notice and a copy of the Request for Expungement of  
7 Juvenile Law Enforcement Records to the arresting agency,  
8 prosecutor charged with the prosecution of the minor, or the  
9 State's Attorney of the county that prosecuted the minor. The  
10 Department of State Police shall provide by rule the process  
11 for access, review, and Request for Expungement of Juvenile Law  
12 Enforcement Records.

13 (1.7) Nothing in subsections (1.5) and (1.6) of this  
14 Section precludes a person from filing a petition under  
15 subsection (1) for expungement of records subject to automatic  
16 expungement under that subsection (1) or subsection (1.5) or  
17 (1.6) of this Section.

18 (1.8) For the purposes of subsections (1.5) and (1.6) of  
19 this Section, "eligible offense" means records relating to an  
20 arrest or incident occurring before the person's 18th birthday  
21 that if committed by an adult is not an offense classified as a  
22 Class 2 felony or higher offense, an offense under Article 11  
23 of the Criminal Code of 1961 or the Criminal Code of 2012, or  
24 an offense under Section 12-13, 12-14, 12-14.1, 12-15, or 12-16  
25 of the Criminal Code of 1961.

26 (2) Any person may petition the court to expunge all law



1 enforcement records relating to any incidents occurring before  
2 his or her 18th birthday which did not result in proceedings in  
3 criminal court and all juvenile court records with respect to  
4 any adjudications except those based upon first degree murder  
5 and sex offenses which would be felonies if committed by an  
6 adult, if the person for whom expungement is sought has had no  
7 convictions for any crime since his or her 18th birthday and:

8 (a) has attained the age of 21 years; or

9 (b) 5 years have elapsed since all juvenile court  
10 proceedings relating to him or her have been terminated or  
11 his or her commitment to the Department of Juvenile Justice  
12 pursuant to this Act has been terminated;

13 whichever is later of (a) or (b). Nothing in this Section 5-915  
14 precludes a minor from obtaining expungement under Section  
15 5-622.

16 (2.5) If a minor is arrested and no petition for  
17 delinquency is filed with the clerk of the circuit court as  
18 provided in paragraph (a) of subsection (1) at the time the  
19 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 has a right to  
23 petition to have his or her arrest record expunged when all  
24 juvenile court proceedings relating to that minor have been  
25 terminated and that unless a petition to expunge is filed, the  
26 minor shall have an arrest record and shall provide the minor

1 and the minor's parents or guardians with an expungement  
2 information packet, including a petition to expunge juvenile  
3 records obtained from the clerk of the circuit court.

4 (2.6) If a minor is charged with an offense and is found  
5 not delinquent of that offense; or if a minor is placed under  
6 supervision under Section 5-615, and the order of supervision  
7 is successfully terminated; or if a minor is adjudicated for an  
8 offense that would be a Class B misdemeanor, a Class C  
9 misdemeanor, or a business or petty offense if committed by an  
10 adult; or if a minor has incidents occurring before his or her  
11 18th birthday that have not resulted in proceedings in criminal  
12 court, or resulted in proceedings in juvenile court, and the  
13 adjudications were not based upon first degree murder or sex  
14 offenses that would be felonies if committed by an adult; then  
15 at the time of sentencing or dismissal of the case, the judge  
16 shall inform the delinquent minor of his or her right to  
17 petition for expungement as provided by law, and the clerk of  
18 the circuit court shall provide an expungement information  
19 packet to the delinquent minor, written in plain language,  
20 including a petition for expungement, a sample of a completed  
21 petition, expungement instructions that shall include  
22 information informing the minor that (i) once the case is  
23 expunged, it shall be treated as if it never occurred, (ii) he  
24 or she may apply to have petition fees waived, (iii) once he or  
25 she obtains an expungement, he or she may not be required to  
26 disclose that he or she had a juvenile record, and (iv) he or

1 she may file the petition on his or her own or with the  
 2 assistance of an attorney. The failure of the judge to inform  
 3 the delinquent minor of his or her right to petition for  
 4 expungement as provided by law does not create a substantive  
 5 right, nor is that failure grounds for: (i) a reversal of an  
 6 adjudication of delinquency, (ii) a new trial; or (iii) an  
 7 appeal.

8 (2.7) For counties with a population over 3,000,000, the  
 9 clerk of the circuit court shall send a "Notification of a  
 10 Possible Right to Expungement" post card to the minor at the  
 11 address last received by the clerk of the circuit court on the  
 12 date that the minor attains the age of 18 based on the  
 13 birthdate provided to the court by the minor or his or her  
 14 guardian in cases under paragraphs (b), (c), and (d) of  
 15 subsection (1); and when the minor attains the age of 21 based  
 16 on the birthdate provided to the court by the minor or his or  
 17 her guardian in cases under subsection (2).

18 (2.8) The petition for expungement for subsection (1) may  
 19 include multiple offenses on the same petition and shall be  
 20 substantially in the following form:

21 IN THE CIRCUIT COURT OF ....., ILLINOIS  
 22 ..... JUDICIAL CIRCUIT

23 IN THE INTEREST OF ) NO.  
 24 )  
 25 )

1 .....)

2 (Name of Petitioner)

3 PETITION TO EXPUNGE JUVENILE RECORDS

4 (705 ILCS 405/5-915 (SUBSECTION 1))

5 Now comes ....., petitioner, and respectfully requests  
6 that this Honorable Court enter an order expunging all juvenile  
7 law enforcement and court records of petitioner and in support  
8 thereof states that: Petitioner has attained the age of .....,  
9 his/her birth date being ....., or all Juvenile Court  
10 proceedings terminated as of ....., whichever occurred later.  
11 Petitioner was arrested on ..... by the ..... Police  
12 Department for the offense or offenses of ....., and:

13 (Check All That Apply:)

14 ( ) a. no petition or petitions were filed with the Clerk of  
15 the Circuit Court.

16 ( ) b. was charged with ..... and was found not delinquent of  
17 the offense or offenses.

18 ( ) c. a petition or petitions were filed and the petition or  
19 petitions were dismissed without a finding of delinquency on  
20 .....

21 ( ) d. on ..... placed under supervision pursuant to Section  
22 5-615 of the Juvenile Court Act of 1987 and such order of  
23 supervision successfully terminated on .....

24 ( ) e. was adjudicated for the offense or offenses, which would  
25 have been a Class B misdemeanor, a Class C misdemeanor, or a

1 petty offense or business offense if committed by an adult.  
 2 Petitioner .... has .... has not been arrested on charges in  
 3 this or any county other than the charges listed above. If  
 4 petitioner has been arrested on additional charges, please list  
 5 the charges below:

6 Charge(s) : .....

7 Arresting Agency or Agencies: .....

8 Disposition/Result: (choose from a. through e., above): .....

9 WHEREFORE, the petitioner respectfully requests this Honorable  
 10 Court to (1) order all law enforcement agencies to expunge all  
 11 records of petitioner to this incident or incidents, and (2) to  
 12 order the Clerk of the Court to expunge all records concerning  
 13 the petitioner regarding this incident or incidents.

14 .....  
 15 Petitioner (Signature)

16 .....  
 17 Petitioner's Street Address

18 .....  
 19 City, State, Zip Code

20 .....  
 21 Petitioner's Telephone Number

1 Pursuant to the penalties of perjury under the Code of Civil  
2 Procedure, 735 ILCS 5/1-109, I hereby certify that the  
3 statements in this petition are true and correct, or on  
4 information and belief I believe the same to be true.

5 .....  
6 Petitioner (Signature)

7 The Petition for Expungement for subsection (2) shall be  
8 substantially in the following form:

9 IN THE CIRCUIT COURT OF ....., ILLINOIS  
10 ..... JUDICIAL CIRCUIT

11 IN THE INTEREST OF ) NO.  
12 )  
13 )  
14 .....)  
15 (Name of Petitioner)

16 PETITION TO EXPUNGE JUVENILE RECORDS  
17 (705 ILCS 405/5-915 (SUBSECTION 2))

18 (Please prepare a separate petition for each offense)  
19 Now comes ....., petitioner, and respectfully requests  
20 that this Honorable Court enter an order expunging all Juvenile  
21 Law Enforcement and Court records of petitioner and in support  
22 thereof states that:

1 The incident for which the Petitioner seeks expungement  
2 occurred before the Petitioner's 18th birthday and did not  
3 result in proceedings in criminal court and the Petitioner has  
4 not had any convictions for any crime since his/her 18th  
5 birthday; and

6 The incident for which the Petitioner seeks expungement  
7 occurred before the Petitioner's 18th birthday and the  
8 adjudication was not based upon first degree ~~first degree~~  
9 murder or sex offenses which would be felonies if committed by  
10 an adult, and the Petitioner has not had any convictions for  
11 any crime since his/her 18th birthday.

12 Petitioner was arrested on ..... by the ..... Police  
13 Department for the offense of ....., and:

14 (Check whichever one occurred the latest:)

15 ( ) a. The Petitioner has attained the age of 21 years, his/her  
16 birthday being .....; or

17 ( ) b. 5 years have elapsed since all juvenile court  
18 proceedings relating to the Petitioner have been terminated; or  
19 the Petitioner's commitment to the Department of Juvenile  
20 Justice pursuant to the expungement of juvenile law enforcement  
21 and court records provisions of the Juvenile Court Act of 1987  
22 has been terminated. Petitioner ...has ...has not been arrested  
23 on charges in this or any other county other than the charge  
24 listed above. If petitioner has been arrested on additional  
25 charges, please list the charges below:

26 Charge(s): .....

1 Arresting Agency or Agencies: .....

2 Disposition/Result: (choose from a or b, above): .....

3 WHEREFORE, the petitioner respectfully requests this Honorable  
4 Court to (1) order all law enforcement agencies to expunge all  
5 records of petitioner related to this incident, and (2) to  
6 order the Clerk of the Court to expunge all records concerning  
7 the petitioner regarding this incident.

8 .....

9 Petitioner (Signature)

10 .....

11 Petitioner's Street Address

12 .....

13 City, State, Zip Code

14 .....

15 Petitioner's Telephone Number

16 Pursuant to the penalties of perjury under the Code of Civil  
17 Procedure, 735 ILCS 5/1-109, I hereby certify that the  
18 statements in this petition are true and correct, or on  
19 information and belief I believe the same to be true.

20 .....

21 Petitioner (Signature)

22 (3) The chief judge of the circuit in which an arrest was



1 made or a charge was brought or any judge of that circuit  
2 designated by the chief judge may, upon verified petition of a  
3 person who is the subject of an arrest or a juvenile court  
4 proceeding under subsection (1) or (2) of this Section, order  
5 the law enforcement records or official court file, or both, to  
6 be expunged from the official records of the arresting  
7 authority, the clerk of the circuit court and the Department of  
8 State Police. The person whose records are to be expunged shall  
9 petition the court using the appropriate form containing his or  
10 her current address and shall promptly notify the clerk of the  
11 circuit court of any change of address. Notice of the petition  
12 shall be served upon the State's Attorney or prosecutor charged  
13 with the duty of prosecuting the offense, the Department of  
14 State Police, and the arresting agency or agencies by the clerk  
15 of the circuit court. If an objection is filed within 45 days  
16 of the notice of the petition, the clerk of the circuit court  
17 shall set a date for hearing after the 45-day ~~45-day~~ objection  
18 period. At the hearing the court shall hear evidence on whether  
19 the expungement should or should not be granted. Unless the  
20 State's Attorney or prosecutor, the Department of State Police,  
21 or an arresting agency objects to the expungement within 45  
22 days of the notice, the court may enter an order granting  
23 expungement. The clerk shall forward a certified copy of the  
24 order to the Department of State Police and deliver a certified  
25 copy of the order to the arresting agency.

26 (3.1) The Notice of Expungement shall be in substantially

1 the following form:

2 IN THE CIRCUIT COURT OF ....., ILLINOIS

3 ..... JUDICIAL CIRCUIT

4 IN THE INTEREST OF ) NO.

5 )

6 )

7 .....)

8 (Name of Petitioner)

9 NOTICE

10 TO: State's Attorney

11 TO: Arresting Agency

12 .....

13 .....

14 .....

15 .....

16 .....

17 .....

18 TO: Illinois State Police

19 .....

20 .....

21 .....

22 .....

23 ATTENTION: Expungement

24 You are hereby notified that on ....., at ....., in courtroom



1 Signature

2 Clerk of the Circuit Court or Deputy Clerk

3 Printed Name of Delinquent Minor/Petitioner: ....

4 Address: .....

5 Telephone Number: .....

6 (3.2) The Order of Expungement shall be in substantially  
7 the following form:

8 IN THE CIRCUIT COURT OF ....., ILLINOIS

9 .... JUDICIAL CIRCUIT

10 IN THE INTEREST OF ) NO.

11 )

12 )

13 .....)

14 (Name of Petitioner)

15 DOB .....

16 Arresting Agency/Agencies .....

17 ORDER OF EXPUNGEMENT

18 (705 ILCS 405/5-915 (SUBSECTION 3))

19 This matter having been heard on the petitioner's motion and  
20 the court being fully advised in the premises does find that  
21 the petitioner is indigent or has presented reasonable cause to  
22 waive all costs in this matter, IT IS HEREBY ORDERED that:

23 ( ) 1. Clerk of Court and Department of State Police costs  
24 are hereby waived in this matter.



1 (Name of Petitioner)

2 NOTICE OF OBJECTION

3 TO: (Attorney, Public Defender, Minor)

4 .....

5 .....

6 TO: (Illinois State Police)

7 .....

8 .....

9 TO: (Clerk of the Court)

10 .....

11 .....

12 TO: (Judge)

13 .....

14 .....

15 TO: (Arresting Agency/Agencies)

16 .....

17 .....

18 ATTENTION: You are hereby notified that an objection has been  
19 filed by the following entity regarding the above-named minor's  
20 petition for expungement of juvenile records:

21 ( ) State's Attorney's Office;

22 ( ) Prosecutor (other than State's Attorney's Office) charged  
23 with the duty of prosecuting the offense sought to be expunged;

24 ( ) Department of Illinois State Police; or

25 ( ) Arresting Agency or Agencies.

1 The agency checked above respectfully requests that this case  
2 be continued and set for hearing on whether the expungement  
3 should or should not be granted.

4 DATED: .....

5 Name:

6 Attorney For:

7 Address:

8 City/State/Zip:

9 Telephone:

10 Attorney No.:

11 FOR USE BY CLERK OF THE COURT PERSONNEL ONLY

12 This matter has been set for hearing on the foregoing  
13 objection, on ..... in room ....., located at ....., before the  
14 Honorable ....., Judge, or any judge sitting in his/her stead.

15 (Only one hearing shall be set, regardless of the number of  
16 Notices of Objection received on the same case).

17 A copy of this completed Notice of Objection containing the  
18 court date, time, and location, has been sent via regular U.S.  
19 Mail to the following entities. (If more than one Notice of  
20 Objection is received on the same case, each one must be  
21 completed with the court date, time and location and mailed to  
22 the following entities):

23 ( ) Attorney, Public Defender or Minor;

24 ( ) State's Attorney's Office;

25 ( ) Prosecutor (other than State's Attorney's Office) charged  
26 with the duty of prosecuting the offense sought to be expunged;

1 ( ) Department of Illinois State Police; and

2 ( ) Arresting agency or agencies.

3 Date: .....

4 Initials of Clerk completing this section: .....

5 (4) Upon entry of an order expunging records or files, the  
6 offense, which the records or files concern shall be treated as  
7 if it never occurred. Law enforcement officers and other public  
8 offices and agencies shall properly reply on inquiry that no  
9 record or file exists with respect to the person.

10 (5) Records which have not been expunged are sealed, and  
11 may be obtained only under the provisions of Sections 5-901,  
12 5-905, and 5-915.

13 (6) Nothing in this Section shall be construed to prohibit  
14 the maintenance of information relating to an offense after  
15 records or files concerning the offense have been expunged if  
16 the information is kept in a manner that does not enable  
17 identification of the offender. This information may only be  
18 used for statistical and bona fide research purposes.

19 (6.5) The Department of State Police or any employee of the  
20 Department shall be immune from civil or criminal liability for  
21 failure to expunge any records of arrest that are subject to  
22 expungement under subsection (1.5) or (1.6) of this Section  
23 because of inability to verify a record. Nothing in subsection  
24 (1.5) or (1.6) of this Section shall create Department of State  
25 Police liability or responsibility for the expungement of law  
26 enforcement records it does not possess.



1           (7) (a) The State Appellate Defender shall establish,  
2 maintain, and carry out, by December 31, 2004, a juvenile  
3 expungement program to provide information and assistance to  
4 minors eligible to have their juvenile records expunged.

5           (b) The State Appellate Defender shall develop brochures,  
6 pamphlets, and other materials in printed form and through the  
7 agency's World Wide Web site. The pamphlets and other materials  
8 shall include at a minimum the following information:

9           (i) An explanation of the State's juvenile expungement  
10 process;

11           (ii) The circumstances under which juvenile  
12 expungement may occur;

13           (iii) The juvenile offenses that may be expunged;

14           (iv) The steps necessary to initiate and complete the  
15 juvenile expungement process; and

16           (v) Directions on how to contact the State Appellate  
17 Defender.

18           (c) The State Appellate Defender shall establish and  
19 maintain a statewide toll-free telephone number that a person  
20 may use to receive information or assistance concerning the  
21 expungement of juvenile records. The State Appellate Defender  
22 shall advertise the toll-free telephone number statewide. The  
23 State Appellate Defender shall develop an expungement  
24 information packet that may be sent to eligible persons seeking  
25 expungement of their juvenile records, which may include, but  
26 is not limited to, a pre-printed expungement petition with

1 instructions on how to complete the petition and a pamphlet  
2 containing information that would assist individuals through  
3 the juvenile expungement process.

4 (d) The State Appellate Defender shall compile a statewide  
5 list of volunteer attorneys willing to assist eligible  
6 individuals through the juvenile expungement process.

7 (e) This Section shall be implemented from funds  
8 appropriated by the General Assembly to the State Appellate  
9 Defender for this purpose. The State Appellate Defender shall  
10 employ the necessary staff and adopt the necessary rules for  
11 implementation of this Section.

12 (8) (a) Except with respect to law enforcement agencies, the  
13 Department of Corrections, State's Attorneys, or other  
14 prosecutors, an expunged juvenile record may not be considered  
15 by any private or public entity in employment matters,  
16 certification, licensing, revocation of certification or  
17 licensure, or registration. Applications for employment must  
18 contain specific language that states that the applicant is not  
19 obligated to disclose expunged juvenile records of conviction  
20 or arrest. Employers may not ask if an applicant has had a  
21 juvenile record expunged. Effective January 1, 2005, the  
22 Department of Labor shall develop a link on the Department's  
23 website to inform employers that employers may not ask if an  
24 applicant had a juvenile record expunged and that application  
25 for employment must contain specific language that states that  
26 the applicant is not obligated to disclose expunged juvenile

1 records of arrest or conviction.

2 (b) A person whose juvenile records have been expunged is  
3 not entitled to remission of any fines, costs, or other money  
4 paid as a consequence of expungement. Public Act 93-912 ~~This~~  
5 ~~amendatory Act of the 93rd General Assembly~~ does not affect the  
6 right of the victim of a crime to prosecute or defend a civil  
7 action for damages.

8 (c) The expungement of juvenile records under Section 5-622  
9 shall be funded by ~~the additional fine imposed under Section~~  
10 ~~5-9-1.17 of the Unified Code of Corrections and additional~~  
11 appropriations made by the General Assembly for such purpose.

12 (9) The changes made to this Section by Public Act 98-61  
13 apply to law enforcement records of a minor who has been  
14 arrested or taken into custody on or after January 1, 2014 (the  
15 effective date of Public Act 98-61).

16 (10) The changes made in subsection (1.5) of this Section  
17 by Public Act 98-637 ~~this amendatory Act of the 98th General~~  
18 ~~Assembly~~ apply to law enforcement records of a minor who has  
19 been arrested or taken into custody on or after January 1,  
20 2015. The changes made in subsection (1.6) of this Section by  
21 Public Act 98-637 ~~this amendatory Act of the 98th General~~  
22 ~~Assembly~~ apply to law enforcement records of a minor who has  
23 been arrested or taken into custody before January 1, 2015.

24 (Source: P.A. 98-61, eff. 1-1-14; 98-637, eff. 1-1-15; 98-756,  
25 eff. 7-16-14; 99-835, eff. 1-1-17; 99-881, eff. 1-1-17; revised  
26 9-2-16.)

1 Section 3-19. The Criminal Code of 2012 is amended by  
2 changing Section 12-3.4 as follows:

3 (720 ILCS 5/12-3.4) (was 720 ILCS 5/12-30)

4 Sec. 12-3.4. Violation of an order of protection.

5 (a) A person commits violation of an order of protection  
6 if:

7 (1) He or she knowingly commits an act which was  
8 prohibited by a court or fails to commit an act which was  
9 ordered by a court in violation of:

10 (i) a remedy in a valid order of protection  
11 authorized under paragraphs (1), (2), (3), (14), or  
12 (14.5) of subsection (b) of Section 214 of the Illinois  
13 Domestic Violence Act of 1986,

14 (ii) a remedy, which is substantially similar to  
15 the remedies authorized under paragraphs (1), (2),  
16 (3), (14) or (14.5) of subsection (b) of Section 214 of  
17 the Illinois Domestic Violence Act of 1986, in a valid  
18 order of protection, which is authorized under the laws  
19 of another state, tribe or United States territory,

20 (iii) any other remedy when the act constitutes a  
21 crime against the protected parties as the term  
22 protected parties is defined in Section 112A-4 of the  
23 Code of Criminal Procedure of 1963; and

24 (2) Such violation occurs after the offender has been

1 served notice of the contents of the order, pursuant to the  
2 Illinois Domestic Violence Act of 1986 or any substantially  
3 similar statute of another state, tribe or United States  
4 territory, or otherwise has acquired actual knowledge of  
5 the contents of the order.

6 An order of protection issued by a state, tribal or  
7 territorial court related to domestic or family violence shall  
8 be deemed valid if the issuing court had jurisdiction over the  
9 parties and matter under the law of the state, tribe or  
10 territory. There shall be a presumption of validity where an  
11 order is certified and appears authentic on its face. For  
12 purposes of this Section, an "order of protection" may have  
13 been issued in a criminal or civil proceeding.

14 (a-5) Failure to provide reasonable notice and opportunity  
15 to be heard shall be an affirmative defense to any charge or  
16 process filed seeking enforcement of a foreign order of  
17 protection.

18 (b) Nothing in this Section shall be construed to diminish  
19 the inherent authority of the courts to enforce their lawful  
20 orders through civil or criminal contempt proceedings.

21 (c) The limitations placed on law enforcement liability by  
22 Section 305 of the Illinois Domestic Violence Act of 1986 apply  
23 to actions taken under this Section.

24 (d) Violation of an order of protection is a Class A  
25 misdemeanor. Violation of an order of protection is a Class 4  
26 felony if the defendant has any prior conviction under this

1 Code for domestic battery (Section 12-3.2) or violation of an  
2 order of protection (Section 12-3.4 or 12-30) or any prior  
3 conviction under the law of another jurisdiction for an offense  
4 that could be charged in this State as a domestic battery or  
5 violation of an order of protection. Violation of an order of  
6 protection is a Class 4 felony if the defendant has any prior  
7 conviction under this Code for first degree murder (Section  
8 9-1), attempt to commit first degree murder (Section 8-4),  
9 aggravated domestic battery (Section 12-3.3), aggravated  
10 battery (Section 12-3.05 or 12-4), heinous battery (Section  
11 12-4.1), aggravated battery with a firearm (Section 12-4.2),  
12 aggravated battery with a machine gun or a firearm equipped  
13 with a silencer (Section 12-4.2-5), aggravated battery of a  
14 child (Section 12-4.3), aggravated battery of an unborn child  
15 (subsection (a-5) of Section 12-3.1, or Section 12-4.4),  
16 aggravated battery of a senior citizen (Section 12-4.6),  
17 stalking (Section 12-7.3), aggravated stalking (Section  
18 12-7.4), criminal sexual assault (Section 11-1.20 or 12-13),  
19 aggravated criminal sexual assault (Section 11-1.30 or 12-14),  
20 kidnapping (Section 10-1), aggravated kidnapping (Section  
21 10-2), predatory criminal sexual assault of a child (Section  
22 11-1.40 or 12-14.1), aggravated criminal sexual abuse (Section  
23 11-1.60 or 12-16), unlawful restraint (Section 10-3),  
24 aggravated unlawful restraint (Section 10-3.1), aggravated  
25 arson (Section 20-1.1), aggravated discharge of a firearm  
26 (Section 24-1.2), or a violation of any former law of this

1 State that is substantially similar to any listed offense, or  
2 any prior conviction under the law of another jurisdiction for  
3 an offense that could be charged in this State as one of the  
4 offenses listed in this Section, when any of these offenses  
5 have been committed against a family or household member as  
6 defined in Section 112A-3 of the Code of Criminal Procedure of  
7 1963. The court shall impose a minimum penalty of 24 hours  
8 imprisonment for defendant's second or subsequent violation of  
9 any order of protection; unless the court explicitly finds that  
10 an increased penalty or such period of imprisonment would be  
11 manifestly unjust. In addition to any other penalties, the  
12 court may order the defendant to pay a fine as authorized under  
13 Section 5-9-1 of the Unified Code of Corrections or to make  
14 restitution to the victim under Section 5-5-6 of the Unified  
15 Code of Corrections. ~~In addition to any other penalties,  
16 including those imposed by Section 5-9-1.5 of the Unified Code  
17 of Corrections, the court shall impose an additional fine of  
18 \$20 as authorized by Section 5-9-1.11 of the Unified Code of  
19 Corrections upon any person convicted of or placed on  
20 supervision for a violation of this Section. The additional  
21 fine shall be imposed for each violation of this Section.~~

22 (e) (Blank).

23 (f) A defendant who directed the actions of a third party  
24 to violate this Section, under the principles of accountability  
25 set forth in Article 5 of this Code, is guilty of violating  
26 this Section as if the same had been personally done by the

1 defendant, without regard to the mental state of the third  
2 party acting at the direction of the defendant.

3 (Source: P.A. 96-1551, Article 1, Section 5, eff. 7-1-11;  
4 96-1551, Article 2, Section 1035, eff. 7-1-11; incorporates  
5 97-311, eff. 8-11-11; 97-919, eff. 8-10-12; 97-1109, eff.  
6 1-1-13.)

7 Section 3-20. The Cannabis Control Act is amended by  
8 changing Section 10.3 as follows:

9 (720 ILCS 550/10.3) (from Ch. 56 1/2, par. 710.3)

10 Sec. 10.3. (a) Every person convicted of a violation of  
11 this Act, ~~and every person placed on probation, conditional~~  
12 ~~discharge, supervision or probation under Section 10 of this~~  
13 ~~Act,~~ shall be assessed an amount as set forth in Section 2-15  
14 or 2-35 of the Criminal and Traffic Assessment Act. ~~for each~~  
15 ~~offense a sum fixed at:~~

16 ~~(1) \$3,000 for a Class X felony;~~

17 ~~(2) \$2,000 for a Class 1 felony;~~

18 ~~(3) \$1,000 for a Class 2 felony;~~

19 ~~(4) \$500 for a Class 3 or Class 4 felony;~~

20 ~~(5) \$300 for a Class A misdemeanor;~~

21 ~~(6) \$200 for a Class B or Class C misdemeanor.~~

22 (b) (Blank). ~~The assessment under this Section is in~~  
23 ~~addition to and not in lieu of any fines, restitution costs,~~  
24 ~~forfeitures or other assessments authorized or required by law.~~



1           (c) ~~As a condition of the assessment, the court may require~~  
2 ~~that payment be made in specified installments or within a~~  
3 ~~specified period of time.~~ If the assessment is not paid within  
4 the period of probation, conditional discharge or supervision  
5 to which the defendant was originally sentenced, the court may  
6 extend the period of probation, conditional discharge or  
7 supervision pursuant to Section 5-6-2 or 5-6-3.1 of the Unified  
8 Code of Corrections, as applicable, until the assessment is  
9 paid or until successful completion of public or community  
10 service set forth in subsection (e) or the successful  
11 completion of the substance abuse intervention or treatment  
12 program set forth in subsection (f). If a term of probation,  
13 conditional discharge or supervision is not imposed, the  
14 assessment shall be payable upon judgment or as directed by the  
15 court.

16           (d) (Blank). ~~If an assessment for a violation of this Act~~  
17 ~~is imposed on an organization, it is the duty of each~~  
18 ~~individual authorized to make disbursements of the assets of~~  
19 ~~the organization to pay the assessment from assets of the~~  
20 ~~organization.~~

21           (e) A defendant who has been ordered to pay an assessment  
22 may petition the court to convert all or part of the assessment  
23 into court-approved public or community service. One hour of  
24 public or community service shall be equivalent to \$4 of  
25 assessment. The performance of this public or community service  
26 shall be a condition of the probation, conditional discharge or

1 supervision and shall be in addition to the performance of any  
2 other period of public or community service ordered by the  
3 court or required by law.

4 (f) The court may suspend the collection of the assessment  
5 ~~imposed under this Section;~~ provided the defendant agrees to  
6 enter a substance abuse intervention or treatment program  
7 approved by the court; and further provided that the defendant  
8 agrees to pay for all or some portion of the costs associated  
9 with the intervention or treatment program. In this case, the  
10 collection of the assessment ~~imposed under this Section~~ shall  
11 be suspended during the defendant's participation in the  
12 approved intervention or treatment program. Upon successful  
13 completion of the program, the defendant may apply to the court  
14 to reduce the assessment ~~imposed under this Section~~ by any  
15 amount actually paid by the defendant for his participation in  
16 the program. The court shall not reduce the penalty under this  
17 subsection unless the defendant establishes to the  
18 satisfaction of the court that he has successfully completed  
19 the intervention or treatment program. If the defendant's  
20 participation is for any reason terminated before his  
21 successful completion of the intervention or treatment  
22 program, collection of the entire assessment ~~imposed under this~~  
23 ~~Section~~ shall be enforced. Nothing in this Section shall be  
24 deemed to affect or suspend any other fines, restitution costs,  
25 forfeitures or assessments imposed under this or any other Act.

26 (g) (Blank). ~~The court shall not impose more than one~~

1 ~~assessment per complaint, indictment or information. If the~~  
2 ~~person is convicted of more than one offense in a complaint,~~  
3 ~~indictment or information, the assessment shall be based on the~~  
4 ~~highest class offense for which the person is convicted.~~

5 (h) (Blank). ~~All moneys collected under this Section shall~~  
6 ~~be forwarded by the clerk of the circuit court to the State~~  
7 ~~Treasurer for deposit in the Drug Treatment Fund and expended~~  
8 ~~as provided in Section 411.2 of the Illinois Controlled~~  
9 ~~Substances Act.~~

10 (Source: P.A. 87-772.)

11 Section 3-25. The Illinois Controlled Substances Act is  
12 amended by changing Section 411.2 as follows:

13 (720 ILCS 570/411.2) (from Ch. 56 1/2, par. 1411.2)

14 Sec. 411.2. (a) Every person convicted of a violation of  
15 this Act, ~~and every person placed on probation, conditional~~  
16 ~~discharge, supervision or probation under Section 410 of this~~  
17 ~~Act,~~ shall be assessed an amount as set forth in Section 2-15  
18 or 2-35 of the Criminal and Traffic Assessment Act. ~~for each~~  
19 ~~offense a sum fixed at:~~

20 ~~(1) \$3,000 for a Class X felony;~~

21 ~~(2) \$2,000 for a Class 1 felony;~~

22 ~~(3) \$1,000 for a Class 2 felony;~~

23 ~~(4) \$500 for a Class 3 or Class 4 felony;~~

24 ~~(5) \$300 for a Class A misdemeanor;~~

1           ~~(6) \$200 for a Class B or Class C misdemeanor.~~

2           (b) (Blank). ~~The assessment under this Section is in~~  
3 ~~addition to and not in lieu of any fines, restitution costs,~~  
4 ~~forfeitures or other assessments authorized or required by law.~~

5           (c) ~~As a condition of the assessment, the court may require~~  
6 ~~that payment be made in specified installments or within a~~  
7 ~~specified period of time.~~ If the assessment is not paid within  
8 the period of probation, conditional discharge or supervision  
9 to which the defendant was originally sentenced, the court may  
10 extend the period of probation, conditional discharge or  
11 supervision pursuant to Section 5-6-2 or 5-6-3.1 of the Unified  
12 Code of Corrections, as applicable, until the assessment is  
13 paid or until successful completion of public or community  
14 service set forth in subsection (e) or the successful  
15 completion of the substance abuse intervention or treatment  
16 program set forth in subsection (f). If a term of probation,  
17 conditional discharge or supervision is not imposed, the  
18 assessment shall be payable upon judgment or as directed by the  
19 court.

20           (d) (Blank). ~~If an assessment for a violation of this Act~~  
21 ~~is imposed on an organization, it is the duty of each~~  
22 ~~individual authorized to make disbursements of the assets of~~  
23 ~~the organization to pay the assessment from assets of the~~  
24 ~~organization.~~

25           (e) A defendant who has been ordered to pay an assessment  
26 may petition the court to convert all or part of the assessment

1 into court-approved public or community service. One hour of  
2 public or community service shall be equivalent to \$4 of  
3 assessment. The performance of this public or community service  
4 shall be a condition of the probation, conditional discharge or  
5 supervision and shall be in addition to the performance of any  
6 other period of public or community service ordered by the  
7 court or required by law.

8 (f) The court may suspend the collection of the assessment  
9 ~~imposed under this Section~~; provided the defendant agrees to  
10 enter a substance abuse intervention or treatment program  
11 approved by the court; and further provided that the defendant  
12 agrees to pay for all or some portion of the costs associated  
13 with the intervention or treatment program. In this case, the  
14 collection of the assessment ~~imposed under this Section~~ shall  
15 be suspended during the defendant's participation in the  
16 approved intervention or treatment program. Upon successful  
17 completion of the program, the defendant may apply to the court  
18 to reduce the assessment ~~imposed under this Section~~ by any  
19 amount actually paid by the defendant for his or her  
20 participation in the program. The court shall not reduce the  
21 penalty under this subsection unless the defendant establishes  
22 to the satisfaction of the court that he or she has  
23 successfully completed the intervention or treatment program.  
24 If the defendant's participation is for any reason terminated  
25 before his or her successful completion of the intervention or  
26 treatment program, collection of the entire assessment ~~imposed~~

1 ~~under this Section~~ shall be enforced. Nothing in this Section  
2 shall be deemed to affect or suspend any other fines,  
3 restitution costs, forfeitures or assessments imposed under  
4 this or any other Act.

5 (g) (Blank). ~~The court shall not impose more than one~~  
6 ~~assessment per complaint, indictment or information. If the~~  
7 ~~person is convicted of more than one offense in a complaint,~~  
8 ~~indictment or information, the assessment shall be based on the~~  
9 ~~highest class offense for which the person is convicted.~~

10 (h) The ~~In counties under 3,000,000, all moneys collected~~  
11 ~~under this Section shall be forwarded by the clerk of the~~  
12 ~~circuit court to the State Treasurer for deposit in the Drug~~  
13 ~~Treatment Fund, which~~ is hereby established as a special fund  
14 within the State Treasury. The Department of Human Services may  
15 make grants to persons licensed under Section 15-10 of the  
16 Alcoholism and Other Drug Abuse and Dependency Act or to  
17 municipalities or counties from funds appropriated to the  
18 Department from the Drug Treatment Fund for the treatment of  
19 pregnant women who are addicted to alcohol, cannabis or  
20 controlled substances and for the needed care of minor,  
21 unemancipated children of women undergoing residential drug  
22 treatment. If the Department of Human Services grants funds to  
23 a municipality or a county that the Department determines is  
24 not experiencing a problem with pregnant women addicted to  
25 alcohol, cannabis or controlled substances, or with care for  
26 minor, unemancipated children of women undergoing residential

1 drug treatment, or intervention, the funds shall be used for  
2 the treatment of any person addicted to alcohol, cannabis or  
3 controlled substances. The Department may adopt such rules as  
4 it deems appropriate for the administration of such grants.

5 (i) (Blank). ~~In counties over 3,000,000, all moneys~~  
6 ~~collected under this Section shall be forwarded to the County~~  
7 ~~Treasurer for deposit into the County Health Fund. The County~~  
8 ~~Treasurer shall, no later than the 15th day of each month,~~  
9 ~~forward to the State Treasurer 30 percent of all moneys~~  
10 ~~collected under this Act and received into the County Health~~  
11 ~~Fund since the prior remittance to the State Treasurer. Funds~~  
12 ~~retained by the County shall be used for community-based~~  
13 ~~treatment of pregnant women who are addicted to alcohol,~~  
14 ~~cannabis, or controlled substances or for the needed care of~~  
15 ~~minor, unemancipated children of these women. Funds forwarded~~  
16 ~~to the State Treasurer shall be deposited into the State Drug~~  
17 ~~Treatment Fund maintained by the State Treasurer from which the~~  
18 ~~Department of Human Services may make grants to persons~~  
19 ~~licensed under Section 15-10 of the Alcoholism and Other Drug~~  
20 ~~Abuse and Dependency Act or to municipalities or counties from~~  
21 ~~funds appropriated to the Department from the Drug Treatment~~  
22 ~~Fund, provided that the moneys collected from each county be~~  
23 ~~returned proportionately to the counties through grants to~~  
24 ~~licensees located within the county from which the assessment~~  
25 ~~was received and moneys in the State Drug Treatment Fund shall~~  
26 ~~not supplant other local, State or federal funds. If the~~

1 ~~Department of Human Services grants funds to a municipality or~~  
2 ~~county that the Department determines is not experiencing a~~  
3 ~~problem with pregnant women addicted to alcohol, cannabis or~~  
4 ~~controlled substances, or with care for minor, unemancipated~~  
5 ~~children or women undergoing residential drug treatment, the~~  
6 ~~funds shall be used for the treatment of any person addicted to~~  
7 ~~alcohol, cannabis or controlled substances. The Department may~~  
8 ~~adopt such rules as it deems appropriate for the administration~~  
9 ~~of such grants.~~

10 (Source: P.A. 97-334, eff. 1-1-12.)

11 Section 3-30. The Methamphetamine Control and Community  
12 Protection Act is amended by changing Section 80 as follows:

13 (720 ILCS 646/80)

14 Sec. 80. Assessment.

15 (a) Every person convicted of a violation of this Act, ~~and~~  
16 ~~every person placed on probation, conditional discharge,~~  
17 ~~supervision, or probation under this Act,~~ shall be assessed an  
18 amount as set forth in Section 2-15 or 2-35 of the Criminal and  
19 Traffic Assessment Act. ~~for each offense a sum fixed at:~~

20 ~~(1) \$3,000 for a Class X felony;~~

21 ~~(2) \$2,000 for a Class 1 felony;~~

22 ~~(3) \$1,000 for a Class 2 felony;~~

23 ~~(4) \$500 for a Class 3 or Class 4 felony.~~

24 (b) (Blank). ~~The assessment under this Section is in~~



1 ~~addition to and not in lieu of any fines, restitution, costs,~~  
2 ~~forfeitures, or other assessments authorized or required by~~  
3 ~~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) (Blank). ~~If an assessment for a violation of this Act~~  
20 ~~is imposed on an organization, it is the duty of each~~  
21 ~~individual authorized to make disbursements of the assets of~~  
22 ~~the 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,  
4 or supervision and shall be in addition to the performance of  
5 any 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~~ if the defendant agrees to enter a  
9 substance abuse intervention or treatment program approved by  
10 the court and the defendant agrees to pay for all or some  
11 portion of the costs associated with the intervention or  
12 treatment program. In this case, the collection of the  
13 assessment ~~imposed under this Section~~ shall be suspended during  
14 the defendant's participation in the approved intervention or  
15 treatment program. Upon successful completion of the program,  
16 the defendant may apply to the court to reduce the assessment  
17 ~~imposed under this Section~~ by any amount actually paid by the  
18 defendant for his or her participation in the program. The  
19 court shall not reduce the penalty under this subsection unless  
20 the defendant establishes to the satisfaction of the court that  
21 he or she has successfully completed the intervention or  
22 treatment program. If the defendant's participation is for any  
23 reason terminated before his or her successful completion of  
24 the intervention or treatment program, collection of the entire  
25 assessment ~~imposed under this Section~~ shall be enforced.  
26 Nothing in this Section shall be deemed to affect or suspend

1 any other fines, restitution costs, forfeitures, or  
2 assessments imposed under this or any other Act.

3 (g) (Blank). ~~The court shall not impose more than one~~  
4 ~~assessment per complaint, indictment, or information. If the~~  
5 ~~person is convicted of more than one offense in a complaint,~~  
6 ~~indictment, or information, the assessment shall be based on~~  
7 ~~the highest class offense for which the person is convicted.~~

8 (h) ~~In counties with a population under 3,000,000, all~~  
9 ~~moneys collected under this Section shall be forwarded by the~~  
10 ~~clerk of the circuit court to the State Treasurer for deposit~~  
11 ~~in the Drug Treatment Fund.~~ The Department of Human Services  
12 may make grants to persons licensed under Section 15-10 of the  
13 Alcoholism and Other Drug Abuse and Dependency Act or to  
14 municipalities or counties from funds appropriated to the  
15 Department from the Drug Treatment Fund for the treatment of  
16 pregnant women who are addicted to alcohol, cannabis or  
17 controlled substances and for the needed care of minor,  
18 unemancipated children of women undergoing residential drug  
19 treatment. If the Department of Human Services grants funds to  
20 a municipality or a county that the Department determines is  
21 not experiencing a problem with pregnant women addicted to  
22 alcohol, cannabis or controlled substances, or with care for  
23 minor, unemancipated children of women undergoing residential  
24 drug treatment, or intervention, the funds shall be used for  
25 the treatment of any person addicted to alcohol, cannabis, or  
26 controlled substances. The Department may adopt such rules as

1 it deems appropriate for the administration of such grants.

2 (i) (Blank). ~~In counties with a population of 3,000,000 or~~  
3 ~~more, all moneys collected under this Section shall be~~  
4 ~~forwarded to the County Treasurer for deposit into the County~~  
5 ~~Health Fund. The County Treasurer shall, no later than the 15th~~  
6 ~~day of each month, forward to the State Treasurer 30 percent of~~  
7 ~~all moneys collected under this Act and received into the~~  
8 ~~County Health Fund since the prior remittance to the State~~  
9 ~~Treasurer. Funds retained by the County shall be used for~~  
10 ~~community-based treatment of pregnant women who are addicted to~~  
11 ~~alcohol, cannabis, or controlled substances or for the needed~~  
12 ~~care of minor, unemancipated children of these women. Funds~~  
13 ~~forwarded to the State Treasurer shall be deposited into the~~  
14 ~~State Drug Treatment Fund maintained by the State Treasurer~~  
15 ~~from which the Department of Human Services may make grants to~~  
16 ~~persons licensed under Section 15-10 of the Alcoholism and~~  
17 ~~Other Drug Abuse and Dependency Act or to municipalities or~~  
18 ~~counties from funds appropriated to the Department from the~~  
19 ~~Drug Treatment Fund, provided that the moneys collected from~~  
20 ~~each county be returned proportionately to the counties through~~  
21 ~~grants to licensees located within the county from which the~~  
22 ~~assessment was received and moneys in the State Drug Treatment~~  
23 ~~Fund shall not supplant other local, State or federal funds. If~~  
24 ~~the Department of Human Services grants funds to a municipality~~  
25 ~~or county that the Department determines is not experiencing a~~  
26 ~~problem with pregnant women addicted to alcohol, cannabis or~~

1 ~~controlled substances, or with care for minor, unemancipated~~  
2 ~~children or women undergoing residential drug treatment, the~~  
3 ~~funds shall be used for the treatment of any person addicted to~~  
4 ~~alcohol, cannabis or controlled substances. The Department may~~  
5 ~~adopt such rules as it deems appropriate for the administration~~  
6 ~~of such grants.~~

7 (Source: P.A. 94-556, eff. 9-11-05.)

8 Section 3-35. The Code of Criminal Procedure of 1963 is  
9 amended by adding Section 124A-20 as follows:

10 (725 ILCS 5/124A-20 new)

11 Sec. 124A-20. Assessment waiver.

12 (a) As used in this Section:

13 "Assessments" means any costs imposed on a criminal  
14 defendant under Article II of the Criminal and Traffic  
15 Assessment Act, but does not include traffic violation  
16 assessments.

17 "Indigent person" means any person who meets one or  
18 more of the following criteria:

19 (1) He or she is receiving assistance under one or  
20 more of the following means-based governmental public  
21 benefits programs: Supplemental Security Income; Aid  
22 to the Aged, Blind and Disabled; Temporary Assistance  
23 for Needy Families; Supplemental Nutrition Assistance  
24 Program; General Assistance; Transitional Assistance;

1           or State Children and Family Assistance.

2           (2) His or her available income is 200% or less of  
3           the current poverty level as established by the United  
4           States Department of Health and Human Services, unless  
5           the applicant's assets that are not exempt under Part 9  
6           or 10 of Article XII of the Code of Civil Procedure are  
7           of a nature and value that the court determines that  
8           the applicant is able to pay the assessments.

9           (3) He or she is, in the discretion of the court,  
10          unable to proceed in an action with payment of  
11          assessments and whose payment of those assessments  
12          would result in substantial hardship to the person or  
13          his or her family.

14          "Poverty level" means the current poverty level as  
15          established by the United States Department of Health and  
16          Human Services.

17          (b) Upon the application of any defendant, after the  
18          commencement of an action, but no later than 30 days after  
19          sentencing:

20               (1) If the court finds that the applicant is an  
21               indigent person, the court shall grant the applicant a full  
22               assessment waiver exempting him or her from the payment of  
23               any assessments.

24               (2) The court shall grant the applicant a partial  
25               assessment as follows:

26                       (A) 75% of all assessments shall be waived if the

1       applicant's available income is greater than 200% but  
2       no more than 250% of the poverty level, unless the  
3       applicant's assets that are not exempt under Part 9 or  
4       10 of Article XII of the Code of Civil Procedure are  
5       such that the applicant is able, without undue  
6       hardship, to pay the total assessments.

7               (B) 50% of all assessments shall be waived if the  
8       applicant's available income is greater than 250% but  
9       no more than 300% of the poverty level, unless the  
10       applicant's assets that are not exempt under Part 9 or  
11       10 of Article XII of the Code of Civil Procedure are  
12       such that the court determines that the applicant is  
13       able, without undue hardship, to pay a greater portion  
14       of the assessments.

15               (C) 25% of all assessments shall be waived if the  
16       applicant's available income is greater than 300% but  
17       no more than 400% of the poverty level, unless the  
18       applicant's assets that are not exempt under Part 9 or  
19       10 of Article XII of the Code of Civil Procedure are  
20       such that the court determines that the applicant is  
21       able, without undue hardship, to pay a greater portion  
22       of the assessments.

23       (c) An application for a waiver of assessments shall be in  
24       writing, signed by the defendant or, if the defendant is a  
25       minor, by another person having knowledge of the facts, and  
26       filed no later than 30 days after sentencing. The contents of

1 the application for a waiver of assessments, and the procedure  
2 for deciding the applications, shall be established by Supreme  
3 Court Rule.

4 (d) The clerk of court shall provide the application for a  
5 waiver of assessments to any person seeking to defend an action  
6 who indicates an inability to pay the assessments. The clerk of  
7 the court shall post in a conspicuous place in the courthouse a  
8 notice, no smaller than 8.5 x 11 inches and using no smaller  
9 than 30-point typeface printed in English and in Spanish,  
10 advising members of the public that they may ask the court for  
11 permission to defend a criminal action without payment of the  
12 assessments. The notice shall be substantially as follows:

13 "If you are unable to pay the required assessments, you  
14 may ask the court to allow you to proceed without paying  
15 them. Ask the clerk of the court for forms."

16 (e) For good cause shown, the court may allow an applicant  
17 whose application is denied or who receives a partial  
18 assessment waiver to defer payment of the assessments, make  
19 installment payments, or make payment upon reasonable terms and  
20 conditions stated in the order.

21 (f) Nothing in this Section shall be construed to affect  
22 the right of a party to defend an action in forma pauperis  
23 without the payment of assessments, or the right of a party to  
24 court-appointed counsel, as authorized by any other provision  
25 of law or by the rules of the Illinois Supreme Court.

26 (g) In any case in which a party is represented by a



1 criminal legal services provider or attorney in a  
2 court-sponsored pro bono program as defined in Section 5-105.5  
3 of the Code of Civil Procedure, the attorney representing that  
4 party shall file a certification with the court as established  
5 by Supreme Court Rule 404 and that party shall be allowed to  
6 defend without payment of assessments without filing an  
7 application under this Section.

8 (h) The provisions of this Section are severable under  
9 Section 1.31 of the Statute on Statutes.

10 Section 3-40. The Violent Crime Victims Assistance Act is  
11 amended by changing Section 10 as follows:

12 (725 ILCS 240/10) (from Ch. 70, par. 510)

13 Sec. 10. Violent Crime Victims Assistance Fund.

14 (a) The "Violent Crime Victims Assistance Fund" is created  
15 as a special fund in the State Treasury to provide monies for  
16 the grants to be awarded under this Act.

17 (b) (Blank). ~~When any person is convicted in Illinois of an~~  
18 ~~offense listed below, or placed on supervision for that offense~~  
19 ~~on or after July 1, 2012, the court shall impose the following~~  
20 ~~finer:~~

21 ~~(1) \$100 for any felony;~~

22 ~~(2) \$50 for any offense under the Illinois Vehicle~~  
23 ~~Code, exclusive of offenses enumerated in paragraph (a) (2)~~  
24 ~~of Section 6-204 of that Code, and exclusive of any offense~~

1 ~~enumerated in Article VI of Chapter 11 of that Code~~  
2 ~~relating to restrictions, regulations, and limitations on~~  
3 ~~the speed at which a motor vehicle is driven or operated;~~  
4 ~~and~~

5 ~~(3) \$75 for any misdemeanor, excluding a conservation~~  
6 ~~offense.~~

7 ~~Notwithstanding any other provision of this Section, the~~  
8 ~~penalty established in this Section shall be assessed for any~~  
9 ~~violation of Section 11-601.5, 11-605.2, or 11-605.3 of the~~  
10 ~~Illinois Vehicle Code.~~

11 ~~The Clerk of the Circuit Court shall remit moneys collected~~  
12 ~~under this subsection (b) within one month after receipt to the~~  
13 ~~State Treasurer for deposit into the Violent Crime Victims~~  
14 ~~Assistance Fund, except as provided in subsection (g) of this~~  
15 ~~Section. Such additional penalty shall not be considered a part~~  
16 ~~of the fine for purposes of any reduction made in the fine for~~  
17 ~~time served either before or after sentencing. Not later than~~  
18 ~~March 1 of each year the Clerk of the Circuit Court shall~~  
19 ~~submit to the State Comptroller a report of the amount of funds~~  
20 ~~remitted by him to the State Treasurer under this Section~~  
21 ~~during the preceding calendar year.~~

22 ~~(c) (Blank). The charge imposed by subsection (b) shall not~~  
23 ~~be subject to the provisions of Section 110-14 of the Code of~~  
24 ~~Criminal Procedure of 1963.~~

25 ~~(d) Monies forfeited, and proceeds from the sale of~~  
26 ~~property forfeited and seized, under the forfeiture provisions~~

1 set forth in Part 500 of Article 124B of the Code of Criminal  
2 Procedure of 1963 shall be accepted for the Violent Crime  
3 Victims Assistance Fund.

4 (e) Investment income which is attributable to the  
5 investment of monies in the Violent Crime Victims Assistance  
6 Fund shall be credited to that fund for uses specified in this  
7 Act. The Treasurer shall provide the Attorney General a monthly  
8 status report on the amount of money in the Fund.

9 (f) Monies from the fund may be granted on and after July  
10 1, 1984.

11 (g) (Blank). ~~All amounts and charges imposed under this~~  
12 ~~Section for any violation of Chapters 3, 4, 6, and 11 of the~~  
13 ~~Illinois Vehicle Code, or a similar provision of a local~~  
14 ~~ordinance, or any violation of the Child Passenger Protection~~  
15 ~~Act, or a similar provision of a local ordinance, shall be~~  
16 ~~collected and disbursed by the circuit clerk as provided under~~  
17 ~~Section 27.5 of the Clerks of Courts Act.~~

18 (Source: P.A. 96-712, eff. 1-1-10; 97-108, eff. 7-14-11;  
19 97-816, eff. 7-16-12.)

20 Section 3-45. The Unified Code of Corrections is amended by  
21 changing Sections 5-4-3, 5-4.5-50, 5-4.5-55, 5-4.5-60,  
22 5-4.5-65, 5-4.5-75, 5-4.5-80, 5-5-3, 5-5-6, 5-6-1, 5-6-3,  
23 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,  
24 and 5-9-1.16 as follows:

1 (730 ILCS 5/5-4-3) (from Ch. 38, par. 1005-4-3)

2 Sec. 5-4-3. Specimens; genetic marker groups.

3 (a) Any person convicted of, found guilty under the  
4 Juvenile Court Act of 1987 for, or who received a disposition  
5 of court supervision for, a qualifying offense or attempt of a  
6 qualifying offense, convicted or found guilty of any offense  
7 classified as a felony under Illinois law, convicted or found  
8 guilty of any offense requiring registration under the Sex  
9 Offender Registration Act, found guilty or given supervision  
10 for any offense classified as a felony under the Juvenile Court  
11 Act of 1987, convicted or found guilty of, under the Juvenile  
12 Court Act of 1987, any offense requiring registration under the  
13 Sex Offender Registration Act, or institutionalized as a  
14 sexually dangerous person under the Sexually Dangerous Persons  
15 Act, or committed as a sexually violent person under the  
16 Sexually Violent Persons Commitment Act shall, regardless of  
17 the sentence or disposition imposed, be required to submit  
18 specimens of blood, saliva, or tissue to the Illinois  
19 Department of State Police in accordance with the provisions of  
20 this Section, provided such person is:

21 (1) convicted of a qualifying offense or attempt of a  
22 qualifying offense on or after July 1, 1990 and sentenced  
23 to a term of imprisonment, periodic imprisonment, fine,  
24 probation, conditional discharge or any other form of  
25 sentence, or given a disposition of court supervision for  
26 the offense;

1 (1.5) found guilty or given supervision under the  
2 Juvenile Court Act of 1987 for a qualifying offense or  
3 attempt of a qualifying offense on or after January 1,  
4 1997;

5 (2) ordered institutionalized as a sexually dangerous  
6 person on or after July 1, 1990;

7 (3) convicted of a qualifying offense or attempt of a  
8 qualifying offense before July 1, 1990 and is presently  
9 confined as a result of such conviction in any State  
10 correctional facility or county jail or is presently  
11 serving a sentence of probation, conditional discharge or  
12 periodic imprisonment as a result of such conviction;

13 (3.5) convicted or found guilty of any offense  
14 classified as a felony under Illinois law or found guilty  
15 or given supervision for such an offense under the Juvenile  
16 Court Act of 1987 on or after August 22, 2002;

17 (4) presently institutionalized as a sexually  
18 dangerous person or presently institutionalized as a  
19 person found guilty but mentally ill of a sexual offense or  
20 attempt to commit a sexual offense; or

21 (4.5) ordered committed as a sexually violent person on  
22 or after the effective date of the Sexually Violent Persons  
23 Commitment Act.

24 (a-1) Any person incarcerated in a facility of the Illinois  
25 Department of Corrections or the Illinois Department of  
26 Juvenile Justice on or after August 22, 2002, whether for a

1 term of years, natural life, or a sentence of death, who has  
2 not yet submitted a specimen of blood, saliva, or tissue shall  
3 be required to submit a specimen of blood, saliva, or tissue  
4 prior to his or her final discharge, or release on parole,  
5 aftercare release, or mandatory supervised release, as a  
6 condition of his or her parole, aftercare release, or mandatory  
7 supervised release, or within 6 months from August 13, 2009  
8 (the effective date of Public Act 96-426), whichever is sooner.  
9 A person incarcerated on or after August 13, 2009 (the  
10 effective date of Public Act 96-426) shall be required to  
11 submit a specimen within 45 days of incarceration, or prior to  
12 his or her final discharge, or release on parole, aftercare  
13 release, or mandatory supervised release, as a condition of his  
14 or her parole, aftercare release, or mandatory supervised  
15 release, whichever is sooner. These specimens shall be placed  
16 into the State or national DNA database, to be used in  
17 accordance with other provisions of this Section, by the  
18 Illinois State Police.

19 (a-2) Any person sentenced to life imprisonment in a  
20 facility of the Illinois Department of Corrections after the  
21 effective date of this amendatory Act of the 94th General  
22 Assembly or sentenced to death after the effective date of this  
23 amendatory Act of the 94th General Assembly shall be required  
24 to provide a specimen of blood, saliva, or tissue within 45  
25 days after sentencing or disposition at a collection site  
26 designated by the Illinois Department of State Police. Any

1 person serving a sentence of life imprisonment in a facility of  
2 the Illinois Department of Corrections on the effective date of  
3 this amendatory Act of the 94th General Assembly or any person  
4 who is under a sentence of death on the effective date of this  
5 amendatory Act of the 94th General Assembly shall be required  
6 to provide a specimen of blood, saliva, or tissue upon request  
7 at a collection site designated by the Illinois Department of  
8 State Police.

9 (a-3) Any person seeking transfer to or residency in  
10 Illinois under Sections 3-3-11.05 through 3-3-11.5 of this  
11 Code, the Interstate Compact for Adult Offender Supervision, or  
12 the Interstate Agreements on Sexually Dangerous Persons Act  
13 shall be required to provide a specimen of blood, saliva, or  
14 tissue within 45 days after transfer to or residency in  
15 Illinois at a collection site designated by the Illinois  
16 Department of State Police.

17 (a-3.1) Any person required by an order of the court to  
18 submit a DNA specimen shall be required to provide a specimen  
19 of blood, saliva, or tissue within 45 days after the court  
20 order at a collection site designated by the Illinois  
21 Department of State Police.

22 (a-3.2) On or after January 1, 2012 (the effective date of  
23 Public Act 97-383), any person arrested for any of the  
24 following offenses, after an indictment has been returned by a  
25 grand jury, or following a hearing pursuant to Section 109-3 of  
26 the Code of Criminal Procedure of 1963 and a judge finds there

1 is probable cause to believe the arrestee has committed one of  
2 the designated offenses, or an arrestee has waived a  
3 preliminary hearing shall be required to provide a specimen of  
4 blood, saliva, or tissue within 14 days after such indictment  
5 or hearing at a collection site designated by the Illinois  
6 Department of State Police:

7 (A) first degree murder;

8 (B) home invasion;

9 (C) predatory criminal sexual assault of a child;

10 (D) aggravated criminal sexual assault; or

11 (E) criminal sexual assault.

12 (a-3.3) Any person required to register as a sex offender  
13 under the Sex Offender Registration Act, regardless of the date  
14 of conviction as set forth in subsection (c-5.2) shall be  
15 required to provide a specimen of blood, saliva, or tissue  
16 within the time period prescribed in subsection (c-5.2) at a  
17 collection site designated by the Illinois Department of State  
18 Police.

19 (a-5) Any person who was otherwise convicted of or received  
20 a disposition of court supervision for any other offense under  
21 the Criminal Code of 1961 or the Criminal Code of 2012 or who  
22 was found guilty or given supervision for such a violation  
23 under the Juvenile Court Act of 1987, may, regardless of the  
24 sentence imposed, be required by an order of the court to  
25 submit specimens of blood, saliva, or tissue to the Illinois  
26 Department of State Police in accordance with the provisions of



1 this Section.

2 (b) Any person required by paragraphs (a)(1), (a)(1.5),  
3 (a)(2), (a)(3.5), and (a-5) to provide specimens of blood,  
4 saliva, or tissue shall provide specimens of blood, saliva, or  
5 tissue within 45 days after sentencing or disposition at a  
6 collection site designated by the Illinois Department of State  
7 Police.

8 (c) Any person required by paragraphs (a)(3), (a)(4), and  
9 (a)(4.5) to provide specimens of blood, saliva, or tissue shall  
10 be required to provide such specimens prior to final discharge  
11 or within 6 months from August 13, 2009 (the effective date of  
12 Public Act 96-426), whichever is sooner. These specimens shall  
13 be placed into the State or national DNA database, to be used  
14 in accordance with other provisions of this Act, by the  
15 Illinois State Police.

16 (c-5) Any person required by paragraph (a-3) to provide  
17 specimens of blood, saliva, or tissue shall, where feasible, be  
18 required to provide the specimens before being accepted for  
19 conditioned residency in Illinois under the interstate compact  
20 or agreement, but no later than 45 days after arrival in this  
21 State.

22 (c-5.2) Unless it is determined that a registered sex  
23 offender has previously submitted a specimen of blood, saliva,  
24 or tissue that has been placed into the State DNA database, a  
25 person registering as a sex offender shall be required to  
26 submit a specimen at the time of his or her initial

1 registration pursuant to the Sex Offender Registration Act or,  
2 for a person registered as a sex offender on or prior to  
3 January 1, 2012 (the effective date of Public Act 97-383),  
4 within one year of January 1, 2012 (the effective date of  
5 Public Act 97-383) or at the time of his or her next required  
6 registration.

7 (c-6) The Illinois Department of State Police may determine  
8 which type of specimen or specimens, blood, saliva, or tissue,  
9 is acceptable for submission to the Division of Forensic  
10 Services for analysis. The Illinois Department of State Police  
11 may require the submission of fingerprints from anyone required  
12 to give a specimen under this Act.

13 (d) The Illinois Department of State Police shall provide  
14 all equipment and instructions necessary for the collection of  
15 blood specimens. The collection of specimens shall be performed  
16 in a medically approved manner. Only a physician authorized to  
17 practice medicine, a registered nurse or other qualified person  
18 trained in venipuncture may withdraw blood for the purposes of  
19 this Act. The specimens shall thereafter be forwarded to the  
20 Illinois Department of State Police, Division of Forensic  
21 Services, for analysis and categorizing into genetic marker  
22 groupings.

23 (d-1) The Illinois Department of State Police shall provide  
24 all equipment and instructions necessary for the collection of  
25 saliva specimens. The collection of saliva specimens shall be  
26 performed in a medically approved manner. Only a person trained

1 in the instructions promulgated by the Illinois State Police on  
2 collecting saliva may collect saliva for the purposes of this  
3 Section. The specimens shall thereafter be forwarded to the  
4 Illinois Department of State Police, Division of Forensic  
5 Services, for analysis and categorizing into genetic marker  
6 groupings.

7 (d-2) The Illinois Department of State Police shall provide  
8 all equipment and instructions necessary for the collection of  
9 tissue specimens. The collection of tissue specimens shall be  
10 performed in a medically approved manner. Only a person trained  
11 in the instructions promulgated by the Illinois State Police on  
12 collecting tissue may collect tissue for the purposes of this  
13 Section. The specimens shall thereafter be forwarded to the  
14 Illinois Department of State Police, Division of Forensic  
15 Services, for analysis and categorizing into genetic marker  
16 groupings.

17 (d-5) To the extent that funds are available, the Illinois  
18 Department of State Police shall contract with qualified  
19 personnel and certified laboratories for the collection,  
20 analysis, and categorization of known specimens, except as  
21 provided in subsection (n) of this Section.

22 (d-6) Agencies designated by the Illinois Department of  
23 State Police and the Illinois Department of State Police may  
24 contract with third parties to provide for the collection or  
25 analysis of DNA, or both, of an offender's blood, saliva, and  
26 tissue specimens, except as provided in subsection (n) of this

1 Section.

2 (e) The genetic marker groupings shall be maintained by the  
3 Illinois Department of State Police, Division of Forensic  
4 Services.

5 (f) The genetic marker grouping analysis information  
6 obtained pursuant to this Act shall be confidential and shall  
7 be released only to peace officers of the United States, of  
8 other states or territories, of the insular possessions of the  
9 United States, of foreign countries duly authorized to receive  
10 the same, to all peace officers of the State of Illinois and to  
11 all prosecutorial agencies, and to defense counsel as provided  
12 by Section 116-5 of the Code of Criminal Procedure of 1963. The  
13 genetic marker grouping analysis information obtained pursuant  
14 to this Act shall be used only for (i) valid law enforcement  
15 identification purposes and as required by the Federal Bureau  
16 of Investigation for participation in the National DNA  
17 database, (ii) technology validation purposes, (iii) a  
18 population statistics database, (iv) quality assurance  
19 purposes if personally identifying information is removed, (v)  
20 assisting in the defense of the criminally accused pursuant to  
21 Section 116-5 of the Code of Criminal Procedure of 1963, or  
22 (vi) identifying and assisting in the prosecution of a person  
23 who is suspected of committing a sexual assault as defined in  
24 Section 1a of the Sexual Assault Survivors Emergency Treatment  
25 Act. Notwithstanding any other statutory provision to the  
26 contrary, all information obtained under this Section shall be

1 maintained in a single State data base, which may be uploaded  
2 into a national database, and which information may be subject  
3 to expungement only as set forth in subsection (f-1).

4 (f-1) Upon receipt of notification of a reversal of a  
5 conviction based on actual innocence, or of the granting of a  
6 pardon pursuant to Section 12 of Article V of the Illinois  
7 Constitution, if that pardon document specifically states that  
8 the reason for the pardon is the actual innocence of an  
9 individual whose DNA record has been stored in the State or  
10 national DNA identification index in accordance with this  
11 Section by the Illinois Department of State Police, the DNA  
12 record shall be expunged from the DNA identification index, and  
13 the Department shall by rule prescribe procedures to ensure  
14 that the record and any specimens, analyses, or other documents  
15 relating to such record, whether in the possession of the  
16 Department or any law enforcement or police agency, or any  
17 forensic DNA laboratory, including any duplicates or copies  
18 thereof, are destroyed and a letter is sent to the court  
19 verifying the expungement is completed. For specimens required  
20 to be collected prior to conviction, unless the individual has  
21 other charges or convictions that require submission of a  
22 specimen, the DNA record for an individual shall be expunged  
23 from the DNA identification databases and the specimen  
24 destroyed upon receipt of a certified copy of a final court  
25 order for each charge against an individual in which the charge  
26 has been dismissed, resulted in acquittal, or that the charge

1 was not filed within the applicable time period. The Department  
2 shall by rule prescribe procedures to ensure that the record  
3 and any specimens in the possession or control of the  
4 Department are destroyed and a letter is sent to the court  
5 verifying the expungement is completed.

6 (f-5) Any person who intentionally uses genetic marker  
7 grouping analysis information, or any other information  
8 derived from a DNA specimen, beyond the authorized uses as  
9 provided under this Section, or any other Illinois law, is  
10 guilty of a Class 4 felony, and shall be subject to a fine of  
11 not less than \$5,000.

12 (f-6) The Illinois Department of State Police may contract  
13 with third parties for the purposes of implementing this  
14 amendatory Act of the 93rd General Assembly, except as provided  
15 in subsection (n) of this Section. Any other party contracting  
16 to carry out the functions of this Section shall be subject to  
17 the same restrictions and requirements of this Section insofar  
18 as applicable, as the Illinois Department of State Police, and  
19 to any additional restrictions imposed by the Illinois  
20 Department of State Police.

21 (g) For the purposes of this Section, "qualifying offense"  
22 means any of the following:

23 (1) any violation or inchoate violation of Section  
24 11-1.50, 11-1.60, 11-6, 11-9.1, 11-11, 11-18.1, 12-15, or  
25 12-16 of the Criminal Code of 1961 or the Criminal Code of  
26 2012;

1           (1.1) any violation or inchoate violation of Section  
2           9-1, 9-2, 10-1, 10-2, 12-11, 12-11.1, 18-1, 18-2, 18-3,  
3           18-4, 18-6, 19-1, 19-2, or 19-6 of the Criminal Code of  
4           1961 or the Criminal Code of 2012 for which persons are  
5           convicted on or after July 1, 2001;

6           (2) any former statute of this State which defined a  
7           felony sexual offense;

8           (3) (blank);

9           (4) any inchoate violation of Section 9-3.1, 9-3.4,  
10          11-9.3, 12-7.3, or 12-7.4 of the Criminal Code of 1961 or  
11          the Criminal Code of 2012; or

12          (5) any violation or inchoate violation of Article 29D  
13          of the Criminal Code of 1961 or the Criminal Code of 2012.

14          (g-5) (Blank).

15          (h) The Illinois Department of State Police shall be the  
16          State central repository for all genetic marker grouping  
17          analysis information obtained pursuant to this Act. The  
18          Illinois Department of State Police may promulgate rules for  
19          the form and manner of the collection of blood, saliva, or  
20          tissue specimens and other procedures for the operation of this  
21          Act. The provisions of the Administrative Review Law shall  
22          apply to all actions taken under the rules so promulgated.

23          (i) (1) A person required to provide a blood, saliva, or  
24          tissue specimen shall cooperate with the collection of the  
25          specimen and any deliberate act by that person intended to  
26          impede, delay or stop the collection of the blood, saliva,

1 or tissue specimen is a Class 4 felony.

2 (2) In the event that a person's DNA specimen is not  
3 adequate for any reason, the person shall provide another  
4 DNA specimen for analysis. Duly authorized law enforcement  
5 and corrections personnel may employ reasonable force in  
6 cases in which an individual refuses to provide a DNA  
7 specimen required under this Act.

8 (j) (Blank). ~~Any person required by subsection (a), or any~~  
9 ~~person who was previously required by subsection (a-3.2), to~~  
10 ~~submit specimens of blood, saliva, or tissue to the Illinois~~  
11 ~~Department of State Police for analysis and categorization into~~  
12 ~~genetic marker grouping, in addition to any other disposition,~~  
13 ~~penalty, or fine imposed, shall pay an analysis fee of \$250. If~~  
14 ~~the analysis fee is not paid at the time of sentencing, the~~  
15 ~~court shall establish a fee schedule by which the entire amount~~  
16 ~~of the analysis fee shall be paid in full, such schedule not to~~  
17 ~~exceed 24 months from the time of conviction. The inability to~~  
18 ~~pay this analysis fee shall not be the sole ground to~~  
19 ~~incarcerate the person.~~

20 (k) All analysis and categorization assessments fees  
21 provided under the Criminal and Traffic Assessments Act to the  
22 State Offender DNA Identification System Fund ~~for by subsection~~  
23 ~~(j)~~ shall be regulated as follows:

24 (1) The State Offender DNA Identification System Fund  
25 is hereby created as a special fund in the State Treasury.

26 (2) (Blank). ~~All fees shall be collected by the clerk~~



1 ~~of the court and forwarded to the State Offender DNA~~  
2 ~~Identification System Fund for deposit. The clerk of the~~  
3 ~~circuit court may retain the amount of \$10 from each~~  
4 ~~collected analysis fee to offset administrative costs~~  
5 ~~incurred in carrying out the clerk's responsibilities~~  
6 ~~under this Section.~~

7 (3) Moneys ~~Fees~~ deposited into the State Offender DNA  
8 Identification System Fund shall be used by Illinois State  
9 Police crime laboratories as designated by the Director of  
10 State Police. These funds shall be in addition to any  
11 allocations made pursuant to existing laws and shall be  
12 designated for the exclusive use of State crime  
13 laboratories. These uses may include, but are not limited  
14 to, the following:

15 (A) Costs incurred in providing analysis and  
16 genetic marker categorization as required by  
17 subsection (d).

18 (B) Costs incurred in maintaining genetic marker  
19 groupings as required by subsection (e).

20 (C) Costs incurred in the purchase and maintenance  
21 of equipment for use in performing analyses.

22 (D) Costs incurred in continuing research and  
23 development of new techniques for analysis and genetic  
24 marker categorization.

25 (E) Costs incurred in continuing education,  
26 training, and professional development of forensic

1 scientists regularly employed by these laboratories.

2 (l) The failure of a person to provide a specimen, or of  
3 any person or agency to collect a specimen, shall in no way  
4 alter the obligation of the person to submit such specimen, or  
5 the authority of the Illinois Department of State Police or  
6 persons designated by the Department to collect the specimen,  
7 or the authority of the Illinois Department of State Police to  
8 accept, analyze and maintain the specimen or to maintain or  
9 upload results of genetic marker grouping analysis information  
10 into a State or national database.

11 (m) If any provision of this amendatory Act of the 93rd  
12 General Assembly is held unconstitutional or otherwise  
13 invalid, the remainder of this amendatory Act of the 93rd  
14 General Assembly is not affected.

15 (n) Neither the Department of State Police, the Division of  
16 Forensic Services, nor any laboratory of the Division of  
17 Forensic Services may contract out forensic testing for the  
18 purpose of an active investigation or a matter pending before a  
19 court of competent jurisdiction without the written consent of  
20 the prosecuting agency. For the purposes of this subsection  
21 (n), "forensic testing" includes the analysis of physical  
22 evidence in an investigation or other proceeding for the  
23 prosecution of a violation of the Criminal Code of 1961 or the  
24 Criminal Code of 2012 or for matters adjudicated under the  
25 Juvenile Court Act of 1987, and includes the use of forensic  
26 databases and databanks, including DNA, firearm, and

1 fingerprint databases, and expert testimony.

2 (o) Mistake does not invalidate a database match. The  
3 detention, arrest, or conviction of a person based upon a  
4 database match or database information is not invalidated if it  
5 is determined that the specimen was obtained or placed in the  
6 database by mistake.

7 (p) This Section may be referred to as the Illinois DNA  
8 Database Law of 2011.

9 (Source: P.A. 97-383, eff. 1-1-12; 97-1109, eff. 1-1-13;  
10 97-1150, eff. 1-25-13; 98-558, eff. 1-1-14.)

11 (730 ILCS 5/5-4.5-50)

12 Sec. 5-4.5-50. SENTENCE PROVISIONS; ALL FELONIES. Except  
13 as otherwise provided, for all felonies:

14 (a) NO SUPERVISION. The court, upon a plea of guilty or a  
15 stipulation by the defendant of the facts supporting the charge  
16 or a finding of guilt, may not defer further proceedings and  
17 the imposition of a sentence and may not enter an order for  
18 supervision of the defendant.

19 (b) FELONY FINES. Unless otherwise specified by law, the  
20 minimum fine is \$25. An offender may be sentenced to pay a fine  
21 not to exceed, for each offense, \$25,000 or the amount  
22 specified in the offense, whichever is greater, or if the  
23 offender is a corporation, \$50,000 or the amount specified in  
24 the offense, whichever is greater. A fine may be imposed in  
25 addition to a sentence of conditional discharge, probation,

1 periodic imprisonment, or imprisonment. See Article 9 of  
2 Chapter V (730 ILCS 5/Ch. V, Art. 9) for imposition of  
3 additional amounts and determination of amounts and payment. If  
4 the court finds that the fine would impose an undue burden on  
5 the victim, the court may reduce or waive the fine.

6 (c) REASONS FOR SENTENCE STATED. The sentencing judge in  
7 each felony conviction shall set forth his or her reasons for  
8 imposing the particular sentence entered in the case, as  
9 provided in Section 5-4-1 (730 ILCS 5/5-4-1). Those reasons may  
10 include any mitigating or aggravating factors specified in this  
11 Code, or the lack of any such factors, as well as any other  
12 mitigating or aggravating factors that the judge sets forth on  
13 the record that are consistent with the purposes and principles  
14 of sentencing set out in this Code.

15 (d) MOTION TO REDUCE SENTENCE. A motion to reduce a  
16 sentence may be made, or the court may reduce a sentence  
17 without motion, within 30 days after the sentence is imposed. A  
18 defendant's challenge to the correctness of a sentence or to  
19 any aspect of the sentencing hearing shall be made by a written  
20 motion filed with the circuit court clerk within 30 days  
21 following the imposition of sentence. A motion not filed within  
22 that 30-day period is not timely. The court may not increase a  
23 sentence once it is imposed. A notice of motion must be filed  
24 with the motion. The notice of motion shall set the motion on  
25 the court's calendar on a date certain within a reasonable time  
26 after the date of filing.

1           If a motion filed pursuant to this subsection is timely  
2 filed, the proponent of the motion shall exercise due diligence  
3 in seeking a determination on the motion and the court shall  
4 thereafter decide the motion within a reasonable time.

5           If a motion filed pursuant to this subsection is timely  
6 filed, then for purposes of perfecting an appeal, a final  
7 judgment is not considered to have been entered until the  
8 motion to reduce the sentence has been decided by order entered  
9 by the trial court.

10           (e) CONCURRENT SENTENCE; PREVIOUS UNEXPIRED FEDERAL OR  
11 OTHER-STATE SENTENCE. A defendant who has a previous and  
12 unexpired sentence of imprisonment imposed by another state or  
13 by any district court of the United States and who, after  
14 sentence for a crime in Illinois, must return to serve the  
15 unexpired prior sentence may have his or her sentence by the  
16 Illinois court ordered to be concurrent with the prior  
17 other-state or federal sentence. The court may order that any  
18 time served on the unexpired portion of the other-state or  
19 federal sentence, prior to his or her return to Illinois, shall  
20 be credited on his or her Illinois sentence. The appropriate  
21 official of the other state or the United States shall be  
22 furnished with a copy of the order imposing sentence, which  
23 shall provide that, when the offender is released from  
24 other-state or federal confinement, whether by parole or by  
25 termination of sentence, the offender shall be transferred by  
26 the Sheriff of the committing Illinois county to the Illinois

1 Department of Corrections. The court shall cause the Department  
2 of Corrections to be notified of the sentence at the time of  
3 commitment and to be provided with copies of all records  
4 regarding the sentence.

5 (f) REDUCTION; PREVIOUS UNEXPIRED ILLINOIS SENTENCE. A  
6 defendant who has a previous and unexpired sentence of  
7 imprisonment imposed by an Illinois circuit court for a crime  
8 in this State and who is subsequently sentenced to a term of  
9 imprisonment by another state or by any district court of the  
10 United States and who has served a term of imprisonment imposed  
11 by the other state or district court of the United States, and  
12 must return to serve the unexpired prior sentence imposed by  
13 the Illinois circuit court, may apply to the Illinois circuit  
14 court that imposed sentence to have his or her sentence  
15 reduced.

16 The circuit court may order that any time served on the  
17 sentence imposed by the other state or district court of the  
18 United States be credited on his or her Illinois sentence. The  
19 application for reduction of a sentence under this subsection  
20 shall be made within 30 days after the defendant has completed  
21 the sentence imposed by the other state or district court of  
22 the United States.

23 (g) NO REQUIRED BIRTH CONTROL. A court may not impose a  
24 sentence or disposition that requires the defendant to be  
25 implanted or injected with or to use any form of birth control.

26 (Source: P.A. 95-1052, eff. 7-1-09.)

1 (730 ILCS 5/5-4.5-55)

2 Sec. 5-4.5-55. CLASS A MISDEMEANORS; SENTENCE. For a Class  
3 A misdemeanor:

4 (a) TERM. The sentence of imprisonment shall be a  
5 determinate sentence of less than one year.

6 (b) PERIODIC IMPRISONMENT. A sentence of periodic  
7 imprisonment shall be for a definite term of less than one  
8 year, except as otherwise provided in Section 5-5-3 or 5-7-1  
9 (730 ILCS 5/5-5-3 or 5/5-7-1).

10 (c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS  
11 5/5-8-1.2) concerning eligibility for the county impact  
12 incarceration program.

13 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided  
14 in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the  
15 period of probation or conditional discharge shall not exceed 2  
16 years. The court shall specify the conditions of probation or  
17 conditional discharge as set forth in Section 5-6-3 (730 ILCS  
18 5/5-6-3).

19 (e) FINE. Unless otherwise specified by law, the minimum  
20 fine is \$25. A fine not to exceed \$2,500 for each offense or  
21 the amount specified in the offense, whichever is greater, may  
22 be imposed. A fine may be imposed in addition to a sentence of  
23 conditional discharge, probation, periodic imprisonment, or  
24 imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V,  
25 Art. 9) for imposition of additional amounts and determination

1 of amounts and payment. If the court finds that the fine would  
2 impose an undue burden on the victim, the court may reduce or  
3 waive the fine.

4 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)  
5 concerning restitution.

6 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall  
7 be concurrent or consecutive as provided in Section 5-8-4 (730  
8 ILCS 5/5-8-4).

9 (h) DRUG COURT. See Section 20 of the Drug Court Treatment  
10 Act (730 ILCS 166/20) concerning eligibility for a drug court  
11 program.

12 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730  
13 ILCS 5/5-4.5-100) concerning credit for time spent in home  
14 detention prior to judgment.

15 (j) GOOD BEHAVIOR ALLOWANCE. See the County Jail Good  
16 Behavior Allowance Act (730 ILCS 130/) for rules and  
17 regulations for good behavior allowance.

18 (k) ELECTRONIC HOME DETENTION. See Section 5-8A-3 (730 ILCS  
19 5/5-8A-3) concerning eligibility for electronic home  
20 detention.

21 (Source: P.A. 97-697, eff. 6-22-12.)

22 (730 ILCS 5/5-4.5-60)

23 Sec. 5-4.5-60. CLASS B MISDEMEANORS; SENTENCE. For a Class  
24 B misdemeanor:

25 (a) TERM. The sentence of imprisonment shall be a



1 determinate sentence of not more than 6 months.

2 (b) PERIODIC IMPRISONMENT. A sentence of periodic  
3 imprisonment shall be for a definite term of up to 6 months or  
4 as otherwise provided in Section 5-7-1 (730 ILCS 5/5-7-1).

5 (c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS  
6 5/5-8-1.2) concerning eligibility for the county impact  
7 incarceration program.

8 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided  
9 in Section 5-6-2 (730 ILCS 5/5-6-2), the period of probation or  
10 conditional discharge shall not exceed 2 years. The court shall  
11 specify the conditions of probation or conditional discharge as  
12 set forth in Section 5-6-3 (730 ILCS 5/5-6-3).

13 (e) FINE. Unless otherwise specified by law, the minimum  
14 fine is \$25. A fine not to exceed \$1,500 for each offense or  
15 the amount specified in the offense, whichever is greater, may  
16 be imposed. A fine may be imposed in addition to a sentence of  
17 conditional discharge, probation, periodic imprisonment, or  
18 imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V,  
19 Art. 9) for imposition of additional amounts and determination  
20 of amounts and payment. If the court finds that the fine would  
21 impose an undue burden on the victim, the court may reduce or  
22 waive the fine.

23 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)  
24 concerning restitution.

25 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall  
26 be concurrent or consecutive as provided in Section 5-8-4 (730

1 ILCS 5/5-8-4).

2 (h) DRUG COURT. See Section 20 of the Drug Court Treatment  
3 Act (730 ILCS 166/20) concerning eligibility for a drug court  
4 program.

5 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730  
6 ILCS 5/5-4.5-100) concerning credit for time spent in home  
7 detention prior to judgment.

8 (j) GOOD BEHAVIOR ALLOWANCE. See the County Jail Good  
9 Behavior Allowance Act (730 ILCS 130/) for rules and  
10 regulations for good behavior allowance.

11 (k) ELECTRONIC HOME DETENTION. See Section 5-8A-3 (730 ILCS  
12 5/5-8A-3) concerning eligibility for electronic home  
13 detention.

14 (Source: P.A. 97-697, eff. 6-22-12.)

15 (730 ILCS 5/5-4.5-65)

16 Sec. 5-4.5-65. CLASS C MISDEMEANORS; SENTENCE. For a Class  
17 C misdemeanor:

18 (a) TERM. The sentence of imprisonment shall be a  
19 determinate sentence of not more than 30 days.

20 (b) PERIODIC IMPRISONMENT. A sentence of periodic  
21 imprisonment shall be for a definite term of up to 30 days or  
22 as otherwise provided in Section 5-7-1 (730 ILCS 5/5-7-1).

23 (c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS  
24 5/5-8-1.2) concerning eligibility for the county impact  
25 incarceration program.

1 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided  
2 in Section 5-6-2 (730 ILCS 5/5-6-2), the period of probation or  
3 conditional discharge shall not exceed 2 years. The court shall  
4 specify the conditions of probation or conditional discharge as  
5 set forth in Section 5-6-3 (730 ILCS 5/5-6-3).

6 (e) FINE. Unless otherwise specified by law, the minimum  
7 fine is \$25. A fine not to exceed \$1,500 for each offense or  
8 the amount specified in the offense, whichever is greater, may  
9 be imposed. A fine may be imposed in addition to a sentence of  
10 conditional discharge, probation, periodic imprisonment, or  
11 imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V,  
12 Art. 9) for imposition of additional amounts and determination  
13 of amounts and payment. If the court finds that the fine would  
14 impose an undue burden on the victim, the court may reduce or  
15 waive the fine.

16 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)  
17 concerning restitution.

18 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall  
19 be concurrent or consecutive as provided in Section 5-8-4 (730  
20 ILCS 5/5-8-4).

21 (h) DRUG COURT. See Section 20 of the Drug Court Treatment  
22 Act (730 ILCS 166/20) concerning eligibility for a drug court  
23 program.

24 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730  
25 ILCS 5/5-4.5-100) concerning credit for time spent in home  
26 detention prior to judgment.

1 (j) GOOD BEHAVIOR ALLOWANCE. See the County Jail Good  
2 Behavior Allowance Act (730 ILCS 130/) for rules and  
3 regulations for good behavior allowance.

4 (k) ELECTRONIC HOME DETENTION. See Section 5-8A-3 (730 ILCS  
5 5/5-8A-3) concerning eligibility for electronic home  
6 detention.

7 (Source: P.A. 97-697, eff. 6-22-12.)

8 (730 ILCS 5/5-4.5-75)

9 Sec. 5-4.5-75. PETTY OFFENSES; SENTENCE. Except as  
10 otherwise provided, for a petty 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 \$1,000 for each offense or the amount specified in the  
14 offense, whichever is less. A fine may be imposed in addition  
15 to a sentence of conditional discharge or probation. See  
16 Article 9 of Chapter V (730 ILCS 5/Ch. V, Art. 9) for  
17 imposition of additional amounts and determination of amounts  
18 and payment. If the court finds that the fine would impose an  
19 undue burden on the victim, the court may reduce or waive the  
20 fine.

21 (b) PROBATION; CONDITIONAL DISCHARGE. Except as provided  
22 in Section 5-6-2 (730 ILCS 5/5-6-2), a defendant may be  
23 sentenced to a period of probation or conditional discharge not  
24 to exceed 6 months. The court shall specify the conditions of  
25 probation or conditional discharge as set forth in Section

1 5-6-3 (730 ILCS 5/5-6-3).

2 (c) RESTITUTION. A defendant may be sentenced to make  
3 restitution to the victim under Section 5-5-6 (730 ILCS  
4 5/5-5-6).

5 (d) SUPERVISION; ORDER. The court, upon a plea of guilty or  
6 a stipulation by the defendant of the facts supporting the  
7 charge or a finding of guilt, may defer further proceedings and  
8 the imposition of a sentence and may enter an order for  
9 supervision of the defendant. If the defendant is not barred  
10 from receiving an order for supervision under Section 5-6-1  
11 (730 ILCS 5/5-6-1) or otherwise, the court may enter an order  
12 for supervision after considering the circumstances of the  
13 offense, and the history, character, and condition of the  
14 offender, if the court is of the opinion that:

15 (1) the defendant is not likely to commit further  
16 crimes;

17 (2) the defendant and the public would be best served  
18 if the defendant were not to receive a criminal record; and

19 (3) in the best interests of justice, an order of  
20 supervision is more appropriate than a sentence otherwise  
21 permitted under this Code.

22 (e) SUPERVISION; PERIOD. When a defendant is placed on  
23 supervision, the court shall enter an order for supervision  
24 specifying the period of supervision, and shall defer further  
25 proceedings in the case until the conclusion of the period. The  
26 period of supervision shall be reasonable under all of the

1 circumstances of the case, and except as otherwise provided,  
2 may not be longer than 2 years. The court shall specify the  
3 conditions of supervision as set forth in Section 5-6-3.1 (730  
4 ILCS 5/5-6-3.1).

5 (Source: P.A. 95-1052, eff. 7-1-09.)

6 (730 ILCS 5/5-4.5-80)

7 Sec. 5-4.5-80. BUSINESS OFFENSES; SENTENCE. Except as  
8 otherwise provided, for a business offense:

9 (a) FINE. Unless otherwise specified by law, the minimum  
10 fine is \$25. A defendant may be sentenced to pay a fine not to  
11 exceed for each offense the amount specified in the statute  
12 defining that offense. A fine may be imposed in addition to a  
13 sentence of conditional discharge. See Article 9 of Chapter V  
14 (730 ILCS 5/Ch. V, Art. 9) for imposition of additional amounts  
15 and determination of amounts and payment. If the court finds  
16 that the fine would impose an undue burden on the victim, the  
17 court may reduce or waive the fine.

18 (b) CONDITIONAL DISCHARGE. A defendant may be sentenced to  
19 a period of conditional discharge. The court shall specify the  
20 conditions of conditional discharge as set forth in Section  
21 5-6-3 (730 ILCS 5/5-6-3).

22 (c) RESTITUTION. A defendant may be sentenced to make  
23 restitution to the victim under Section 5-5-6 (730 ILCS  
24 5/5-5-6).

25 (d) SUPERVISION; ORDER. The court, upon a plea of guilty or

1 a stipulation by the defendant of the facts supporting the  
2 charge or a finding of guilt, may defer further proceedings and  
3 the imposition of a sentence and may enter an order for  
4 supervision of the defendant. If the defendant is not barred  
5 from receiving an order for supervision under Section 5-6-1  
6 (730 ILCS 5/5-6-1) or otherwise, the court may enter an order  
7 for supervision after considering the circumstances of the  
8 offense, and the history, character, and condition of the  
9 offender, if the court is of the opinion that:

10 (1) the defendant is not likely to commit further  
11 crimes;

12 (2) the defendant and the public would be best served  
13 if the defendant were not to receive a criminal record; and

14 (3) in the best interests of justice, an order of  
15 supervision is more appropriate than a sentence otherwise  
16 permitted under this Code.

17 (e) SUPERVISION; PERIOD. When a defendant is placed on  
18 supervision, the court shall enter an order for supervision  
19 specifying the period of supervision, and shall defer further  
20 proceedings in the case until the conclusion of the period. The  
21 period of supervision shall be reasonable under all of the  
22 circumstances of the case, and except as otherwise provided,  
23 may not be longer than 2 years. The court shall specify the  
24 conditions of supervision as set forth in Section 5-6-3.1 (730  
25 ILCS 5/5-6-3.1).

26 (Source: P.A. 95-1052, eff. 7-1-09.)

1 (730 ILCS 5/5-5-3) (from Ch. 38, par. 1005-5-3)

2 Sec. 5-5-3. Disposition.

3 (a) (Blank).

4 (b) (Blank).

5 (c) (1) (Blank).

6 (2) A period of probation, a term of periodic imprisonment  
7 or conditional discharge shall not be imposed for the following  
8 offenses. The court shall sentence the offender to not less  
9 than the minimum term of imprisonment set forth in this Code  
10 for the following offenses, and may order a fine or restitution  
11 or both in conjunction with such term of imprisonment:

12 (A) First degree murder where the death penalty is not  
13 imposed.

14 (B) Attempted first degree murder.

15 (C) A Class X felony.

16 (D) A violation of Section 401.1 or 407 of the Illinois  
17 Controlled Substances Act, or a violation of subdivision  
18 (c) (1.5) or (c) (2) of Section 401 of that Act which relates  
19 to more than 5 grams of a substance containing cocaine,  
20 fentanyl, or an analog thereof.

21 (D-5) A violation of subdivision (c) (1) of Section 401  
22 of the Illinois Controlled Substances Act which relates to  
23 3 or more grams of a substance containing heroin or an  
24 analog thereof.

25 (E) A violation of Section 5.1 or 9 of the Cannabis



1 Control Act.

2 (F) A Class 2 or greater felony if the offender had  
3 been convicted of a Class 2 or greater felony, including  
4 any state or federal conviction for an offense that  
5 contained, at the time it was committed, the same elements  
6 as an offense now (the date of the offense committed after  
7 the prior Class 2 or greater felony) classified as a Class  
8 2 or greater felony, within 10 years of the date on which  
9 the offender committed the offense for which he or she is  
10 being sentenced, except as otherwise provided in Section  
11 40-10 of the Alcoholism and Other Drug Abuse and Dependency  
12 Act.

13 (F-5) A violation of Section 24-1, 24-1.1, or 24-1.6 of  
14 the Criminal Code of 1961 or the Criminal Code of 2012 for  
15 which imprisonment is prescribed in those Sections.

16 (G) Residential burglary, except as otherwise provided  
17 in Section 40-10 of the Alcoholism and Other Drug Abuse and  
18 Dependency Act.

19 (H) Criminal sexual assault.

20 (I) Aggravated battery of a senior citizen as described  
21 in Section 12-4.6 or subdivision (a)(4) of Section 12-3.05  
22 of the Criminal Code of 1961 or the Criminal Code of 2012.

23 (J) A forcible felony if the offense was related to the  
24 activities of an organized gang.

25 Before July 1, 1994, for the purposes of this  
26 paragraph, "organized gang" means an association of 5 or

1 more persons, with an established hierarchy, that  
2 encourages members of the association to perpetrate crimes  
3 or provides support to the members of the association who  
4 do commit crimes.

5 Beginning July 1, 1994, for the purposes of this  
6 paragraph, "organized gang" has the meaning ascribed to it  
7 in Section 10 of the Illinois Streetgang Terrorism Omnibus  
8 Prevention Act.

9 (K) Vehicular hijacking.

10 (L) A second or subsequent conviction for the offense  
11 of hate crime when the underlying offense upon which the  
12 hate crime is based is felony aggravated assault or felony  
13 mob action.

14 (M) A second or subsequent conviction for the offense  
15 of institutional vandalism if the damage to the property  
16 exceeds \$300.

17 (N) A Class 3 felony violation of paragraph (1) of  
18 subsection (a) of Section 2 of the Firearm Owners  
19 Identification Card Act.

20 (O) A violation of Section 12-6.1 or 12-6.5 of the  
21 Criminal Code of 1961 or the Criminal Code of 2012.

22 (P) A violation of paragraph (1), (2), (3), (4), (5),  
23 or (7) of subsection (a) of Section 11-20.1 of the Criminal  
24 Code of 1961 or the Criminal Code of 2012.

25 (Q) A violation of subsection (b) or (b-5) of Section  
26 20-1, Section 20-1.2, or Section 20-1.3 of the Criminal

1 Code of 1961 or the Criminal Code of 2012.

2 (R) A violation of Section 24-3A of the Criminal Code  
3 of 1961 or the Criminal Code of 2012.

4 (S) (Blank).

5 (T) A second or subsequent violation of the  
6 Methamphetamine Control and Community Protection Act.

7 (U) A second or subsequent violation of Section 6-303  
8 of the Illinois Vehicle Code committed while his or her  
9 driver's license, permit, or privilege was revoked because  
10 of a violation of Section 9-3 of the Criminal Code of 1961  
11 or the Criminal Code of 2012, relating to the offense of  
12 reckless homicide, or a similar provision of a law of  
13 another state.

14 (V) A violation of paragraph (4) of subsection (c) of  
15 Section 11-20.1B or paragraph (4) of subsection (c) of  
16 Section 11-20.3 of the Criminal Code of 1961, or paragraph  
17 (6) of subsection (a) of Section 11-20.1 of the Criminal  
18 Code of 2012 when the victim is under 13 years of age and  
19 the defendant has previously been convicted under the laws  
20 of this State or any other state of the offense of child  
21 pornography, aggravated child pornography, aggravated  
22 criminal sexual abuse, aggravated criminal sexual assault,  
23 predatory criminal sexual assault of a child, or any of the  
24 offenses formerly known as rape, deviate sexual assault,  
25 indecent liberties with a child, or aggravated indecent  
26 liberties with a child where the victim was under the age

1 of 18 years or an offense that is substantially equivalent  
2 to those offenses.

3 (W) A violation of Section 24-3.5 of the Criminal Code  
4 of 1961 or the Criminal Code of 2012.

5 (X) A violation of subsection (a) of Section 31-1a of  
6 the Criminal Code of 1961 or the Criminal Code of 2012.

7 (Y) A conviction for unlawful possession of a firearm  
8 by a street gang member when the firearm was loaded or  
9 contained firearm ammunition.

10 (Z) A Class 1 felony committed while he or she was  
11 serving a term of probation or conditional discharge for a  
12 felony.

13 (AA) Theft of property exceeding \$500,000 and not  
14 exceeding \$1,000,000 in value.

15 (BB) Laundering of criminally derived property of a  
16 value exceeding \$500,000.

17 (CC) Knowingly selling, offering for sale, holding for  
18 sale, or using 2,000 or more counterfeit items or  
19 counterfeit items having a retail value in the aggregate of  
20 \$500,000 or more.

21 (DD) A conviction for aggravated assault under  
22 paragraph (6) of subsection (c) of Section 12-2 of the  
23 Criminal Code of 1961 or the Criminal Code of 2012 if the  
24 firearm is aimed toward the person against whom the firearm  
25 is being used.

26 (EE) A conviction for a violation of paragraph (2) of

1 subsection (a) of Section 24-3B of the Criminal Code of  
2 2012.

3 (3) (Blank).

4 (4) A minimum term of imprisonment of not less than 10  
5 consecutive days or 30 days of community service shall be  
6 imposed for a violation of paragraph (c) of Section 6-303 of  
7 the Illinois Vehicle Code.

8 (4.1) (Blank).

9 (4.2) Except as provided in paragraphs (4.3) and (4.8) of  
10 this subsection (c), a minimum of 100 hours of community  
11 service shall be imposed for a second violation of Section  
12 6-303 of the Illinois Vehicle Code.

13 (4.3) A minimum term of imprisonment of 30 days or 300  
14 hours of community service, as determined by the court, shall  
15 be imposed for a second violation of subsection (c) of Section  
16 6-303 of the Illinois Vehicle Code.

17 (4.4) Except as provided in paragraphs (4.5), (4.6), and  
18 (4.9) of this subsection (c), a minimum term of imprisonment of  
19 30 days or 300 hours of community service, as determined by the  
20 court, shall be imposed for a third or subsequent violation of  
21 Section 6-303 of the Illinois Vehicle Code.

22 (4.5) A minimum term of imprisonment of 30 days shall be  
23 imposed for a third violation of subsection (c) of Section  
24 6-303 of the Illinois Vehicle Code.

25 (4.6) Except as provided in paragraph (4.10) of this  
26 subsection (c), a minimum term of imprisonment of 180 days

1 shall be imposed for a fourth or subsequent violation of  
2 subsection (c) of Section 6-303 of the Illinois Vehicle Code.

3 (4.7) A minimum term of imprisonment of not less than 30  
4 consecutive days, or 300 hours of community service, shall be  
5 imposed for a violation of subsection (a-5) of Section 6-303 of  
6 the Illinois Vehicle Code, as provided in subsection (b-5) of  
7 that Section.

8 (4.8) A mandatory prison sentence shall be imposed for a  
9 second violation of subsection (a-5) of Section 6-303 of the  
10 Illinois Vehicle Code, as provided in subsection (c-5) of that  
11 Section. The person's driving privileges shall be revoked for a  
12 period of not less than 5 years from the date of his or her  
13 release from prison.

14 (4.9) A mandatory prison sentence of not less than 4 and  
15 not more than 15 years shall be imposed for a third violation  
16 of subsection (a-5) of Section 6-303 of the Illinois Vehicle  
17 Code, as provided in subsection (d-2.5) of that Section. The  
18 person's driving privileges shall be revoked for the remainder  
19 of his or her life.

20 (4.10) A mandatory prison sentence for a Class 1 felony  
21 shall be imposed, and the person shall be eligible for an  
22 extended term sentence, for a fourth or subsequent violation of  
23 subsection (a-5) of Section 6-303 of the Illinois Vehicle Code,  
24 as provided in subsection (d-3.5) of that Section. The person's  
25 driving privileges shall be revoked for the remainder of his or  
26 her life.

1           (5) The court may sentence a corporation or unincorporated  
2 association convicted of any offense to:

3           (A) a period of conditional discharge;

4           (B) a fine;

5           (C) make restitution to the victim under Section 5-5-6  
6 of this Code.

7           (5.1) In addition to any other penalties imposed, and  
8 except as provided in paragraph (5.2) or (5.3), 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 at least 90 days but not  
12 more than one year, if the violation resulted in damage to the  
13 property of another person.

14           (5.2) In addition to any other penalties imposed, and  
15 except as provided in paragraph (5.3), a person convicted of  
16 violating subsection (c) of Section 11-907 of the Illinois  
17 Vehicle Code shall have his or her driver's license, permit, or  
18 privileges suspended for at least 180 days but not more than 2  
19 years, if the violation resulted in injury to another person.

20           (5.3) In addition to any other penalties imposed, a person  
21 convicted of violating subsection (c) of Section 11-907 of the  
22 Illinois Vehicle Code shall have his or her driver's license,  
23 permit, or privileges suspended for 2 years, if the violation  
24 resulted in the death of another person.

25           (5.4) In addition to any other penalties imposed, a person  
26 convicted of violating Section 3-707 of the Illinois Vehicle

1 Code shall have his or her driver's license, permit, or  
2 privileges suspended for 3 months and until he or she has paid  
3 a reinstatement fee of \$100.

4 (5.5) In addition to any other penalties imposed, a person  
5 convicted of violating Section 3-707 of the Illinois Vehicle  
6 Code during a period in which his or her driver's license,  
7 permit, or privileges were suspended for a previous violation  
8 of that Section shall have his or her driver's license, permit,  
9 or privileges suspended for an additional 6 months after the  
10 expiration of the original 3-month suspension and until he or  
11 she has paid a reinstatement fee of \$100.

12 (6) (Blank).

13 (7) (Blank).

14 (8) (Blank).

15 (9) A defendant convicted of a second or subsequent offense  
16 of ritualized abuse of a child may be sentenced to a term of  
17 natural life imprisonment.

18 (10) (Blank).

19 (11) The court shall impose a minimum fine of \$1,000 for a  
20 first offense and \$2,000 for a second or subsequent offense  
21 upon a person convicted of or placed on supervision for battery  
22 when the individual harmed was a sports official or coach at  
23 any level of competition and the act causing harm to the sports  
24 official or coach occurred within an athletic facility or  
25 within the immediate vicinity of the athletic facility at which  
26 the sports official or coach was an active participant of the



1 athletic contest held at the athletic facility. For the  
2 purposes of this paragraph (11), "sports official" means a  
3 person at an athletic contest who enforces the rules of the  
4 contest, such as an umpire or referee; "athletic facility"  
5 means an indoor or outdoor playing field or recreational area  
6 where sports activities are conducted; and "coach" means a  
7 person recognized as a coach by the sanctioning authority that  
8 conducted the sporting event.

9 (12) A person may not receive a disposition of court  
10 supervision for a violation of Section 5-16 of the Boat  
11 Registration and Safety Act if that person has previously  
12 received a disposition of court supervision for a violation of  
13 that Section.

14 (13) A person convicted of or placed on court supervision  
15 for an assault or aggravated assault when the victim and the  
16 offender are family or household members as defined in Section  
17 103 of the Illinois Domestic Violence Act of 1986 or convicted  
18 of domestic battery or aggravated domestic battery may be  
19 required to attend a Partner Abuse Intervention Program under  
20 protocols set forth by the Illinois Department of Human  
21 Services under such terms and conditions imposed by the court.  
22 The costs of such classes shall be paid by the offender.

23 (d) In any case in which a sentence originally imposed is  
24 vacated, the case shall be remanded to the trial court. The  
25 trial court shall hold a hearing under Section 5-4-1 of the  
26 Unified Code of Corrections which may include evidence of the

1 defendant's life, moral character and occupation during the  
2 time since the original sentence was passed. The trial court  
3 shall then impose sentence upon the defendant. The trial court  
4 may impose any sentence which could have been imposed at the  
5 original trial subject to Section 5-5-4 of the Unified Code of  
6 Corrections. If a sentence is vacated on appeal or on  
7 collateral attack due to the failure of the trier of fact at  
8 trial to determine beyond a reasonable doubt the existence of a  
9 fact (other than a prior conviction) necessary to increase the  
10 punishment for the offense beyond the statutory maximum  
11 otherwise applicable, either the defendant may be re-sentenced  
12 to a term within the range otherwise provided or, if the State  
13 files notice of its intention to again seek the extended  
14 sentence, the defendant shall be afforded a new trial.

15 (e) In cases where prosecution for aggravated criminal  
16 sexual abuse under Section 11-1.60 or 12-16 of the Criminal  
17 Code of 1961 or the Criminal Code of 2012 results in conviction  
18 of a defendant who was a family member of the victim at the  
19 time of the commission of the offense, the court shall consider  
20 the safety and welfare of the victim and may impose a sentence  
21 of probation only where:

22 (1) the court finds (A) or (B) or both are appropriate:

23 (A) the defendant is willing to undergo a court  
24 approved counseling program for a minimum duration of 2  
25 years; or

26 (B) the defendant is willing to participate in a

1 court approved plan including but not limited to the  
2 defendant's:

3 (i) removal from the household;

4 (ii) restricted contact with the victim;

5 (iii) continued financial support of the  
6 family;

7 (iv) restitution for harm done to the victim;

8 and

9 (v) compliance with any other measures that  
10 the court may deem appropriate; and

11 (2) the court orders the defendant to pay for the  
12 victim's counseling services, to the extent that the court  
13 finds, after considering the defendant's income and  
14 assets, that the defendant is financially capable of paying  
15 for such services, if the victim was under 18 years of age  
16 at the time the offense was committed and requires  
17 counseling as a result of the offense.

18 Probation may be revoked or modified pursuant to Section  
19 5-6-4; except where the court determines at the hearing that  
20 the defendant violated a condition of his or her probation  
21 restricting contact with the victim or other family members or  
22 commits another offense with the victim or other family  
23 members, the court shall revoke the defendant's probation and  
24 impose a term of imprisonment.

25 For the purposes of this Section, "family member" and  
26 "victim" shall have the meanings ascribed to them in Section

1 11-0.1 of the Criminal Code of 2012.

2 (f) (Blank).

3 (g) Whenever a defendant is convicted of an offense under  
4 Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14,  
5 11-14.3, 11-14.4 except for an offense that involves keeping a  
6 place of juvenile prostitution, 11-15, 11-15.1, 11-16, 11-17,  
7 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 12-13, 12-14,  
8 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 or the  
9 Criminal Code of 2012, the defendant shall undergo medical  
10 testing to determine whether the defendant has any sexually  
11 transmissible disease, including a test for infection with  
12 human immunodeficiency virus (HIV) or any other identified  
13 causative agent of acquired immunodeficiency syndrome (AIDS).  
14 Any such medical test shall be performed only by appropriately  
15 licensed medical practitioners and may include an analysis of  
16 any bodily fluids as well as an examination of the defendant's  
17 person. Except as otherwise provided by law, the results of  
18 such test shall be kept strictly confidential by all medical  
19 personnel involved in the testing and must be personally  
20 delivered in a sealed envelope to the judge of the court in  
21 which the conviction was entered for the judge's inspection in  
22 camera. Acting in accordance with the best interests of the  
23 victim and the public, the judge shall have the discretion to  
24 determine to whom, if anyone, the results of the testing may be  
25 revealed. The court shall notify the defendant of the test  
26 results. The court shall also notify the victim if requested by

1 the victim, and if the victim is under the age of 15 and if  
2 requested by the victim's parents or legal guardian, the court  
3 shall notify the victim's parents or legal guardian of the test  
4 results. The court shall provide information on the  
5 availability of HIV testing and counseling at Department of  
6 Public Health facilities to all parties to whom the results of  
7 the testing are revealed and shall direct the State's Attorney  
8 to provide the information to the victim when possible. A  
9 State's Attorney may petition the court to obtain the results  
10 of any HIV test administered under this Section, and the court  
11 shall grant the disclosure if the State's Attorney shows it is  
12 relevant in order to prosecute a charge of criminal  
13 transmission of HIV under Section 12-5.01 or 12-16.2 of the  
14 Criminal Code of 1961 or the Criminal Code of 2012 against the  
15 defendant. The court shall order that the cost of any such test  
16 shall be paid by the county and may be taxed as costs against  
17 the convicted defendant.

18 (g-5) When an inmate is tested for an airborne communicable  
19 disease, as determined by the Illinois Department of Public  
20 Health including but not limited to tuberculosis, the results  
21 of the test shall be personally delivered by the warden or his  
22 or her designee in a sealed envelope to the judge of the court  
23 in which the inmate must appear for the judge's inspection in  
24 camera if requested by the judge. Acting in accordance with the  
25 best interests of those in the courtroom, the judge shall have  
26 the discretion to determine what if any precautions need to be

1 taken to prevent transmission of the disease in the courtroom.

2 (h) Whenever a defendant is convicted of an offense under  
3 Section 1 or 2 of the Hypodermic Syringes and Needles Act, the  
4 defendant shall undergo medical testing to determine whether  
5 the defendant has been exposed to human immunodeficiency virus  
6 (HIV) or any other identified causative agent of acquired  
7 immunodeficiency syndrome (AIDS). Except as otherwise provided  
8 by law, the results of such test shall be kept strictly  
9 confidential by all medical personnel involved in the testing  
10 and must be personally delivered in a sealed envelope to the  
11 judge of the court in which the conviction was entered for the  
12 judge's inspection in camera. Acting in accordance with the  
13 best interests of the public, the judge shall have the  
14 discretion to determine to whom, if anyone, the results of the  
15 testing may be revealed. The court shall notify the defendant  
16 of a positive test showing an infection with the human  
17 immunodeficiency virus (HIV). The court shall provide  
18 information on the availability of HIV testing and counseling  
19 at Department of Public Health facilities to all parties to  
20 whom the results of the testing are revealed and shall direct  
21 the State's Attorney to provide the information to the victim  
22 when possible. A State's Attorney may petition the court to  
23 obtain the results of any HIV test administered under this  
24 Section, and the court shall grant the disclosure if the  
25 State's Attorney shows it is relevant in order to prosecute a  
26 charge of criminal transmission of HIV under Section 12-5.01 or

1 12-16.2 of the Criminal Code of 1961 or the Criminal Code of  
2 2012 against the defendant. The court shall order that the cost  
3 of any such test shall be paid by the county and may be taxed as  
4 costs against the convicted defendant.

5 (i) All fines and penalties imposed under this Section for  
6 any violation of Chapters 3, 4, 6, and 11 of the Illinois  
7 Vehicle Code, or a similar provision of a local ordinance, and  
8 any violation of the Child Passenger Protection Act, or a  
9 similar provision of a local ordinance, shall be collected and  
10 disbursed by the circuit clerk as provided under the Criminal  
11 and Traffic Assessment Act ~~Section 27.5 of the Clerks of Courts~~  
12 ~~Act~~.

13 (j) In cases when prosecution for any violation of Section  
14 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-8, 11-9,  
15 11-11, 11-14, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16, 11-17,  
16 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20.1,  
17 11-20.1B, 11-20.3, 11-21, 11-30, 11-40, 12-13, 12-14, 12-14.1,  
18 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal  
19 Code of 2012, any violation of the Illinois Controlled  
20 Substances Act, any violation of the Cannabis Control Act, or  
21 any violation of the Methamphetamine Control and Community  
22 Protection Act results in conviction, a disposition of court  
23 supervision, or an order of probation granted under Section 10  
24 of the Cannabis Control Act, Section 410 of the Illinois  
25 Controlled Substances Act, or Section 70 of the Methamphetamine  
26 Control and Community Protection Act of a defendant, the court

1 shall determine whether the defendant is employed by a facility  
2 or center as defined under the Child Care Act of 1969, a public  
3 or private elementary or secondary school, or otherwise works  
4 with children under 18 years of age on a daily basis. When a  
5 defendant is so employed, the court shall order the Clerk of  
6 the Court to send a copy of the judgment of conviction or order  
7 of supervision or probation to the defendant's employer by  
8 certified mail. If the employer of the defendant is a school,  
9 the Clerk of the Court shall direct the mailing of a copy of  
10 the judgment of conviction or order of supervision or probation  
11 to the appropriate regional superintendent of schools. The  
12 regional superintendent of schools shall notify the State Board  
13 of Education of any notification under this subsection.

14 (j-5) A defendant at least 17 years of age who is convicted  
15 of a felony and who has not been previously convicted of a  
16 misdemeanor or felony and who is sentenced to a term of  
17 imprisonment in the Illinois Department of Corrections shall as  
18 a condition of his or her sentence be required by the court to  
19 attend educational courses designed to prepare the defendant  
20 for a high school diploma and to work toward a high school  
21 diploma or to work toward passing high school equivalency  
22 testing or to work toward completing a vocational training  
23 program offered by the Department of Corrections. If a  
24 defendant fails to complete the educational training required  
25 by his or her sentence during the term of incarceration, the  
26 Prisoner Review Board shall, as a condition of mandatory



1 supervised release, require the defendant, at his or her own  
2 expense, to pursue a course of study toward a high school  
3 diploma or passage of high school equivalency testing. The  
4 Prisoner Review Board shall revoke the mandatory supervised  
5 release of a defendant who wilfully fails to comply with this  
6 subsection (j-5) upon his or her release from confinement in a  
7 penal institution while serving a mandatory supervised release  
8 term; however, the inability of the defendant after making a  
9 good faith effort to obtain financial aid or pay for the  
10 educational training shall not be deemed a wilful failure to  
11 comply. The Prisoner Review Board shall recommit the defendant  
12 whose mandatory supervised release term has been revoked under  
13 this subsection (j-5) as provided in Section 3-3-9. This  
14 subsection (j-5) does not apply to a defendant who has a high  
15 school diploma or has successfully passed high school  
16 equivalency testing. This subsection (j-5) does not apply to a  
17 defendant who is determined by the court to be a person with a  
18 developmental disability or otherwise mentally incapable of  
19 completing the educational or vocational program.

20 (k) (Blank).

21 (l) (A) Except as provided in paragraph (C) of subsection  
22 (l), whenever a defendant, who is an alien as defined by the  
23 Immigration and Nationality Act, is convicted of any felony or  
24 misdemeanor offense, the court after sentencing the defendant  
25 may, upon motion of the State's Attorney, hold sentence in  
26 abeyance and remand the defendant to the custody of the

1 Attorney General of the United States or his or her designated  
2 agent to be deported when:

3 (1) a final order of deportation has been issued  
4 against the defendant pursuant to proceedings under the  
5 Immigration and Nationality Act, and

6 (2) the deportation of the defendant would not  
7 deprecate the seriousness of the defendant's conduct and  
8 would not be inconsistent with the ends of justice.

9 Otherwise, the defendant shall be sentenced as provided in  
10 this Chapter V.

11 (B) If the defendant has already been sentenced for a  
12 felony or misdemeanor offense, or has been placed on probation  
13 under Section 10 of the Cannabis Control Act, Section 410 of  
14 the Illinois Controlled Substances Act, or Section 70 of the  
15 Methamphetamine Control and Community Protection Act, the  
16 court may, upon motion of the State's Attorney to suspend the  
17 sentence imposed, commit the defendant to the custody of the  
18 Attorney General of the United States or his or her designated  
19 agent when:

20 (1) a final order of deportation has been issued  
21 against the defendant pursuant to proceedings under the  
22 Immigration and Nationality Act, and

23 (2) the deportation of the defendant would not  
24 deprecate the seriousness of the defendant's conduct and  
25 would not be inconsistent with the ends of justice.

26 (C) This subsection (1) does not apply to offenders who are

1 subject to the provisions of paragraph (2) of subsection (a) of  
2 Section 3-6-3.

3 (D) Upon motion of the State's Attorney, if a defendant  
4 sentenced under this Section returns to the jurisdiction of the  
5 United States, the defendant shall be recommitted to the  
6 custody of the county from which he or she was sentenced.  
7 Thereafter, the defendant shall be brought before the  
8 sentencing court, which may impose any sentence that was  
9 available under Section 5-5-3 at the time of initial  
10 sentencing. In addition, the defendant shall not be eligible  
11 for additional sentence credit for good conduct as provided  
12 under Section 3-6-3.

13 (m) A person convicted of criminal defacement of property  
14 under Section 21-1.3 of the Criminal Code of 1961 or the  
15 Criminal Code of 2012, in which the property damage exceeds  
16 \$300 and the property damaged is a school building, shall be  
17 ordered to perform community service that may include cleanup,  
18 removal, or painting over the defacement.

19 (n) The court may sentence a person convicted of a  
20 violation of Section 12-19, 12-21, 16-1.3, or 17-56, or  
21 subsection (a) or (b) of Section 12-4.4a, of the Criminal Code  
22 of 1961 or the Criminal Code of 2012 (i) to an impact  
23 incarceration program if the person is otherwise eligible for  
24 that program under Section 5-8-1.1, (ii) to community service,  
25 or (iii) if the person is an addict or alcoholic, as defined in  
26 the Alcoholism and Other Drug Abuse and Dependency Act, to a

1 substance or alcohol abuse program licensed under that Act.

2 (o) Whenever a person is convicted of a sex offense as  
3 defined in Section 2 of the Sex Offender Registration Act, the  
4 defendant's driver's license or permit shall be subject to  
5 renewal on an annual basis in accordance with the provisions of  
6 license renewal established by the Secretary of State.

7 (Source: P.A. 98-718, eff. 1-1-15; 98-756, eff. 7-16-14;  
8 99-143, eff. 7-27-15; 99-885, eff. 8-23-16.)

9 (730 ILCS 5/5-5-6) (from Ch. 38, par. 1005-5-6)

10 Sec. 5-5-6. In all convictions for offenses in violation of  
11 the Criminal Code of 1961 or the Criminal Code of 2012 or of  
12 Section 11-501 of the Illinois Vehicle Code in which the person  
13 received any injury to his or her person or damage to his or  
14 her real or personal property as a result of the criminal act  
15 of the defendant, the court shall order restitution as provided  
16 in this Section. In all other cases, except cases in which  
17 restitution is required under this Section, the court must at  
18 the sentence hearing determine whether restitution is an  
19 appropriate sentence to be imposed on each defendant convicted  
20 of an offense. If the court determines that an order directing  
21 the offender to make restitution is appropriate, the offender  
22 may be sentenced to make restitution. The court may consider  
23 restitution an appropriate sentence to be imposed on each  
24 defendant convicted of an offense in addition to a sentence of  
25 imprisonment. The sentence of the defendant to a term of

1 imprisonment is not a mitigating factor that prevents the court  
2 from ordering the defendant to pay restitution. If the offender  
3 is sentenced to make restitution the Court shall determine the  
4 restitution as hereinafter set forth:

5 (a) At the sentence hearing, the court shall determine  
6 whether the property may be restored in kind to the  
7 possession of the owner or the person entitled to  
8 possession thereof; or whether the defendant is possessed  
9 of sufficient skill to repair and restore property damaged;  
10 or whether the defendant should be required to make  
11 restitution in cash, for out-of-pocket expenses, damages,  
12 losses, or injuries found to have been proximately caused  
13 by the conduct of the defendant or another for whom the  
14 defendant is legally accountable under the provisions of  
15 Article 5 of the Criminal Code of 1961 or the Criminal Code  
16 of 2012.

17 (b) In fixing the amount of restitution to be paid in  
18 cash, the court shall allow credit for property returned in  
19 kind, for property damages ordered to be repaired by the  
20 defendant, and for property ordered to be restored by the  
21 defendant; and after granting the credit, the court shall  
22 assess the actual out-of-pocket expenses, losses, damages,  
23 and injuries suffered by the victim named in the charge and  
24 any other victims who may also have suffered out-of-pocket  
25 expenses, losses, damages, and injuries proximately caused  
26 by the same criminal conduct of the defendant, and

1 insurance carriers who have indemnified the named victim or  
2 other victims for the out-of-pocket expenses, losses,  
3 damages, or injuries, provided that in no event shall  
4 restitution be ordered to be paid on account of pain and  
5 suffering. When a victim's out-of-pocket expenses have  
6 been paid pursuant to the Crime Victims Compensation Act,  
7 the court shall order restitution be paid to the  
8 compensation program. If a defendant is placed on  
9 supervision for, or convicted of, domestic battery, the  
10 defendant shall be required to pay restitution to any  
11 domestic violence shelter in which the victim and any other  
12 family or household members lived because of the domestic  
13 battery. The amount of the restitution shall equal the  
14 actual expenses of the domestic violence shelter in  
15 providing housing and any other services for the victim and  
16 any other family or household members living at the  
17 shelter. If a defendant fails to pay restitution in the  
18 manner or within the time period specified by the court,  
19 the court may enter an order directing the sheriff to seize  
20 any real or personal property of a defendant to the extent  
21 necessary to satisfy the order of restitution and dispose  
22 of the property by public sale. All proceeds from such sale  
23 in excess of the amount of restitution plus court costs and  
24 the costs of the sheriff in conducting the sale shall be  
25 paid to the defendant. The defendant convicted of domestic  
26 battery, if a person under 18 years of age was present and

1           witnessed the domestic battery of the victim, is liable to  
2           pay restitution for the cost of any counseling required for  
3           the child at the discretion of the court.

4           (c) In cases where more than one defendant is  
5           accountable for the same criminal conduct that results in  
6           out-of-pocket expenses, losses, damages, or injuries, each  
7           defendant shall be ordered to pay restitution in the amount  
8           of the total actual out-of-pocket expenses, losses,  
9           damages, or injuries to the victim proximately caused by  
10          the conduct of all of the defendants who are legally  
11          accountable for the offense.

12           (1) In no event shall the victim be entitled to  
13          recover restitution in excess of the actual  
14          out-of-pocket expenses, losses, damages, or injuries,  
15          proximately caused by the conduct of all of the  
16          defendants.

17           (2) As between the defendants, the court may  
18          apportion the restitution that is payable in  
19          proportion to each co-defendant's culpability in the  
20          commission of the offense.

21           (3) In the absence of a specific order apportioning  
22          the restitution, each defendant shall bear his pro rata  
23          share of the restitution.

24           (4) As between the defendants, each defendant  
25          shall be entitled to a pro rata reduction in the total  
26          restitution required to be paid to the victim for

1 amounts of restitution actually paid by co-defendants,  
2 and defendants who shall have paid more than their pro  
3 rata share shall be entitled to refunds to be computed  
4 by the court as additional amounts are paid by  
5 co-defendants.

6 (d) In instances where a defendant has more than one  
7 criminal charge pending against him in a single case, or  
8 more than one case, and the defendant stands convicted of  
9 one or more charges, a plea agreement negotiated by the  
10 State's Attorney and the defendants may require the  
11 defendant to make restitution to victims of charges that  
12 have been dismissed or which it is contemplated will be  
13 dismissed under the terms of the plea agreement, and under  
14 the agreement, the court may impose a sentence of  
15 restitution on the charge or charges of which the defendant  
16 has been convicted that would require the defendant to make  
17 restitution to victims of other offenses as provided in the  
18 plea agreement.

19 (e) The court may require the defendant to apply the  
20 balance of the cash bond, after payment of court costs, and  
21 any fine that may be imposed to the payment of restitution.

22 (f) Taking into consideration the ability of the  
23 defendant to pay, including any real or personal property  
24 or any other assets of the defendant, the court shall  
25 determine whether restitution shall be paid in a single  
26 payment or in installments, and shall fix a period of time



1 not in excess of 5 years, except for violations of Sections  
2 16-1.3 and 17-56 of the Criminal Code of 1961 or the  
3 Criminal Code of 2012, or the period of time specified in  
4 subsection (f-1), not including periods of incarceration,  
5 within which payment of restitution is to be paid in full.  
6 Complete restitution shall be paid in as short a time  
7 period as possible. However, if the court deems it  
8 necessary and in the best interest of the victim, the court  
9 may extend beyond 5 years the period of time within which  
10 the payment of restitution is to be paid. If the defendant  
11 is ordered to pay restitution and the court orders that  
12 restitution is to be paid over a period greater than 6  
13 months, the court shall order that the defendant make  
14 monthly payments; the court may waive this requirement of  
15 monthly payments only if there is a specific finding of  
16 good cause for waiver.

17 (f-1) (1) In addition to any other penalty prescribed by  
18 law and any restitution ordered under this Section that did  
19 not include long-term physical health care costs, the court  
20 may, upon conviction of any misdemeanor or felony, order a  
21 defendant to pay restitution to a victim in accordance with  
22 the provisions of this subsection (f-1) if the victim has  
23 suffered physical injury as a result of the offense that is  
24 reasonably probable to require or has required long-term  
25 physical health care for more than 3 months. As used in  
26 this subsection (f-1) "long-term physical health care"

1 includes mental health care.

2 (2) The victim's estimate of long-term physical health  
3 care costs may be made as part of a victim impact statement  
4 under Section 6 of the Rights of Crime Victims and  
5 Witnesses Act or made separately. The court shall enter the  
6 long-term physical health care restitution order at the  
7 time of sentencing. An order of restitution made under this  
8 subsection (f-1) shall fix a monthly amount to be paid by  
9 the defendant for as long as long-term physical health care  
10 of the victim is required as a result of the offense. The  
11 order may exceed the length of any sentence imposed upon  
12 the defendant for the criminal activity. The court shall  
13 include as a special finding in the judgment of conviction  
14 its determination of the monthly cost of long-term physical  
15 health care.

16 (3) After a sentencing order has been entered, the  
17 court may from time to time, on the petition of either the  
18 defendant or the victim, or upon its own motion, enter an  
19 order for restitution for long-term physical care or modify  
20 the existing order for restitution for long-term physical  
21 care as to the amount of monthly payments. Any modification  
22 of the order shall be based only upon a substantial change  
23 of circumstances relating to the cost of long-term physical  
24 health care or the financial condition of either the  
25 defendant or the victim. The petition shall be filed as  
26 part of the original criminal docket.

1 (g) In addition to the sentences provided for in  
2 Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,  
3 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-13, 12-14,  
4 12-14.1, 12-15, and 12-16, and subdivision (a)(4) of  
5 Section 11-14.4, of the Criminal Code of 1961 or the  
6 Criminal Code of 2012, the court may order any person who  
7 is convicted of violating any of those Sections or who was  
8 charged with any of those offenses and which charge was  
9 reduced to another charge as a result of a plea agreement  
10 under subsection (d) of this Section to meet all or any  
11 portion of the financial obligations of treatment,  
12 including but not limited to medical, psychiatric, or  
13 rehabilitative treatment or psychological counseling,  
14 prescribed for the victim or victims of the offense.

15 The payments shall be made by the defendant to the  
16 clerk of the circuit court and transmitted by the clerk to  
17 the appropriate person or agency as directed by the court.  
18 Except as otherwise provided in subsection (f-1), the order  
19 may require such payments to be made for a period not to  
20 exceed 5 years after sentencing, not including periods of  
21 incarceration.

22 (h) The judge may enter an order of withholding to  
23 collect the amount of restitution owed in accordance with  
24 Part 8 of Article XII of the Code of Civil Procedure.

25 (i) A sentence of restitution may be modified or  
26 revoked by the court if the offender commits another

1 offense, or the offender fails to make restitution as  
2 ordered by the court, but no sentence to make restitution  
3 shall be revoked unless the court shall find that the  
4 offender has had the financial ability to make restitution,  
5 and he has wilfully refused to do so. When the offender's  
6 ability to pay restitution was established at the time an  
7 order of restitution was entered or modified, or when the  
8 offender's ability to pay was based on the offender's  
9 willingness to make restitution as part of a plea agreement  
10 made at the time the order of restitution was entered or  
11 modified, there is a rebuttable presumption that the facts  
12 and circumstances considered by the court at the hearing at  
13 which the order of restitution was entered or modified  
14 regarding the offender's ability or willingness to pay  
15 restitution have not materially changed. If the court shall  
16 find that the defendant has failed to make restitution and  
17 that the failure is not wilful, the court may impose an  
18 additional period of time within which to make restitution.  
19 The length of the additional period shall not be more than  
20 2 years. The court shall retain all of the incidents of the  
21 original sentence, including the authority to modify or  
22 enlarge the conditions, and to revoke or further modify the  
23 sentence if the conditions of payment are violated during  
24 the additional period.

25 (j) The procedure upon the filing of a Petition to  
26 Revoke a sentence to make restitution shall be the same as

1 the procedures set forth in Section 5-6-4 of this Code  
2 governing violation, modification, or revocation of  
3 Probation, of Conditional Discharge, or of Supervision.

4 (k) Nothing contained in this Section shall preclude  
5 the right of any party to proceed in a civil action to  
6 recover for any damages incurred due to the criminal  
7 misconduct of the defendant.

8 (l) Restitution ordered under this Section shall not be  
9 subject to disbursement by the circuit clerk under the  
10 Criminal and Traffic Assessment Act ~~Section 27.5 of the~~  
11 ~~Clerks of Courts Act.~~

12 (m) A restitution order under this Section is a  
13 judgment lien in favor of the victim that:

14 (1) Attaches to the property of the person subject  
15 to the order;

16 (2) May be perfected in the same manner as provided  
17 in Part 3 of Article 9 of the Uniform Commercial Code;

18 (3) May be enforced to satisfy any payment that is  
19 delinquent under the restitution order by the person in  
20 whose favor the order is issued or the person's  
21 assignee; and

22 (4) Expires in the same manner as a judgment lien  
23 created in a civil proceeding.

24 When a restitution order is issued under this Section,  
25 the issuing court shall send a certified copy of the order  
26 to the clerk of the circuit court in the county where the

1 charge was filed. Upon receiving the order, the clerk shall  
2 enter and index the order in the circuit court judgment  
3 docket.

4 (n) An order of restitution under this Section does not  
5 bar a civil action for:

6 (1) Damages that the court did not require the  
7 person to pay to the victim under the restitution order  
8 but arise from an injury or property damages that is  
9 the basis of restitution ordered by the court; and

10 (2) Other damages suffered by the victim.

11 The restitution order is not discharged by the completion  
12 of the sentence imposed for the offense.

13 A restitution order under this Section is not discharged by  
14 the liquidation of a person's estate by a receiver. A  
15 restitution order under this Section may be enforced in the  
16 same manner as judgment liens are enforced under Article XII of  
17 the Code of Civil Procedure.

18 The provisions of Section 2-1303 of the Code of Civil  
19 Procedure, providing for interest on judgments, apply to  
20 judgments for restitution entered under this Section.

21 (Source: P.A. 96-290, eff. 8-11-09; 96-1551, eff. 7-1-11;  
22 97-482, eff. 1-1-12; 97-817, eff. 1-1-13; 97-1150, eff.  
23 1-25-13.)

24 (730 ILCS 5/5-6-1) (from Ch. 38, par. 1005-6-1)

25 Sec. 5-6-1. Sentences of Probation and of Conditional

1 Discharge and Disposition of Supervision. The General Assembly  
2 finds that in order to protect the public, the criminal justice  
3 system must compel compliance with the conditions of probation  
4 by responding to violations with swift, certain and fair  
5 punishments and intermediate sanctions. The Chief Judge of each  
6 circuit shall adopt a system of structured, intermediate  
7 sanctions for violations of the terms and conditions of a  
8 sentence of probation, conditional discharge or disposition of  
9 supervision.

10 (a) Except where specifically prohibited by other  
11 provisions of this Code, the court shall impose a sentence of  
12 probation or conditional discharge upon an offender unless,  
13 having regard to the nature and circumstance of the offense,  
14 and to the history, character and condition of the offender,  
15 the court is of the opinion that:

16 (1) his imprisonment or periodic imprisonment is  
17 necessary for the protection of the public; or

18 (2) probation or conditional discharge would deprecate  
19 the seriousness of the offender's conduct and would be  
20 inconsistent with the ends of justice; or

21 (3) a combination of imprisonment with concurrent or  
22 consecutive probation when an offender has been admitted  
23 into a drug court program under Section 20 of the Drug  
24 Court Treatment Act is necessary for the protection of the  
25 public and for the rehabilitation of the offender.

26 The court shall impose as a condition of a sentence of

1 probation, conditional discharge, or supervision, that the  
2 probation agency may invoke any sanction from the list of  
3 intermediate sanctions adopted by the chief judge of the  
4 circuit court for violations of the terms and conditions of the  
5 sentence of probation, conditional discharge, or supervision,  
6 subject to the provisions of Section 5-6-4 of this Act.

7 (b) The court may impose a sentence of conditional  
8 discharge for an offense if the court is of the opinion that  
9 neither a sentence of imprisonment nor of periodic imprisonment  
10 nor of probation supervision is appropriate.

11 (b-1) Subsections (a) and (b) of this Section do not apply  
12 to a defendant charged with a misdemeanor or felony under the  
13 Illinois Vehicle Code or reckless homicide under Section 9-3 of  
14 the Criminal Code of 1961 or the Criminal Code of 2012 if the  
15 defendant within the past 12 months has been convicted of or  
16 pleaded guilty to a misdemeanor or felony under the Illinois  
17 Vehicle Code or reckless homicide under Section 9-3 of the  
18 Criminal Code of 1961 or the Criminal Code of 2012.

19 (c) The court may, upon a plea of guilty or a stipulation  
20 by the defendant of the facts supporting the charge or a  
21 finding of guilt, defer further proceedings and the imposition  
22 of a sentence, and enter an order for supervision of the  
23 defendant, if the defendant is not charged with: (i) a Class A  
24 misdemeanor, as defined by the following provisions of the  
25 Criminal Code of 1961 or the Criminal Code of 2012: Sections  
26 11-9.1; 12-3.2; 11-1.50 or 12-15; 26-5 or 48-1; 31-1; 31-6;



1 31-7; paragraphs (2) and (3) of subsection (a) of Section 21-1;  
2 paragraph (1) through (5), (8), (10), and (11) of subsection  
3 (a) of Section 24-1; (ii) a Class A misdemeanor violation of  
4 Section 3.01, 3.03-1, or 4.01 of the Humane Care for Animals  
5 Act; or (iii) a felony. If the defendant is not barred from  
6 receiving an order for supervision as provided in this  
7 subsection, the court may enter an order for supervision after  
8 considering the circumstances of the offense, and the history,  
9 character and condition of the offender, if the court is of the  
10 opinion that:

11 (1) the offender is not likely to commit further  
12 crimes;

13 (2) the defendant and the public would be best served  
14 if the defendant were not to receive a criminal record; and

15 (3) in the best interests of justice an order of  
16 supervision is more appropriate than a sentence otherwise  
17 permitted under this Code.

18 (c-5) Subsections (a), (b), and (c) of this Section do not  
19 apply to a defendant charged with a second or subsequent  
20 violation of Section 6-303 of the Illinois Vehicle Code  
21 committed while his or her driver's license, permit or  
22 privileges were revoked because of a violation of Section 9-3  
23 of the Criminal Code of 1961 or the Criminal Code of 2012,  
24 relating to the offense of reckless homicide, or a similar  
25 provision of a law of another state.

26 (d) The provisions of paragraph (c) shall not apply to a

1 defendant charged with violating Section 11-501 of the Illinois  
2 Vehicle Code or a similar provision of a local ordinance when  
3 the defendant has previously been:

4 (1) convicted for a violation of Section 11-501 of the  
5 Illinois Vehicle Code or a similar provision of a local  
6 ordinance or any similar law or ordinance of another state;  
7 or

8 (2) assigned supervision for a violation of Section  
9 11-501 of the Illinois Vehicle Code or a similar provision  
10 of a local ordinance or any similar law or ordinance of  
11 another state; or

12 (3) pleaded guilty to or stipulated to the facts  
13 supporting a charge or a finding of guilty to a violation  
14 of Section 11-503 of the Illinois Vehicle Code or a similar  
15 provision of a local ordinance or any similar law or  
16 ordinance of another state, and the plea or stipulation was  
17 the result of a plea agreement.

18 The court shall consider the statement of the prosecuting  
19 authority with regard to the standards set forth in this  
20 Section.

21 (e) The provisions of paragraph (c) shall not apply to a  
22 defendant charged with violating Section 16-25 or 16A-3 of the  
23 Criminal Code of 1961 or the Criminal Code of 2012 if said  
24 defendant has within the last 5 years been:

25 (1) convicted for a violation of Section 16-25 or 16A-3  
26 of the Criminal Code of 1961 or the Criminal Code of 2012;

1 or

2 (2) assigned supervision for a violation of Section  
3 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal  
4 Code of 2012.

5 The court shall consider the statement of the prosecuting  
6 authority with regard to the standards set forth in this  
7 Section.

8 (f) The provisions of paragraph (c) shall not apply to a  
9 defendant charged with violating Sections 15-111, 15-112,  
10 15-301, paragraph (b) of Section 6-104, Section 11-605,  
11 paragraph (d-5) of Section 11-605.1, Section 11-1002.5, or  
12 Section 11-1414 of the Illinois Vehicle Code or a similar  
13 provision of a local ordinance.

14 (g) Except as otherwise provided in paragraph (i) of this  
15 Section, the provisions of paragraph (c) shall not apply to a  
16 defendant charged with violating Section 3-707, 3-708, 3-710,  
17 or 5-401.3 of the Illinois Vehicle Code or a similar provision  
18 of a local ordinance if the defendant has within the last 5  
19 years been:

20 (1) convicted for a violation of Section 3-707, 3-708,  
21 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar  
22 provision of a local ordinance; or

23 (2) assigned supervision for a violation of Section  
24 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle  
25 Code or a similar provision of a local ordinance.

26 The court shall consider the statement of the prosecuting

1 authority with regard to the standards set forth in this  
2 Section.

3 (h) The provisions of paragraph (c) shall not apply to a  
4 defendant under the age of 21 years charged with violating a  
5 serious traffic offense as defined in Section 1-187.001 of the  
6 Illinois Vehicle Code:

7 (1) unless the defendant, upon payment of the fines,  
8 penalties, and costs provided by law, agrees to attend and  
9 successfully complete a traffic safety program approved by  
10 the court under standards set by the Conference of Chief  
11 Circuit Judges. The accused shall be responsible for  
12 payment of any traffic safety program fees. If the accused  
13 fails to file a certificate of successful completion on or  
14 before the termination date of the supervision order, the  
15 supervision shall be summarily revoked and conviction  
16 entered. The provisions of Supreme Court Rule 402 relating  
17 to pleas of guilty do not apply in cases when a defendant  
18 enters a guilty plea under this provision; or

19 (2) if the defendant has previously been sentenced  
20 under the provisions of paragraph (c) on or after January  
21 1, 1998 for any serious traffic offense as defined in  
22 Section 1-187.001 of the Illinois Vehicle Code.

23 (h-1) The provisions of paragraph (c) shall not apply to a  
24 defendant under the age of 21 years charged with an offense  
25 against traffic regulations governing the movement of vehicles  
26 or any violation of Section 6-107 or Section 12-603.1 of the

1 Illinois Vehicle Code, unless the defendant, upon payment of  
2 the fines, penalties, and costs provided by law, agrees to  
3 attend and successfully complete a traffic safety program  
4 approved by the court under standards set by the Conference of  
5 Chief Circuit Judges. The accused shall be responsible for  
6 payment of any traffic safety program fees. If the accused  
7 fails to file a certificate of successful completion on or  
8 before the termination date of the supervision order, the  
9 supervision shall be summarily revoked and conviction entered.  
10 The provisions of Supreme Court Rule 402 relating to pleas of  
11 guilty do not apply in cases when a defendant enters a guilty  
12 plea under this provision.

13 (i) The provisions of paragraph (c) shall not apply to a  
14 defendant charged with violating Section 3-707 of the Illinois  
15 Vehicle Code or a similar provision of a local ordinance if the  
16 defendant has been assigned supervision for a violation of  
17 Section 3-707 of the Illinois Vehicle Code or a similar  
18 provision of a local ordinance.

19 (j) The provisions of paragraph (c) shall not apply to a  
20 defendant charged with violating Section 6-303 of the Illinois  
21 Vehicle Code or a similar provision of a local ordinance when  
22 the revocation or suspension was for a violation of Section  
23 11-501 or a similar provision of a local ordinance or a  
24 violation of Section 11-501.1 or paragraph (b) of Section  
25 11-401 of the Illinois Vehicle Code if the defendant has within  
26 the last 10 years been:

1 (1) convicted for a violation of Section 6-303 of the  
2 Illinois Vehicle Code or a similar provision of a local  
3 ordinance; or

4 (2) assigned supervision for a violation of Section  
5 6-303 of the Illinois Vehicle Code or a similar provision  
6 of a local ordinance.

7 (k) The provisions of paragraph (c) shall not apply to a  
8 defendant charged with violating any provision of the Illinois  
9 Vehicle Code or a similar provision of a local ordinance that  
10 governs the movement of vehicles if, within the 12 months  
11 preceding the date of the defendant's arrest, the defendant has  
12 been assigned court supervision on 2 occasions for a violation  
13 that governs the movement of vehicles under the Illinois  
14 Vehicle Code or a similar provision of a local ordinance. The  
15 provisions of this paragraph (k) do not apply to a defendant  
16 charged with violating Section 11-501 of the Illinois Vehicle  
17 Code or a similar provision of a local ordinance.

18 (l) (Blank). ~~A defendant charged with violating any~~  
19 ~~provision of the Illinois Vehicle Code or a similar provision~~  
20 ~~of a local ordinance who receives a disposition of supervision~~  
21 ~~under subsection (c) shall pay an additional fee of \$29, to be~~  
22 ~~collected as provided in Sections 27.5 and 27.6 of the Clerks~~  
23 ~~of Courts Act. In addition to the \$29 fee, the person shall~~  
24 ~~also pay a fee of \$6, which, if not waived by the court, shall~~  
25 ~~be collected as provided in Sections 27.5 and 27.6 of the~~  
26 ~~Clerks of Courts Act. The \$29 fee shall be disbursed as~~

1 ~~provided in Section 16-104c of the Illinois Vehicle Code. If~~  
2 ~~the \$6 fee is collected, \$5.50 of the fee shall be deposited~~  
3 ~~into the Circuit Court Clerk Operation and Administrative Fund~~  
4 ~~created by the Clerk of the Circuit Court and 50 cents of the~~  
5 ~~fee shall be deposited into the Prisoner Review Board Vehicle~~  
6 ~~and Equipment Fund in the State treasury.~~

7 (m) ~~(Blank). Any person convicted of, pleading guilty to,~~  
8 ~~or placed on supervision for a serious traffic violation, as~~  
9 ~~defined in Section 1-187.001 of the Illinois Vehicle Code, a~~  
10 ~~violation of Section 11-501 of the Illinois Vehicle Code, or a~~  
11 ~~violation of a similar provision of a local ordinance shall pay~~  
12 ~~an additional fee of \$35, to be disbursed as provided in~~  
13 ~~Section 16-104d of that Code.~~

14 ~~This subsection (m) becomes inoperative on January 1, 2020.~~

15 (n) The provisions of paragraph (c) shall not apply to any  
16 person under the age of 18 who commits an offense against  
17 traffic regulations governing the movement of vehicles or any  
18 violation of Section 6-107 or Section 12-603.1 of the Illinois  
19 Vehicle Code, except upon personal appearance of the defendant  
20 in court and upon the written consent of the defendant's parent  
21 or legal guardian, executed before the presiding judge. The  
22 presiding judge shall have the authority to waive this  
23 requirement upon the showing of good cause by the defendant.

24 (o) The provisions of paragraph (c) shall not apply to a  
25 defendant charged with violating Section 6-303 of the Illinois  
26 Vehicle Code or a similar provision of a local ordinance when

1 the suspension was for a violation of Section 11-501.1 of the  
2 Illinois Vehicle Code and when:

3 (1) at the time of the violation of Section 11-501.1 of  
4 the Illinois Vehicle Code, the defendant was a first  
5 offender pursuant to Section 11-500 of the Illinois Vehicle  
6 Code and the defendant failed to obtain a monitoring device  
7 driving permit; or

8 (2) at the time of the violation of Section 11-501.1 of  
9 the Illinois Vehicle Code, the defendant was a first  
10 offender pursuant to Section 11-500 of the Illinois Vehicle  
11 Code, had subsequently obtained a monitoring device  
12 driving permit, but was driving a vehicle not equipped with  
13 a breath alcohol ignition interlock device as defined in  
14 Section 1-129.1 of the Illinois Vehicle Code.

15 (p) The provisions of paragraph (c) shall not apply to a  
16 defendant charged with violating Section 11-601.5 of the  
17 Illinois Vehicle Code or a similar provision of a local  
18 ordinance when the defendant has previously been:

19 (1) convicted for a violation of Section 11-601.5 of  
20 the Illinois Vehicle Code or a similar provision of a local  
21 ordinance or any similar law or ordinance of another state;  
22 or

23 (2) assigned supervision for a violation of Section  
24 11-601.5 of the Illinois Vehicle Code or a similar  
25 provision of a local ordinance or any similar law or  
26 ordinance of another state.



1           (q) The provisions of paragraph (c) shall not apply to a  
2 defendant charged with violating subsection (b) of Section  
3 11-601 or Section 11-601.5 of the Illinois Vehicle Code when  
4 the defendant was operating a vehicle, in an urban district, at  
5 a speed that is 26 miles per hour or more in excess of the  
6 applicable maximum speed limit established under Chapter 11 of  
7 the Illinois Vehicle Code.

8           (r) The provisions of paragraph (c) shall not apply to a  
9 defendant charged with violating any provision of the Illinois  
10 Vehicle Code or a similar provision of a local ordinance if the  
11 violation was the proximate cause of the death of another and  
12 the defendant's driving abstract contains a prior conviction or  
13 disposition of court supervision for any violation of the  
14 Illinois Vehicle Code, other than an equipment violation, or a  
15 suspension, revocation, or cancellation of the driver's  
16 license.

17           (s) The provisions of paragraph (c) shall not apply to a  
18 defendant charged with violating subsection (i) of Section 70  
19 of the Firearm Concealed Carry Act.

20           (Source: P.A. 98-169, eff. 1-1-14; 98-658, eff. 6-23-14;  
21 98-899, eff. 8-15-14; 99-78, eff. 7-20-15; 99-212, eff.  
22 1-1-16.)

23           (730 ILCS 5/5-6-3) (from Ch. 38, par. 1005-6-3)

24           Sec. 5-6-3. Conditions of Probation and of Conditional  
25 Discharge.

1           (a) The conditions of probation and of conditional  
2 discharge shall be that the person:

3           (1) not violate any criminal statute of any  
4 jurisdiction;

5           (2) report to or appear in person before such person or  
6 agency as directed by the court;

7           (3) refrain from possessing a firearm or other  
8 dangerous weapon where the offense is a felony or, if a  
9 misdemeanor, the offense involved the intentional or  
10 knowing infliction of bodily harm or threat of bodily harm;

11           (4) not leave the State without the consent of the  
12 court or, in circumstances in which the reason for the  
13 absence is of such an emergency nature that prior consent  
14 by the court is not possible, without the prior  
15 notification and approval of the person's probation  
16 officer. Transfer of a person's probation or conditional  
17 discharge supervision to another state is subject to  
18 acceptance by the other state pursuant to the Interstate  
19 Compact for Adult Offender Supervision;

20           (5) permit the probation officer to visit him at his  
21 home or elsewhere to the extent necessary to discharge his  
22 duties;

23           (6) perform no less than 30 hours of community service  
24 and not more than 120 hours of community service, if  
25 community service is available in the jurisdiction and is  
26 funded and approved by the county board where the offense

1 was committed, where the offense was related to or in  
2 furtherance of the criminal activities of an organized gang  
3 and was motivated by the offender's membership in or  
4 allegiance to an organized gang. The community service  
5 shall include, but not be limited to, the cleanup and  
6 repair of any damage caused by a violation of Section  
7 21-1.3 of the Criminal Code of 1961 or the Criminal Code of  
8 2012 and similar damage to property located within the  
9 municipality or county in which the violation occurred.  
10 When possible and reasonable, the community service should  
11 be performed in the offender's neighborhood. For purposes  
12 of this Section, "organized gang" has the meaning ascribed  
13 to it in Section 10 of the Illinois Streetgang Terrorism  
14 Omnibus Prevention Act;

15 (7) if he or she is at least 17 years of age and has  
16 been sentenced to probation or conditional discharge for a  
17 misdemeanor or felony in a county of 3,000,000 or more  
18 inhabitants and has not been previously convicted of a  
19 misdemeanor or felony, may be required by the sentencing  
20 court to attend educational courses designed to prepare the  
21 defendant for a high school diploma and to work toward a  
22 high school diploma or to work toward passing high school  
23 equivalency testing or to work toward completing a  
24 vocational training program approved by the court. The  
25 person on probation or conditional discharge must attend a  
26 public institution of education to obtain the educational

1 or vocational training required by this clause (7). The  
2 court shall revoke the probation or conditional discharge  
3 of a person who wilfully fails to comply with this clause  
4 (7). The person on probation or conditional discharge shall  
5 be required to pay for the cost of the educational courses  
6 or high school equivalency testing if a fee is charged for  
7 those courses or testing. The court shall resentence the  
8 offender whose probation or conditional discharge has been  
9 revoked as provided in Section 5-6-4. This clause (7) does  
10 not apply to a person who has a high school diploma or has  
11 successfully passed high school equivalency testing. This  
12 clause (7) does not apply to a person who is determined by  
13 the court to be a person with a developmental disability or  
14 otherwise mentally incapable of completing the educational  
15 or vocational program;

16 (8) if convicted of possession of a substance  
17 prohibited by the Cannabis Control Act, the Illinois  
18 Controlled Substances Act, or the Methamphetamine Control  
19 and Community Protection Act after a previous conviction or  
20 disposition of supervision for possession of a substance  
21 prohibited by the Cannabis Control Act or Illinois  
22 Controlled Substances Act or after a sentence of probation  
23 under Section 10 of the Cannabis Control Act, Section 410  
24 of the Illinois Controlled Substances Act, or Section 70 of  
25 the Methamphetamine Control and Community Protection Act  
26 and upon a finding by the court that the person is

1           addicted, undergo treatment at a substance abuse program  
2           approved by the court;

3           (8.5) if convicted of a felony sex offense as defined  
4           in the Sex Offender Management Board Act, the person shall  
5           undergo and successfully complete sex offender treatment  
6           by a treatment provider approved by the Board and conducted  
7           in conformance with the standards developed under the Sex  
8           Offender Management Board Act;

9           (8.6) if convicted of a sex offense as defined in the  
10          Sex Offender Management Board Act, refrain from residing at  
11          the same address or in the same condominium unit or  
12          apartment unit or in the same condominium complex or  
13          apartment complex with another person he or she knows or  
14          reasonably should know is a convicted sex offender or has  
15          been placed on supervision for a sex offense; the  
16          provisions of this paragraph do not apply to a person  
17          convicted of a sex offense who is placed in a Department of  
18          Corrections licensed transitional housing facility for sex  
19          offenders;

20          (8.7) if convicted for an offense committed on or after  
21          June 1, 2008 (the effective date of Public Act 95-464) that  
22          would qualify the accused as a child sex offender as  
23          defined in Section 11-9.3 or 11-9.4 of the Criminal Code of  
24          1961 or the Criminal Code of 2012, refrain from  
25          communicating with or contacting, by means of the Internet,  
26          a person who is not related to the accused and whom the

1 accused reasonably believes to be under 18 years of age;  
2 for purposes of this paragraph (8.7), "Internet" has the  
3 meaning ascribed to it in Section 16-0.1 of the Criminal  
4 Code of 2012; and a person is not related to the accused if  
5 the person is not: (i) the spouse, brother, or sister of  
6 the accused; (ii) a descendant of the accused; (iii) a  
7 first or second cousin of the accused; or (iv) a step-child  
8 or adopted child of the accused;

9 (8.8) if convicted for an offense under Section 11-6,  
10 11-9.1, 11-14.4 that involves soliciting for a juvenile  
11 prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21  
12 of the Criminal Code of 1961 or the Criminal Code of 2012,  
13 or any attempt to commit any of these offenses, committed  
14 on or after June 1, 2009 (the effective date of Public Act  
15 95-983):

16 (i) not access or use a computer or any other  
17 device with Internet capability without the prior  
18 written approval of the offender's probation officer,  
19 except in connection with the offender's employment or  
20 search for employment with the prior approval of the  
21 offender's probation officer;

22 (ii) submit to periodic unannounced examinations  
23 of the offender's computer or any other device with  
24 Internet capability by the offender's probation  
25 officer, a law enforcement officer, or assigned  
26 computer or information technology specialist,

1 including the retrieval and copying of all data from  
2 the computer or device and any internal or external  
3 peripherals and removal of such information,  
4 equipment, or device to conduct a more thorough  
5 inspection;

6 (iii) submit to the installation on the offender's  
7 computer or device with Internet capability, at the  
8 offender's expense, of one or more hardware or software  
9 systems to monitor the Internet use; and

10 (iv) submit to any other appropriate restrictions  
11 concerning the offender's use of or access to a  
12 computer or any other device with Internet capability  
13 imposed by the offender's probation officer;

14 (8.9) if convicted of a sex offense as defined in the  
15 Sex Offender Registration Act committed on or after January  
16 1, 2010 (the effective date of Public Act 96-262), refrain  
17 from accessing or using a social networking website as  
18 defined in Section 17-0.5 of the Criminal Code of 2012;

19 (9) if convicted of a felony or of any misdemeanor  
20 violation of Section 12-1, 12-2, 12-3, 12-3.2, 12-3.4, or  
21 12-3.5 of the Criminal Code of 1961 or the Criminal Code of  
22 2012 that was determined, pursuant to Section 112A-11.1 of  
23 the Code of Criminal Procedure of 1963, to trigger the  
24 prohibitions of 18 U.S.C. 922(g)(9), physically surrender  
25 at a time and place designated by the court, his or her  
26 Firearm Owner's Identification Card and any and all

1 firearms in his or her possession. The Court shall return  
2 to the Department of State Police Firearm Owner's  
3 Identification Card Office the person's Firearm Owner's  
4 Identification Card;

5 (10) if convicted of a sex offense as defined in  
6 subsection (a-5) of Section 3-1-2 of this Code, unless the  
7 offender is a parent or guardian of the person under 18  
8 years of age present in the home and no non-familial minors  
9 are present, not participate in a holiday event involving  
10 children under 18 years of age, such as distributing candy  
11 or other items to children on Halloween, wearing a Santa  
12 Claus costume on or preceding Christmas, being employed as  
13 a department store Santa Claus, or wearing an Easter Bunny  
14 costume on or preceding Easter;

15 (11) if convicted of a sex offense as defined in  
16 Section 2 of the Sex Offender Registration Act committed on  
17 or after January 1, 2010 (the effective date of Public Act  
18 96-362) that requires the person to register as a sex  
19 offender under that Act, may not knowingly use any computer  
20 scrub software on any computer that the sex offender uses;  
21 and

22 (12) if convicted of a violation of the Methamphetamine  
23 Control and Community Protection Act, the Methamphetamine  
24 Precursor Control Act, or a methamphetamine related  
25 offense:

26 (A) prohibited from purchasing, possessing, or



1           having under his or her control any product containing  
2           pseudoephedrine unless prescribed by a physician; and

3                   (B) prohibited from purchasing, possessing, or  
4           having under his or her control any product containing  
5           ammonium nitrate.

6           (b) The Court may in addition to other reasonable  
7           conditions relating to the nature of the offense or the  
8           rehabilitation of the defendant as determined for each  
9           defendant in the proper discretion of the Court require that  
10          the person:

11                   (1) serve a term of periodic imprisonment under Article  
12          7 for a period not to exceed that specified in paragraph  
13          (d) of Section 5-7-1;

14                   (2) pay a fine and costs;

15                   (3) work or pursue a course of study or vocational  
16          training;

17                   (4) undergo medical, psychological or psychiatric  
18          treatment; or treatment for drug addiction or alcoholism;

19                   (5) attend or reside in a facility established for the  
20          instruction or residence of defendants on probation;

21                   (6) support his dependents;

22                   (7) and in addition, if a minor:

23                           (i) reside with his parents or in a foster home;

24                           (ii) attend school;

25                           (iii) attend a non-residential program for youth;

26                           (iv) contribute to his own support at home or in a

1 foster home;

2 (v) with the consent of the superintendent of the  
3 facility, attend an educational program at a facility  
4 other than the school in which the offense was  
5 committed if he or she is convicted of a crime of  
6 violence as defined in Section 2 of the Crime Victims  
7 Compensation Act committed in a school, on the real  
8 property comprising a school, or within 1,000 feet of  
9 the real property comprising a school;

10 (8) make restitution as provided in Section 5-5-6 of  
11 this Code;

12 (9) perform some reasonable public or community  
13 service;

14 (10) serve a term of home confinement. In addition to  
15 any other applicable condition of probation or conditional  
16 discharge, the conditions of home confinement shall be that  
17 the offender:

18 (i) remain within the interior premises of the  
19 place designated for his confinement during the hours  
20 designated by the court;

21 (ii) admit any person or agent designated by the  
22 court into the offender's place of confinement at any  
23 time for purposes of verifying the offender's  
24 compliance with the conditions of his confinement; and

25 (iii) if further deemed necessary by the court or  
26 the Probation or Court Services Department, be placed

1 on an approved electronic monitoring device, subject  
2 to Article 8A of Chapter V;

3 (iv) for persons convicted of any alcohol,  
4 cannabis or controlled substance violation who are  
5 placed on an approved monitoring device as a condition  
6 of probation or conditional discharge, the court shall  
7 impose a reasonable fee for each day of the use of the  
8 device, as established by the county board in  
9 subsection (g) of this Section, unless after  
10 determining the inability of the offender to pay the  
11 fee, the court assesses a lesser fee or no fee as the  
12 case may be. This fee shall be imposed in addition to  
13 the fees imposed under subsections (g) and (i) of this  
14 Section. The fee shall be collected by the clerk of the  
15 circuit court, except as provided in an administrative  
16 order of the Chief Judge of the circuit court. The  
17 clerk of the circuit court shall pay all monies  
18 collected from this fee to the county treasurer for  
19 deposit in the substance abuse services fund under  
20 Section 5-1086.1 of the Counties Code, except as  
21 provided in an administrative order of the Chief Judge  
22 of the circuit court.

23 The Chief Judge of the circuit court of the county  
24 may by administrative order establish a program for  
25 electronic monitoring of offenders, in which a vendor  
26 supplies and monitors the operation of the electronic

1 monitoring device, and collects the fees on behalf of  
2 the county. The program shall include provisions for  
3 indigent offenders and the collection of unpaid fees.  
4 The program shall not unduly burden the offender and  
5 shall be subject to review by the Chief Judge.

6 The Chief Judge of the circuit court may suspend  
7 any additional charges or fees for late payment,  
8 interest, or damage to any device; and

9 (v) for persons convicted of offenses other than  
10 those referenced in clause (iv) above and who are  
11 placed on an approved monitoring device as a condition  
12 of probation or conditional discharge, the court shall  
13 impose a reasonable fee for each day of the use of the  
14 device, as established by the county board in  
15 subsection (g) of this Section, unless after  
16 determining the inability of the defendant to pay the  
17 fee, the court assesses a lesser fee or no fee as the  
18 case may be. This fee shall be imposed in addition to  
19 the fees imposed under subsections (g) and (i) of this  
20 Section. The fee shall be collected by the clerk of the  
21 circuit court, except as provided in an administrative  
22 order of the Chief Judge of the circuit court. The  
23 clerk of the circuit court shall pay all monies  
24 collected from this fee to the county treasurer who  
25 shall use the monies collected to defray the costs of  
26 corrections. The county treasurer shall deposit the

1 fee collected in the probation and court services fund.  
2 The Chief Judge of the circuit court of the county may  
3 by administrative order establish a program for  
4 electronic monitoring of offenders, in which a vendor  
5 supplies and monitors the operation of the electronic  
6 monitoring device, and collects the fees on behalf of  
7 the county. The program shall include provisions for  
8 indigent offenders and the collection of unpaid fees.  
9 The program shall not unduly burden the offender and  
10 shall be subject to review by the Chief Judge.

11 The Chief Judge of the circuit court may suspend  
12 any additional charges or fees for late payment,  
13 interest, or damage to any device.

14 (11) comply with the terms and conditions of an order  
15 of protection issued by the court pursuant to the Illinois  
16 Domestic Violence Act of 1986, as now or hereafter amended,  
17 or an order of protection issued by the court of another  
18 state, tribe, or United States territory. A copy of the  
19 order of protection shall be transmitted to the probation  
20 officer or agency having responsibility for the case;

21 (12) reimburse any "local anti-crime program" as  
22 defined in Section 7 of the Anti-Crime Advisory Council Act  
23 for any reasonable expenses incurred by the program on the  
24 offender's case, not to exceed the maximum amount of the  
25 fine authorized for the offense for which the defendant was  
26 sentenced;

1           (13) contribute a reasonable sum of money, not to  
2 exceed the maximum amount of the fine authorized for the  
3 offense for which the defendant was sentenced, (i) to a  
4 "local anti-crime program", as defined in Section 7 of the  
5 Anti-Crime Advisory Council Act, or (ii) for offenses under  
6 the jurisdiction of the Department of Natural Resources, to  
7 the fund established by the Department of Natural Resources  
8 for the purchase of evidence for investigation purposes and  
9 to conduct investigations as outlined in Section 805-105 of  
10 the Department of Natural Resources (Conservation) Law;

11           (14) refrain from entering into a designated  
12 geographic area except upon such terms as the court finds  
13 appropriate. Such terms may include consideration of the  
14 purpose of the entry, the time of day, other persons  
15 accompanying the defendant, and advance approval by a  
16 probation officer, if the defendant has been placed on  
17 probation or advance approval by the court, if the  
18 defendant was placed on conditional discharge;

19           (15) refrain from having any contact, directly or  
20 indirectly, with certain specified persons or particular  
21 types of persons, including but not limited to members of  
22 street gangs and drug users or dealers;

23           (16) refrain from having in his or her body the  
24 presence of any illicit drug prohibited by the Cannabis  
25 Control Act, the Illinois Controlled Substances Act, or the  
26 Methamphetamine Control and Community Protection Act,

1 unless prescribed by a physician, and submit samples of his  
2 or her blood or urine or both for tests to determine the  
3 presence of any illicit drug;

4 (17) if convicted for an offense committed on or after  
5 June 1, 2008 (the effective date of Public Act 95-464) that  
6 would qualify the accused as a child sex offender as  
7 defined in Section 11-9.3 or 11-9.4 of the Criminal Code of  
8 1961 or the Criminal Code of 2012, refrain from  
9 communicating with or contacting, by means of the Internet,  
10 a person who is related to the accused and whom the accused  
11 reasonably believes to be under 18 years of age; for  
12 purposes of this paragraph (17), "Internet" has the meaning  
13 ascribed to it in Section 16-0.1 of the Criminal Code of  
14 2012; and a person is related to the accused if the person  
15 is: (i) the spouse, brother, or sister of the accused; (ii)  
16 a descendant of the accused; (iii) a first or second cousin  
17 of the accused; or (iv) a step-child or adopted child of  
18 the accused;

19 (18) if convicted for an offense committed on or after  
20 June 1, 2009 (the effective date of Public Act 95-983) that  
21 would qualify as a sex offense as defined in the Sex  
22 Offender Registration Act:

23 (i) not access or use a computer or any other  
24 device with Internet capability without the prior  
25 written approval of the offender's probation officer,  
26 except in connection with the offender's employment or

1 search for employment with the prior approval of the  
2 offender's probation officer;

3 (ii) submit to periodic unannounced examinations  
4 of the offender's computer or any other device with  
5 Internet capability by the offender's probation  
6 officer, a law enforcement officer, or assigned  
7 computer or information technology specialist,  
8 including the retrieval and copying of all data from  
9 the computer or device and any internal or external  
10 peripherals and removal of such information,  
11 equipment, or device to conduct a more thorough  
12 inspection;

13 (iii) submit to the installation on the offender's  
14 computer or device with Internet capability, at the  
15 subject's expense, of one or more hardware or software  
16 systems to monitor the Internet use; and

17 (iv) submit to any other appropriate restrictions  
18 concerning the offender's use of or access to a  
19 computer or any other device with Internet capability  
20 imposed by the offender's probation officer; and

21 (19) refrain from possessing a firearm or other  
22 dangerous weapon where the offense is a misdemeanor that  
23 did not involve the intentional or knowing infliction of  
24 bodily harm or threat of bodily harm.

25 (c) The court may as a condition of probation or of  
26 conditional discharge require that a person under 18 years of



1 age found guilty of any alcohol, cannabis or controlled  
2 substance violation, refrain from acquiring a driver's license  
3 during the period of probation or conditional discharge. If  
4 such person is in possession of a permit or license, the court  
5 may require that the minor refrain from driving or operating  
6 any motor vehicle during the period of probation or conditional  
7 discharge, except as may be necessary in the course of the  
8 minor's lawful employment.

9 (d) An offender sentenced to probation or to conditional  
10 discharge shall be given a certificate setting forth the  
11 conditions thereof.

12 (e) Except where the offender has committed a fourth or  
13 subsequent violation of subsection (c) of Section 6-303 of the  
14 Illinois Vehicle Code, the court shall not require as a  
15 condition of the sentence of probation or conditional discharge  
16 that the offender be committed to a period of imprisonment in  
17 excess of 6 months. This 6 month limit shall not include  
18 periods of confinement given pursuant to a sentence of county  
19 impact incarceration under Section 5-8-1.2.

20 Persons committed to imprisonment as a condition of  
21 probation or conditional discharge shall not be committed to  
22 the Department of Corrections.

23 (f) The court may combine a sentence of periodic  
24 imprisonment under Article 7 or a sentence to a county impact  
25 incarceration program under Article 8 with a sentence of  
26 probation or conditional discharge.

1 (g) An offender sentenced to probation or to conditional  
2 discharge and who during the term of either undergoes mandatory  
3 drug or alcohol testing, or both, or is assigned to be placed  
4 on an approved electronic monitoring device, shall be ordered  
5 to pay all costs incidental to such mandatory drug or alcohol  
6 testing, or both, and all costs incidental to such approved  
7 electronic monitoring in accordance with the defendant's  
8 ability to pay those costs. The county board with the  
9 concurrence of the Chief Judge of the judicial circuit in which  
10 the county is located shall establish reasonable fees for the  
11 cost of maintenance, testing, and incidental expenses related  
12 to the mandatory drug or alcohol testing, or both, and all  
13 costs incidental to approved electronic monitoring, involved  
14 in a successful probation program for the county. The  
15 concurrence of the Chief Judge shall be in the form of an  
16 administrative order. The fees shall be collected by the clerk  
17 of the circuit court, except as provided in an administrative  
18 order of the Chief Judge of the circuit court. The clerk of the  
19 circuit court shall pay all moneys collected from these fees to  
20 the county treasurer who shall use the moneys collected to  
21 defray the costs of drug testing, alcohol testing, and  
22 electronic monitoring. The county treasurer shall deposit the  
23 fees collected in the county working cash fund under Section  
24 6-27001 or Section 6-29002 of the Counties Code, as the case  
25 may be. The Chief Judge of the circuit court of the county may  
26 by administrative order establish a program for electronic

1 monitoring of offenders, in which a vendor supplies and  
2 monitors the operation of the electronic monitoring device, and  
3 collects the fees on behalf of the county. The program shall  
4 include provisions for indigent offenders and the collection of  
5 unpaid fees. The program shall not unduly burden the offender  
6 and shall be subject to review by the Chief Judge.

7 The Chief Judge of the circuit court may suspend any  
8 additional charges or fees for late payment, interest, or  
9 damage to any device.

10 (h) Jurisdiction over an offender may be transferred from  
11 the sentencing court to the court of another circuit with the  
12 concurrence of both courts. Further transfers or retransfers of  
13 jurisdiction are also authorized in the same manner. The court  
14 to which jurisdiction has been transferred shall have the same  
15 powers as the sentencing court. The probation department within  
16 the circuit to which jurisdiction has been transferred, or  
17 which has agreed to provide supervision, may impose probation  
18 fees upon receiving the transferred offender, as provided in  
19 subsection (i). For all transfer cases, as defined in Section  
20 9b of the Probation and Probation Officers Act, the probation  
21 department from the original sentencing court shall retain all  
22 probation fees collected prior to the transfer. After the  
23 transfer all probation fees shall be paid to the probation  
24 department within the circuit to which jurisdiction has been  
25 transferred.

26 (i) The court shall impose upon an offender sentenced to

1 probation after January 1, 1989 or to conditional discharge  
2 after January 1, 1992 or to community service under the  
3 supervision of a probation or court services department after  
4 January 1, 2004, as a condition of such probation or  
5 conditional discharge or supervised community service, a fee of  
6 \$50 for each month of probation or conditional discharge  
7 supervision or supervised community service ordered by the  
8 court, unless after determining the inability of the person  
9 sentenced to probation or conditional discharge or supervised  
10 community service to pay the fee, the court assesses a lesser  
11 fee. The court may not impose the fee on a minor who is made a  
12 ward of the State 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           This amendatory Act of the 93rd General Assembly deletes  
14 the \$10 increase in the fee under this subsection that was  
15 imposed by Public Act 93-616. This deletion is intended to  
16 control over any other Act of the 93rd General Assembly that  
17 retains or incorporates that fee 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. 98-575, eff. 1-1-14; 98-718, eff. 1-1-15; 99-143,  
24 eff. 7-27-15; 99-797, eff. 8-12-16.)

25 (730 ILCS 5/5-6-3.1) (from Ch. 38, par. 1005-6-3.1)

1           Sec. 5-6-3.1. Incidents and conditions of supervision.

2           (a) When a defendant is placed on supervision, the court  
3 shall enter an order for supervision specifying the period of  
4 such supervision, and shall defer further proceedings in the  
5 case until the conclusion of the period.

6           (b) The period of supervision shall be reasonable under all  
7 of the circumstances of the case, but may not be longer than 2  
8 years, unless the defendant has failed to pay the assessment  
9 required by Section 10.3 of the Cannabis Control Act, Section  
10 411.2 of the Illinois Controlled Substances Act, or Section 80  
11 of the Methamphetamine Control and Community Protection Act, in  
12 which case the court may extend supervision beyond 2 years.  
13 Additionally, the court shall order the defendant to perform no  
14 less than 30 hours of community service and not more than 120  
15 hours of community service, if community service is available  
16 in the jurisdiction and is funded and approved by the county  
17 board where the offense was committed, when the offense (1) was  
18 related to or in furtherance of the criminal activities of an  
19 organized gang or was motivated by the defendant's membership  
20 in or allegiance to an organized gang; or (2) is a violation of  
21 any Section of Article 24 of the Criminal Code of 1961 or the  
22 Criminal Code of 2012 where a disposition of supervision is not  
23 prohibited by Section 5-6-1 of this Code. The community service  
24 shall include, but not be limited to, the cleanup and repair of  
25 any damage caused by violation of Section 21-1.3 of the  
26 Criminal Code of 1961 or the Criminal Code of 2012 and similar

1 damages to property located within the municipality or county  
2 in which the violation occurred. Where possible and reasonable,  
3 the community service should be performed in the offender's  
4 neighborhood.

5 For the purposes of this Section, "organized gang" has the  
6 meaning ascribed to it in Section 10 of the Illinois Streetgang  
7 Terrorism Omnibus Prevention Act.

8 (c) The court may in addition to other reasonable  
9 conditions relating to the nature of the offense or the  
10 rehabilitation of the defendant as determined for each  
11 defendant in the proper discretion of the court require that  
12 the person:

13 (1) make a report to and appear in person before or  
14 participate with the court or such courts, person, or  
15 social service agency as directed by the court in the order  
16 of supervision;

17 (2) pay a fine and costs;

18 (3) work or pursue a course of study or vocational  
19 training;

20 (4) undergo medical, psychological or psychiatric  
21 treatment; or treatment for drug addiction or alcoholism;

22 (5) attend or reside in a facility established for the  
23 instruction or residence of defendants on probation;

24 (6) support his dependents;

25 (7) refrain from possessing a firearm or other  
26 dangerous weapon;



- 1 (8) and in addition, if a minor:
- 2 (i) reside with his parents or in a foster home;
- 3 (ii) attend school;
- 4 (iii) attend a non-residential program for youth;
- 5 (iv) contribute to his own support at home or in a
- 6 foster home; or
- 7 (v) with the consent of the superintendent of the
- 8 facility, attend an educational program at a facility
- 9 other than the school in which the offense was
- 10 committed if he or she is placed on supervision for a
- 11 crime of violence as defined in Section 2 of the Crime
- 12 Victims Compensation Act committed in a school, on the
- 13 real property comprising a school, or within 1,000 feet
- 14 of the real property comprising a school;
- 15 (9) make restitution or reparation in an amount not to
- 16 exceed actual loss or damage to property and pecuniary loss
- 17 or make restitution under Section 5-5-6 to a domestic
- 18 violence shelter. The court shall determine the amount and
- 19 conditions of payment;
- 20 (10) perform some reasonable public or community
- 21 service;
- 22 (11) comply with the terms and conditions of an order
- 23 of protection issued by the court pursuant to the Illinois
- 24 Domestic Violence Act of 1986 or an order of protection
- 25 issued by the court of another state, tribe, or United
- 26 States territory. If the court has ordered the defendant to

1 make a report and appear in person under paragraph (1) of  
2 this subsection, a copy of the order of protection shall be  
3 transmitted to the person or agency so designated by the  
4 court;

5 (12) reimburse any "local anti-crime program" as  
6 defined in Section 7 of the Anti-Crime Advisory Council Act  
7 for any reasonable expenses incurred by the program on the  
8 offender's case, not to exceed the maximum amount of the  
9 fine authorized for the offense for which the defendant was  
10 sentenced;

11 (13) contribute a reasonable sum of money, not to  
12 exceed the maximum amount of the fine authorized for the  
13 offense for which the defendant was sentenced, (i) to a  
14 "local anti-crime program", as defined in Section 7 of the  
15 Anti-Crime Advisory Council Act, or (ii) for offenses under  
16 the jurisdiction of the Department of Natural Resources, to  
17 the fund established by the Department of Natural Resources  
18 for the purchase of evidence for investigation purposes and  
19 to conduct investigations as outlined in Section 805-105 of  
20 the Department of Natural Resources (Conservation) Law;

21 (14) refrain from entering into a designated  
22 geographic area except upon such terms as the court finds  
23 appropriate. Such terms may include consideration of the  
24 purpose of the entry, the time of day, other persons  
25 accompanying the defendant, and advance approval by a  
26 probation officer;

1           (15) refrain from having any contact, directly or  
2 indirectly, with certain specified persons or particular  
3 types of person, including but not limited to members of  
4 street gangs and drug users or dealers;

5           (16) refrain from having in his or her body the  
6 presence of any illicit drug prohibited by the Cannabis  
7 Control Act, the Illinois Controlled Substances Act, or the  
8 Methamphetamine Control and Community Protection Act,  
9 unless prescribed by a physician, and submit samples of his  
10 or her blood or urine or both for tests to determine the  
11 presence of any illicit drug;

12           (17) refrain from operating any motor vehicle not  
13 equipped with an ignition interlock device as defined in  
14 Section 1-129.1 of the Illinois Vehicle Code; under this  
15 condition the court may allow a defendant who is not  
16 self-employed to operate a vehicle owned by the defendant's  
17 employer that is not equipped with an ignition interlock  
18 device in the course and scope of the defendant's  
19 employment; and

20           (18) if placed on supervision for a sex offense as  
21 defined in subsection (a-5) of Section 3-1-2 of this Code,  
22 unless the offender is a parent or guardian of the person  
23 under 18 years of age present in the home and no  
24 non-familial minors are present, not participate in a  
25 holiday event involving children under 18 years of age,  
26 such as distributing candy or other items to children on

1 Halloween, wearing a Santa Claus costume on or preceding  
2 Christmas, being employed as a department store Santa  
3 Claus, or wearing an Easter Bunny costume on or preceding  
4 Easter.

5 (c-5) If payment of restitution as ordered has not been  
6 made, the victim shall file a petition notifying the sentencing  
7 court, any other person to whom restitution is owed, and the  
8 State's Attorney of the status of the ordered restitution  
9 payments unpaid at least 90 days before the supervision  
10 expiration date. If payment as ordered has not been made, the  
11 court shall hold a review hearing prior to the expiration date,  
12 unless the hearing is voluntarily waived by the defendant with  
13 the knowledge that waiver may result in an extension of the  
14 supervision period or in a revocation of supervision. If the  
15 court does not extend supervision, it shall issue a judgment  
16 for the unpaid restitution and direct the clerk of the circuit  
17 court to file and enter the judgment in the judgment and lien  
18 docket, without fee, unless it finds that the victim has  
19 recovered a judgment against the defendant for the amount  
20 covered by the restitution order. If the court issues a  
21 judgment for the unpaid restitution, the court shall send to  
22 the defendant at his or her last known address written  
23 notification that a civil judgment has been issued for the  
24 unpaid restitution.

25 (d) The court shall defer entering any judgment on the  
26 charges until the conclusion of the supervision.

1           (e) At the conclusion of the period of supervision, if the  
2 court determines that the defendant has successfully complied  
3 with all of the conditions of supervision, the court shall  
4 discharge the defendant and enter a judgment dismissing the  
5 charges.

6           (f) Discharge and dismissal upon a successful conclusion of  
7 a disposition of supervision shall be deemed without  
8 adjudication of guilt and shall not be termed a conviction for  
9 purposes of disqualification or disabilities imposed by law  
10 upon conviction of a crime. Two years after the discharge and  
11 dismissal under this Section, unless the disposition of  
12 supervision was for a violation of Sections 3-707, 3-708,  
13 3-710, 5-401.3, or 11-503 of the Illinois Vehicle Code or a  
14 similar provision of a local ordinance, or for a violation of  
15 Sections 12-3.2, 16-25, or 16A-3 of the Criminal Code of 1961  
16 or the Criminal Code of 2012, in which case it shall be 5 years  
17 after discharge and dismissal, a person may have his record of  
18 arrest sealed or expunged as may be provided by law. However,  
19 any defendant placed on supervision before January 1, 1980, may  
20 move for sealing or expungement of his arrest record, as  
21 provided by law, at any time after discharge and dismissal  
22 under this Section. A person placed on supervision for a sexual  
23 offense committed against a minor as defined in clause  
24 (a) (1) (L) of Section 5.2 of the Criminal Identification Act or  
25 for a violation of Section 11-501 of the Illinois Vehicle Code  
26 or a similar provision of a local ordinance shall not have his

1 or her record of arrest sealed or expunged.

2 (g) A defendant placed on supervision and who during the  
3 period of supervision undergoes mandatory drug or alcohol  
4 testing, or both, or is assigned to be placed on an approved  
5 electronic monitoring device, shall be ordered to pay the costs  
6 incidental to such mandatory drug or alcohol testing, or both,  
7 and costs incidental to such approved electronic monitoring in  
8 accordance with the defendant's ability to pay those costs. The  
9 county board with the concurrence of the Chief Judge of the  
10 judicial circuit in which the county is located shall establish  
11 reasonable fees for the cost of maintenance, testing, and  
12 incidental expenses related to the mandatory drug or alcohol  
13 testing, or both, and all costs incidental to approved  
14 electronic monitoring, of all defendants placed on  
15 supervision. The concurrence of the Chief Judge shall be in the  
16 form of an administrative order. The fees shall be collected by  
17 the clerk of the circuit court, except as provided in an  
18 administrative order of the Chief Judge of the circuit court.  
19 The clerk of the circuit court shall pay all moneys collected  
20 from these fees to the county treasurer who shall use the  
21 moneys collected to defray the costs of drug testing, alcohol  
22 testing, and electronic monitoring. The county treasurer shall  
23 deposit the fees collected in the county working cash fund  
24 under Section 6-27001 or Section 6-29002 of the Counties Code,  
25 as the case may be.

26 The Chief Judge of the circuit court of the county may by

1 administrative order establish a program for electronic  
2 monitoring of offenders, in which a vendor supplies and  
3 monitors the operation of the electronic monitoring device, and  
4 collects the fees on behalf of the county. The program shall  
5 include provisions for indigent offenders and the collection of  
6 unpaid fees. The program shall not unduly burden the offender  
7 and shall be subject to review by the Chief Judge.

8 The Chief Judge of the circuit court may suspend any  
9 additional charges or fees for late payment, interest, or  
10 damage to any device.

11 (h) A disposition of supervision is a final order for the  
12 purposes of appeal.

13 (i) The court shall impose upon a defendant placed on  
14 supervision after January 1, 1992 or to community service under  
15 the supervision of a probation or court services department  
16 after January 1, 2004, as a condition of supervision or  
17 supervised community service, a fee of \$50 for each month of  
18 supervision or supervised community service ordered by the  
19 court, unless after determining the inability of the person  
20 placed on supervision or supervised community service to pay  
21 the fee, the court assesses a lesser fee. The court may not  
22 impose the fee on a minor who is made a ward of the State under  
23 the Juvenile Court Act of 1987 while the minor is in placement.  
24 The fee shall be imposed only upon a defendant who is actively  
25 supervised by the probation and court services department. The  
26 fee shall be collected by the clerk of the circuit court. The

1 clerk of the circuit court shall pay all monies collected from  
2 this fee to the county treasurer for deposit in the probation  
3 and court services fund pursuant to Section 15.1 of the  
4 Probation and Probation Officers Act.

5 A circuit court may not impose a probation fee in excess of  
6 \$25 per month unless the circuit court has adopted, by  
7 administrative order issued by the chief judge, a standard  
8 probation fee guide determining an offender's ability to pay.  
9 Of the amount collected as a probation fee, not to exceed \$5 of  
10 that fee collected per month may be used to provide services to  
11 crime victims and their families.

12 The Court may only waive probation fees based on an  
13 offender's ability to pay. The probation department may  
14 re-evaluate an offender's ability to pay every 6 months, and,  
15 with the approval of the Director of Court Services or the  
16 Chief Probation Officer, adjust the monthly fee amount. An  
17 offender may elect to pay probation fees due in a lump sum. Any  
18 offender that has been assigned to the supervision of a  
19 probation department, or has been transferred either under  
20 subsection (h) of this Section or under any interstate compact,  
21 shall be required to pay probation fees to the department  
22 supervising the offender, based on the offender's ability to  
23 pay.

24 (j) All fines and costs imposed under this Section for any  
25 violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle  
26 Code, or a similar provision of a local ordinance, and any



1 violation of the Child Passenger Protection Act, or a similar  
2 provision of a local ordinance, shall be collected and  
3 disbursed by the circuit clerk as provided under the Criminal  
4 and Traffic Assessment Act ~~Section 27.5 of the Clerks of Courts~~  
5 ~~Act.~~

6 (k) A defendant at least 17 years of age who is placed on  
7 supervision for a misdemeanor in a county of 3,000,000 or more  
8 inhabitants and who has not been previously convicted of a  
9 misdemeanor or felony may as a condition of his or her  
10 supervision be required by the court to attend educational  
11 courses designed to prepare the defendant for a high school  
12 diploma and to work toward a high school diploma or to work  
13 toward passing high school equivalency testing or to work  
14 toward completing a vocational training program approved by the  
15 court. The defendant placed on supervision must attend a public  
16 institution of education to obtain the educational or  
17 vocational training required by this subsection (k). The  
18 defendant placed on supervision shall be required to pay for  
19 the cost of the educational courses or high school equivalency  
20 testing if a fee is charged for those courses or testing. The  
21 court shall revoke the supervision of a person who wilfully  
22 fails to comply with this subsection (k). The court shall  
23 resentence the defendant upon revocation of supervision as  
24 provided in Section 5-6-4. This subsection (k) does not apply  
25 to a defendant who has a high school diploma or has  
26 successfully passed high school equivalency testing. This

1 subsection (k) does not apply to a defendant who is determined  
2 by the court to be a person with a developmental disability or  
3 otherwise mentally incapable of completing the educational or  
4 vocational program.

5 (1) The court shall require a defendant placed on  
6 supervision for possession of a substance prohibited by the  
7 Cannabis Control Act, the Illinois Controlled Substances Act,  
8 or the Methamphetamine Control and Community Protection Act  
9 after a previous conviction or disposition of supervision for  
10 possession of a substance prohibited by the Cannabis Control  
11 Act, the Illinois Controlled Substances Act, or the  
12 Methamphetamine Control and Community Protection Act or a  
13 sentence of probation under Section 10 of the Cannabis Control  
14 Act or Section 410 of the Illinois Controlled Substances Act  
15 and after a finding by the court that the person is addicted,  
16 to undergo treatment at a substance abuse program approved by  
17 the court.

18 (m) The Secretary of State shall require anyone placed on  
19 court supervision for a violation of Section 3-707 of the  
20 Illinois Vehicle Code or a similar provision of a local  
21 ordinance to give proof of his or her financial responsibility  
22 as defined in Section 7-315 of the Illinois Vehicle Code. The  
23 proof shall be maintained by the individual in a manner  
24 satisfactory to the Secretary of State for a minimum period of  
25 3 years after the date the proof is first filed. The proof  
26 shall be limited to a single action per arrest and may not be

1 affected by any post-sentence disposition. The Secretary of  
2 State shall suspend the driver's license of any person  
3 determined by the Secretary to be in violation of this  
4 subsection.

5 (n) Any offender placed on supervision for any offense that  
6 the court or probation department has determined to be sexually  
7 motivated as defined in the Sex Offender Management Board Act  
8 shall be required to refrain from any contact, directly or  
9 indirectly, with any persons specified by the court and shall  
10 be available for all evaluations and treatment programs  
11 required by the court or the probation department.

12 (o) An offender placed on supervision for a sex offense as  
13 defined in the Sex Offender Management Board Act shall refrain  
14 from residing at the same address or in the same condominium  
15 unit or apartment unit or in the same condominium complex or  
16 apartment complex with another person he or she knows or  
17 reasonably should know is a convicted sex offender or has been  
18 placed on supervision for a sex offense. The provisions of this  
19 subsection (o) do not apply to a person convicted of a sex  
20 offense who is placed in a Department of Corrections licensed  
21 transitional housing facility for sex offenders.

22 (p) An offender placed on supervision for an offense  
23 committed on or after June 1, 2008 (the effective date of  
24 Public Act 95-464) that would qualify the accused as a child  
25 sex offender as defined in Section 11-9.3 or 11-9.4 of the  
26 Criminal Code of 1961 or the Criminal Code of 2012 shall

1 refrain from communicating with or contacting, by means of the  
2 Internet, a person who is not related to the accused and whom  
3 the accused reasonably believes to be under 18 years of age.  
4 For purposes of this subsection (p), "Internet" has the meaning  
5 ascribed to it in Section 16-0.1 of the Criminal Code of 2012;  
6 and a person is not related to the accused if the person is  
7 not: (i) the spouse, brother, or sister of the accused; (ii) a  
8 descendant of the accused; (iii) a first or second cousin of  
9 the accused; or (iv) a step-child or adopted child of the  
10 accused.

11 (q) An offender placed on supervision for an offense  
12 committed on or after June 1, 2008 (the effective date of  
13 Public Act 95-464) that would qualify the accused as a child  
14 sex offender as defined in Section 11-9.3 or 11-9.4 of the  
15 Criminal Code of 1961 or the Criminal Code of 2012 shall, if so  
16 ordered by the court, refrain from communicating with or  
17 contacting, by means of the Internet, a person who is related  
18 to the accused and whom the accused reasonably believes to be  
19 under 18 years of age. For purposes of this subsection (q),  
20 "Internet" has the meaning ascribed to it in Section 16-0.1 of  
21 the Criminal Code of 2012; and a person is related to the  
22 accused if the person is: (i) the spouse, brother, or sister of  
23 the accused; (ii) a descendant of the accused; (iii) a first or  
24 second cousin of the accused; or (iv) a step-child or adopted  
25 child of the accused.

26 (r) An offender placed on supervision for an offense under

1 Section 11-6, 11-9.1, 11-14.4 that involves soliciting for a  
2 juvenile prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or  
3 11-21 of the Criminal Code of 1961 or the Criminal Code of  
4 2012, or any attempt to commit any of these offenses, committed  
5 on or after June 1, 2009 (the effective date of Public Act  
6 95-983) ~~this amendatory Act of the 95th General Assembly~~ shall:

7 (i) not access or use a computer or any other device  
8 with Internet capability without the prior written  
9 approval of the court, except in connection with the  
10 offender's employment or search for employment with the  
11 prior approval of the court;

12 (ii) submit to periodic unannounced examinations of  
13 the offender's computer or any other device with Internet  
14 capability by the offender's probation officer, a law  
15 enforcement officer, or assigned computer or information  
16 technology specialist, including the retrieval and copying  
17 of all data from the computer or device and any internal or  
18 external peripherals and removal of such information,  
19 equipment, or device to conduct a more thorough inspection;

20 (iii) submit to the installation on the offender's  
21 computer or device with Internet capability, at the  
22 offender's expense, of one or more hardware or software  
23 systems to monitor the Internet use; and

24 (iv) submit to any other appropriate restrictions  
25 concerning the offender's use of or access to a computer or  
26 any other device with Internet capability imposed by the

1 court.

2 (s) An offender placed on supervision for an offense that  
3 is a sex offense as defined in Section 2 of the Sex Offender  
4 Registration Act that is committed on or after January 1, 2010  
5 (the effective date of Public Act 96-362) that requires the  
6 person to register as a sex offender under that Act, may not  
7 knowingly use any computer scrub software on any computer that  
8 the sex offender uses.

9 (t) An offender placed on supervision for a sex offense as  
10 defined in the Sex Offender Registration Act committed on or  
11 after January 1, 2010 (the effective date of Public Act 96-262)  
12 shall refrain from accessing or using a social networking  
13 website as defined in Section 17-0.5 of the Criminal Code of  
14 2012.

15 (u) Jurisdiction over an offender may be transferred from  
16 the sentencing court to the court of another circuit with the  
17 concurrence of both courts. Further transfers or retransfers of  
18 jurisdiction are also authorized in the same manner. The court  
19 to which jurisdiction has been transferred shall have the same  
20 powers as the sentencing court. The probation department within  
21 the circuit to which jurisdiction has been transferred may  
22 impose probation fees upon receiving the transferred offender,  
23 as provided in subsection (i). The probation department from  
24 the original sentencing court shall retain all probation fees  
25 collected prior to the transfer.

26 (Source: P.A. 98-718, eff. 1-1-15; 98-940, eff. 1-1-15; 99-78,

1 eff. 7-20-15; 99-143, eff. 7-27-15; 99-642, eff. 7-28-16;  
2 99-797, eff. 8-12-16; revised 9-1-16.)

3 (730 ILCS 5/5-7-1) (from Ch. 38, par. 1005-7-1)

4 Sec. 5-7-1. Sentence of Periodic Imprisonment.

5 (a) A sentence of periodic imprisonment is a sentence of  
6 imprisonment during which the committed person may be released  
7 for periods of time during the day or night or for periods of  
8 days, or both, or if convicted of a felony, other than first  
9 degree murder, a Class X or Class 1 felony, committed to any  
10 county, municipal, or regional correctional or detention  
11 institution or facility in this State for such periods of time  
12 as the court may direct. Unless the court orders otherwise, the  
13 particular times and conditions of release shall be determined  
14 by the Department of Corrections, the sheriff, or the  
15 Superintendent of the house of corrections, who is  
16 administering the program.

17 (b) A sentence of periodic imprisonment may be imposed to  
18 permit the defendant to:

19 (1) seek employment;

20 (2) work;

21 (3) conduct a business or other self-employed  
22 occupation including housekeeping;

23 (4) attend to family needs;

24 (5) attend an educational institution, including  
25 vocational education;

1 (6) obtain medical or psychological treatment;

2 (7) perform work duties at a county, municipal, or  
3 regional correctional or detention institution or  
4 facility;

5 (8) continue to reside at home with or without  
6 supervision involving the use of an approved electronic  
7 monitoring device, subject to Article 8A of Chapter V; or

8 (9) for any other purpose determined by the court.

9 (c) Except where prohibited by other provisions of this  
10 Code, the court may impose a sentence of periodic imprisonment  
11 for a felony or misdemeanor on a person who is 17 years of age  
12 or older. The court shall not impose a sentence of periodic  
13 imprisonment if it imposes a sentence of imprisonment upon the  
14 defendant in excess of 90 days.

15 (d) A sentence of periodic imprisonment shall be for a  
16 definite term of from 3 to 4 years for a Class 1 felony, 18 to  
17 30 months for a Class 2 felony, and up to 18 months, or the  
18 longest sentence of imprisonment that could be imposed for the  
19 offense, whichever is less, for all other offenses; however, no  
20 person shall be sentenced to a term of periodic imprisonment  
21 longer than one year if he is committed to a county  
22 correctional institution or facility, and in conjunction with  
23 that sentence participate in a county work release program  
24 comparable to the work and day release program provided for in  
25 Article 13 of the Unified Code of Corrections in State  
26 facilities. The term of the sentence shall be calculated upon



1 the basis of the duration of its term rather than upon the  
2 basis of the actual days spent in confinement. No sentence of  
3 periodic imprisonment shall be subject to the good time credit  
4 provisions of Section 3-6-3 of this Code.

5 (e) When the court imposes a sentence of periodic  
6 imprisonment, it shall state:

7 (1) the term of such sentence;

8 (2) the days or parts of days which the defendant is to  
9 be confined;

10 (3) the conditions.

11 (f) The court may issue an order of protection pursuant to  
12 the Illinois Domestic Violence Act of 1986 as a condition of a  
13 sentence of periodic imprisonment. The Illinois Domestic  
14 Violence Act of 1986 shall govern the issuance, enforcement and  
15 recording of orders of protection issued under this Section. A  
16 copy of the order of protection shall be transmitted to the  
17 person or agency having responsibility for the case.

18 (f-5) An offender sentenced to a term of periodic  
19 imprisonment for a felony sex offense as defined in the Sex  
20 Offender Management Board Act shall be required to undergo and  
21 successfully complete sex offender treatment by a treatment  
22 provider approved by the Board and conducted in conformance  
23 with the standards developed under the Sex Offender Management  
24 Board Act.

25 (g) An offender sentenced to periodic imprisonment who  
26 undergoes mandatory drug or alcohol testing, or both, or is

1 assigned to be placed on an approved electronic monitoring  
2 device, shall be ordered to pay the costs incidental to such  
3 mandatory drug or alcohol testing, or both, and costs  
4 incidental to such approved electronic monitoring in  
5 accordance with the defendant's ability to pay those costs. The  
6 county board with the concurrence of the Chief Judge of the  
7 judicial circuit in which the county is located shall establish  
8 reasonable fees for the cost of maintenance, testing, and  
9 incidental expenses related to the mandatory drug or alcohol  
10 testing, or both, and all costs incidental to approved  
11 electronic monitoring, of all offenders with a sentence of  
12 periodic imprisonment. The concurrence of the Chief Judge shall  
13 be in the form of an administrative order. The fees shall be  
14 collected by the clerk of the circuit court, except as provided  
15 in an administrative order of the Chief Judge of the circuit  
16 court. The clerk of the circuit court shall pay all moneys  
17 collected from these fees to the county treasurer who shall use  
18 the moneys collected to defray the costs of drug testing,  
19 alcohol testing, and electronic monitoring. The county  
20 treasurer shall deposit the fees collected in the county  
21 working cash fund under Section 6-27001 or Section 6-29002 of  
22 the Counties Code, as the case may be.

23 (h) All fees and costs imposed under this Section for any  
24 violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle  
25 Code, or a similar provision of a local ordinance, and any  
26 violation of the Child Passenger Protection Act, or a similar

1 provision of a local ordinance, shall be collected and  
2 disbursed by the circuit clerk as provided under the Criminal  
3 and Traffic Assessment Act ~~Section 27.5 of the Clerks of Courts~~  
4 ~~Act~~.

5 The Chief Judge of the circuit court of the county may by  
6 administrative order establish a program for electronic  
7 monitoring of offenders, in which a vendor supplies and  
8 monitors the operation of the electronic monitoring device, and  
9 collects the fees on behalf of the county. The program shall  
10 include provisions for indigent offenders and the collection of  
11 unpaid fees. The program shall not unduly burden the offender  
12 and shall be subject to review by the Chief Judge.

13 The Chief Judge of the circuit court may suspend any  
14 additional charges or fees for late payment, interest, or  
15 damage to any device.

16 (i) A defendant at least 17 years of age who is convicted  
17 of a misdemeanor or felony in a county of 3,000,000 or more  
18 inhabitants and who has not been previously convicted of a  
19 misdemeanor or a felony and who is sentenced to a term of  
20 periodic imprisonment may as a condition of his or her sentence  
21 be required by the court to attend educational courses designed  
22 to prepare the defendant for a high school diploma and to work  
23 toward receiving a high school diploma or to work toward  
24 passing high school equivalency testing or to work toward  
25 completing a vocational training program approved by the court.  
26 The defendant sentenced to periodic imprisonment must attend a

1 public institution of education to obtain the educational or  
2 vocational training required by this subsection (i). The  
3 defendant sentenced to a term of periodic imprisonment shall be  
4 required to pay for the cost of the educational courses or high  
5 school equivalency testing if a fee is charged for those  
6 courses or testing. The court shall revoke the sentence of  
7 periodic imprisonment of the defendant who wilfully fails to  
8 comply with this subsection (i). The court shall resentence the  
9 defendant whose sentence of periodic imprisonment has been  
10 revoked as provided in Section 5-7-2. This subsection (i) does  
11 not apply to a defendant who has a high school diploma or has  
12 successfully passed high school equivalency testing. This  
13 subsection (i) does not apply to a defendant who is determined  
14 by the court to be a person with a developmental disability or  
15 otherwise mentally incapable of completing the educational or  
16 vocational program.

17 (Source: P.A. 98-718, eff. 1-1-15; 99-143, eff. 7-27-15;  
18 99-797, eff. 8-12-16.)

19 (730 ILCS 5/5-9-1) (from Ch. 38, par. 1005-9-1)

20 Sec. 5-9-1. Authorized fines.

21 (a) An offender may be sentenced to pay a fine as provided  
22 in Article 4.5 of Chapter V.

23 (b) ~~(Blank)~~.

24 (c) (Blank). ~~There shall be added to every fine imposed in~~  
25 ~~sentencing for a criminal or traffic offense, except an offense~~

1 ~~relating to parking or registration, or offense by a~~  
2 ~~pedestrian, an additional penalty of \$15 for each \$40, or~~  
3 ~~fraction thereof, of fine imposed. The additional penalty of~~  
4 ~~\$15 for each \$40, or fraction thereof, of fine imposed, if not~~  
5 ~~otherwise assessed, shall also be added to every fine imposed~~  
6 ~~upon a plea of guilty, stipulation of facts or findings of~~  
7 ~~guilty, resulting in a judgment of conviction, or order of~~  
8 ~~supervision in criminal, traffic, local ordinance, county~~  
9 ~~ordinance, and conservation cases (except parking,~~  
10 ~~registration, or pedestrian violations), or upon a sentence of~~  
11 ~~probation without entry of judgment under Section 10 of the~~  
12 ~~Cannabis Control Act, Section 410 of the Illinois Controlled~~  
13 ~~Substances Act, or Section 70 of the Methamphetamine Control~~  
14 ~~and Community Protection Act.~~

15 ~~Such additional amounts shall be assessed by the court~~  
16 ~~imposing the fine and shall be collected by the Circuit Clerk~~  
17 ~~in addition to the fine and costs in the case. Each such~~  
18 ~~additional penalty shall be remitted by the Circuit Clerk~~  
19 ~~within one month after receipt to the State Treasurer. The~~  
20 ~~State Treasurer shall deposit \$1 for each \$40, or fraction~~  
21 ~~thereof, of fine imposed into the LEADS Maintenance Fund. The~~  
22 ~~State Treasurer shall deposit \$3 for each \$40, or fraction~~  
23 ~~thereof, of fine imposed into the Law Enforcement Camera Grant~~  
24 ~~Fund. The remaining surcharge amount shall be deposited into~~  
25 ~~the Traffic and Criminal Conviction Surcharge Fund, unless the~~  
26 ~~fine, costs or additional amounts are subject to disbursement~~

1 ~~by the circuit clerk under Section 27.5 of the Clerks of Courts~~  
2 ~~Act. Such additional penalty shall not be considered a part of~~  
3 ~~the fine for purposes of any reduction in the fine for time~~  
4 ~~served either before or after sentencing. Not later than March~~  
5 ~~1 of each year the Circuit Clerk shall submit a report of the~~  
6 ~~amount of funds remitted to the State Treasurer under this~~  
7 ~~subsection (c) during the preceding calendar year. Except as~~  
8 ~~otherwise provided by Supreme Court Rules, if a court in~~  
9 ~~imposing a fine against an offender levies a gross amount for~~  
10 ~~fine, costs, fees and penalties, the amount of the additional~~  
11 ~~penalty provided for herein shall be computed on 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 the~~  
17 ~~net balance remaining to the entity authorized by law to~~  
18 ~~receive the fine imposed in the case. For purposes of this~~  
19 ~~Section "fees of the Circuit Clerk" shall include, if~~  
20 ~~applicable, the fee provided for under Section 27.3a of the~~  
21 ~~Clerks of Courts Act and the fee, if applicable, payable to the~~  
22 ~~county in which the violation occurred pursuant to Section~~  
23 ~~5-1101 of the Counties Code.~~

24 (c-5) (Blank). ~~In addition to the fines imposed by~~  
25 ~~subsection (c), any person convicted or receiving an order of~~  
26 ~~supervision for driving under the influence of alcohol or drugs~~

1 ~~shall pay an additional \$100 fee to the clerk. This additional~~  
2 ~~fee, less 2 1/2% that shall be used to defray administrative~~  
3 ~~costs incurred by the clerk, shall be remitted by the clerk to~~  
4 ~~the Treasurer within 60 days after receipt for deposit into the~~  
5 ~~Trauma Center Fund. This additional fee of \$100 shall not be~~  
6 ~~considered a part of the fine for purposes of any reduction in~~  
7 ~~the fine for time served either before or after sentencing. Not~~  
8 ~~later than March 1 of each year the Circuit Clerk shall submit~~  
9 ~~a report of the amount of funds remitted to the State Treasurer~~  
10 ~~under this subsection (c-5) during the preceding calendar year.~~

11 ~~The Circuit Clerk may accept payment of fines and costs by~~  
12 ~~credit card from an offender who has been convicted of a~~  
13 ~~traffic offense, petty offense or misdemeanor and may charge~~  
14 ~~the service fee permitted where fines and costs are paid by~~  
15 ~~credit card provided for in Section 27.3b of the Clerks of~~  
16 ~~Courts Act.~~

17 (c-7) (Blank). ~~In addition to the fines imposed by~~  
18 ~~subsection (c), any person convicted or receiving an order of~~  
19 ~~supervision for driving under the influence of alcohol or drugs~~  
20 ~~shall pay an additional \$5 fee to the clerk. This additional~~  
21 ~~fee, less 2 1/2% that shall be used to defray administrative~~  
22 ~~costs incurred by the clerk, shall be remitted by the clerk to~~  
23 ~~the Treasurer within 60 days after receipt for deposit into the~~  
24 ~~Spinal Cord Injury Paralysis Cure Research Trust Fund. This~~  
25 ~~additional fee of \$5 shall not be considered a part of the fine~~  
26 ~~for purposes of any reduction in the fine for time served~~

1 ~~either before or after sentencing. Not later than March 1 of~~  
2 ~~each year the Circuit Clerk shall submit a report of the amount~~  
3 ~~of funds remitted to the State Treasurer under this subsection~~  
4 ~~(c-7) during the preceding calendar year.~~

5 (c-9) (Blank).

6 (d) In determining the amount and method of payment of a  
7 fine, except for those fines established for violations of  
8 Chapter 15 of the Illinois Vehicle Code, the court shall  
9 consider:

10 (1) the financial resources and future ability of the  
11 offender to pay the fine; and

12 (2) whether the fine will prevent the offender from  
13 making court ordered restitution or reparation to the  
14 victim of the offense; and

15 (3) in a case where the accused is a dissolved  
16 corporation and the court has appointed counsel to  
17 represent the corporation, the costs incurred either by the  
18 county or the State for such representation.

19 (e) The court may order the fine to be paid forthwith or  
20 within a specified period of time or in installments.

21 (f) (Blank). ~~All fines, costs and additional amounts~~  
22 ~~imposed under this Section for any violation of Chapters 3, 4,~~  
23 ~~6, and 11 of the Illinois Vehicle Code, or a similar provision~~  
24 ~~of a local ordinance, and any violation of the Child Passenger~~  
25 ~~Protection Act, or a similar provision of a local ordinance,~~  
26 ~~shall be collected and disbursed by the circuit clerk as~~



1 ~~provided under Section 27.5 of the Clerks of Courts Act.~~

2 (Source: P.A. 99-352, eff. 1-1-16.)

3 (730 ILCS 5/5-9-1.4) (from Ch. 38, par. 1005-9-1.4)

4 Sec. 5-9-1.4. (a) "Crime laboratory" means any  
5 not-for-profit laboratory registered with the Drug Enforcement  
6 Administration of the United States Department of Justice,  
7 substantially funded by a unit or combination of units of local  
8 government or the State of Illinois, which regularly employs at  
9 least one person engaged in the analysis of controlled  
10 substances, cannabis, methamphetamine, or steroids for  
11 criminal justice agencies in criminal matters and provides  
12 testimony with respect to such examinations.

13 (b) (Blank). ~~When a person has been adjudged guilty of an~~  
14 ~~offense in violation of the Cannabis Control Act, the Illinois~~  
15 ~~Controlled Substances Act, the Methamphetamine Control and~~  
16 ~~Community Protection Act, or the Steroid Control Act, in~~  
17 ~~addition to any other disposition, penalty or fine imposed, a~~  
18 ~~criminal laboratory analysis fee of \$100 for each offense for~~  
19 ~~which he was convicted shall be levied by the court. Any person~~  
20 ~~placed on probation pursuant to Section 10 of the Cannabis~~  
21 ~~Control Act, Section 410 of the Illinois Controlled Substances~~  
22 ~~Act, Section 70 of the Methamphetamine Control and Community~~  
23 ~~Protection Act, or Section 10 of the Steroid Control Act or~~  
24 ~~placed on supervision for a violation of the Cannabis Control~~  
25 ~~Act, the Illinois Controlled Substances Act or the Steroid~~

1 ~~Control Act shall be assessed a criminal laboratory analysis~~  
2 ~~fee of \$100 for each offense for which he was charged. Upon~~  
3 ~~verified petition of the person, the court may suspend payment~~  
4 ~~of all or part of the fee if it finds that the person does not~~  
5 ~~have the ability to pay the fee.~~

6 (c) In addition to any other disposition made pursuant to  
7 the provisions of the Juvenile Court Act of 1987, any minor  
8 adjudicated delinquent for an offense which if committed by an  
9 adult would constitute a violation of the Cannabis Control Act,  
10 the Illinois Controlled Substances Act, the Methamphetamine  
11 Control and Community Protection Act, or the Steroid Control  
12 Act shall be required to pay ~~assessed~~ a criminal laboratory  
13 analysis assessment ~~fee~~ of \$100 for each adjudication. Upon  
14 verified petition of the minor, the court may suspend payment  
15 of all or part of the assessment ~~fee~~ if it finds that the minor  
16 does not have the ability to pay the assessment ~~fee~~. The  
17 parent, guardian or legal custodian of the minor may pay some  
18 or all of such assessment ~~fee~~ on the minor's behalf.

19 (d) All criminal laboratory analysis fees provided for by  
20 this Section shall be collected by the clerk of the court and  
21 forwarded to the appropriate crime laboratory fund as provided  
22 in subsection (f).

23 (e) Crime laboratory funds shall be established as follows:

24 (1) Any unit of local government which maintains a  
25 crime laboratory may establish a crime laboratory fund  
26 within the office of the county or municipal treasurer.

1           (2) Any combination of units of local government which  
2 maintains a crime laboratory may establish a crime  
3 laboratory fund within the office of the treasurer of the  
4 county where the crime laboratory is situated.

5           (3) The State Crime Laboratory Fund is hereby created  
6 as a special fund in the State Treasury.

7           (f) The analysis assessment ~~fee~~ provided for in subsections  
8 (b) and (c) of this Section shall be forwarded to the office of  
9 the treasurer of the unit of local government that performed  
10 the analysis if that unit of local government has established a  
11 crime laboratory fund, or to the State Crime Laboratory Fund if  
12 the analysis was performed by a laboratory operated by the  
13 Illinois State Police. If the analysis was performed by a crime  
14 laboratory funded by a combination of units of local  
15 government, the analysis assessment ~~fee~~ shall be forwarded to  
16 the treasurer of the county where the crime laboratory is  
17 situated if a crime laboratory fund has been established in  
18 that county. If the unit of local government or combination of  
19 units of local government has not established a crime  
20 laboratory fund, then the analysis assessment ~~fee~~ shall be  
21 forwarded to the State Crime Laboratory Fund. ~~The clerk of the~~  
22 ~~circuit court may retain the amount of \$10 from each collected~~  
23 ~~analysis fee to offset administrative costs incurred in~~  
24 ~~carrying out the clerk's responsibilities under this Section.~~

25           (g) Moneys Fees deposited into a crime laboratory fund  
26 created pursuant to paragraphs (1) or (2) of subsection (e) of

1 this Section shall be in addition to any allocations made  
2 pursuant to existing law and shall be designated for the  
3 exclusive use of the crime laboratory. These uses may include,  
4 but are not limited to, the following:

5 (1) costs incurred in providing analysis for  
6 controlled substances in connection with criminal  
7 investigations conducted within this State;

8 (2) purchase and maintenance of equipment for use in  
9 performing analyses; and

10 (3) continuing education, training and professional  
11 development of forensic scientists regularly employed by  
12 these laboratories.

13 (h) Moneys ~~Fees~~ deposited in the State Crime Laboratory  
14 Fund created pursuant to paragraph (3) of subsection (d) of  
15 this Section shall be used by State crime laboratories as  
16 designated by the Director of State Police. These funds shall  
17 be in addition to any allocations made pursuant to existing law  
18 and shall be designated for the exclusive use of State crime  
19 laboratories. These uses may include those enumerated in  
20 subsection (g) of this Section.

21 (Source: P.A. 94-556, eff. 9-11-05.)

22 (730 ILCS 5/5-9-1.7) (from Ch. 38, par. 1005-9-1.7)

23 Sec. 5-9-1.7. Sexual assault fines.

24 (a) Definitions. The terms used in this Section shall have  
25 the following meanings ascribed to them:

1           (1) "Sexual assault" means the commission or attempted  
2 commission of the following: sexual exploitation of a  
3 child, criminal sexual assault, predatory criminal sexual  
4 assault of a child, aggravated criminal sexual assault,  
5 criminal sexual abuse, aggravated criminal sexual abuse,  
6 indecent solicitation of a child, public indecency, sexual  
7 relations within families, promoting juvenile  
8 prostitution, soliciting for a juvenile prostitute,  
9 keeping a place of juvenile prostitution, patronizing a  
10 juvenile prostitute, juvenile pimping, exploitation of a  
11 child, obscenity, child pornography, aggravated child  
12 pornography, harmful material, or ritualized abuse of a  
13 child, as those offenses are defined in the Criminal Code  
14 of 1961 or the Criminal Code of 2012.

15           (2) (Blank). ~~"Family member" shall have the meaning~~  
16 ~~ascribed to it in Section 11-0.1 of the Criminal Code of~~  
17 ~~2012.~~

18           (3) "Sexual assault organization" means any  
19 not-for-profit organization providing comprehensive,  
20 community-based services to victims of sexual assault.  
21 "Community-based services" include, but are not limited  
22 to, direct crisis intervention through a 24-hour response,  
23 medical and legal advocacy, counseling, information and  
24 referral services, training, and community education.

25           (b) (Blank). ~~Sexual assault fine; collection by clerk.~~

26           ~~(1) In addition to any other penalty imposed, a fine of~~

1 ~~\$200 shall be imposed upon any person who pleads guilty or~~  
2 ~~who is convicted of, or who receives a disposition of court~~  
3 ~~supervision for, a sexual assault or attempt of a sexual~~  
4 ~~assault. Upon request of the victim or the victim's~~  
5 ~~representative, the court shall determine whether the fine~~  
6 ~~will impose an undue burden on the victim of the offense.~~  
7 ~~For purposes of this paragraph, the defendant may not be~~  
8 ~~considered the victim's representative. If the court finds~~  
9 ~~that the fine would impose an undue burden on the victim,~~  
10 ~~the court may reduce or waive the fine. The court shall~~  
11 ~~order that the defendant may not use funds belonging solely~~  
12 ~~to the victim of the offense for payment of the fine.~~

13 ~~(2) Sexual assault fines shall be assessed by the court~~  
14 ~~imposing the sentence and shall be collected by the circuit~~  
15 ~~clerk. The circuit clerk shall retain 10% of the penalty to~~  
16 ~~cover the costs involved in administering and enforcing~~  
17 ~~this Section. The circuit clerk shall remit the remainder~~  
18 ~~of each fine within one month of its receipt to the State~~  
19 ~~Treasurer for deposit as follows:~~

20 ~~(i) for family member offenders, one half to the~~  
21 ~~Sexual Assault Services Fund, and one half to the~~  
22 ~~Domestic Violence Shelter and Service Fund; and~~

23 ~~(ii) for other than family member offenders, the~~  
24 ~~full amount to the Sexual Assault Services Fund.~~

25 (c) Sexual Assault Services Fund; administration. There is  
26 created a Sexual Assault Services Fund. Moneys deposited into

1 the Fund under Section 2-20 and 2-40 of the Criminal and  
2 Traffic Assessment Act ~~this Section~~ shall be appropriated to  
3 the Department of Public Health. Upon appropriation of moneys  
4 from the Sexual Assault Services Fund, the Department of Public  
5 Health shall make grants of these moneys from the Fund to  
6 sexual assault organizations with whom the Department has  
7 contracts for the purpose of providing community-based  
8 services to victims of sexual assault. Grants made under this  
9 Section are in addition to, and are not substitutes for, other  
10 grants authorized and made by the Department.

11 (Source: P.A. 96-1551, eff. 7-1-11; 97-1109, eff. 1-1-13;  
12 97-1150, eff. 1-25-13.)

13 (730 ILCS 5/5-9-1.9)

14 Sec. 5-9-1.9. DUI analysis fee.

15 (a) "Crime laboratory" means a not-for-profit laboratory  
16 substantially funded by a single unit or combination of units  
17 of local government or the State of Illinois that regularly  
18 employs at least one person engaged in the DUI analysis of  
19 blood, other bodily substance, and urine for criminal justice  
20 agencies in criminal matters and provides testimony with  
21 respect to such examinations.

22 "DUI analysis" means an analysis of blood, other bodily  
23 substance, or urine for purposes of determining whether a  
24 violation of Section 11-501 of the Illinois Vehicle Code has  
25 occurred.

1           (b) (Blank). ~~When a person has been adjudged guilty of an~~  
2 ~~offense in violation of Section 11-501 of the Illinois Vehicle~~  
3 ~~Code, in addition to any other disposition, penalty, or fine~~  
4 ~~imposed, a crime laboratory DUI analysis fee of \$150 for each~~  
5 ~~offense for which the person was convicted shall be levied by~~  
6 ~~the court for each case in which a laboratory analysis~~  
7 ~~occurred. Upon verified petition of the person, the court may~~  
8 ~~suspend payment of all or part of the fee if it finds that the~~  
9 ~~person does not have the ability to pay the fee.~~

10           (c) In addition to any other disposition made under the  
11 provisions of the Juvenile Court Act of 1987, any minor  
12 adjudicated delinquent for an offense which if committed by an  
13 adult would constitute a violation of Section 11-501 of the  
14 Illinois Vehicle Code shall pay ~~be assessed~~ a crime laboratory  
15 DUI analysis assessment ~~fee~~ of \$150 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 the assessment ~~fee~~ on the minor's behalf.

21           (d) All crime laboratory DUI analysis assessments ~~fees~~  
22 provided for by this Section shall be collected by the clerk of  
23 the court and forwarded to the appropriate crime laboratory DUI  
24 fund as provided in subsection (f).

25           (e) Crime laboratory funds shall be established as follows:

26           (1) A unit of local government that maintains a crime



1 laboratory may establish a crime laboratory DUI fund within  
2 the office of the county or municipal treasurer.

3 (2) Any combination of units of local government that  
4 maintains a crime laboratory may establish a crime  
5 laboratory DUI fund within the office of the treasurer of  
6 the county where the crime laboratory is situated.

7 (3) (Blank). ~~The State Police DUI Fund is created as a~~  
8 ~~special fund in the State Treasury.~~

9 (f) The analysis assessment fee provided for in subsections  
10 (b) and (c) of this Section shall be forwarded to the office of  
11 the treasurer of the unit of local government that performed  
12 the analysis if that unit of local government has established a  
13 crime laboratory DUI fund, or to the State Treasurer for  
14 deposit into the State Police Operations Assistance ~~DUI~~ Fund if  
15 the analysis was performed by a laboratory operated by the  
16 Department of State Police. If the analysis was performed by a  
17 crime laboratory funded by a combination of units of local  
18 government, the analysis assessment fee shall be forwarded to  
19 the treasurer of the county where the crime laboratory is  
20 situated if a crime laboratory DUI fund has been established in  
21 that county. If the unit of local government or combination of  
22 units of local government has not established a crime  
23 laboratory DUI fund, then the analysis assessment fee shall be  
24 forwarded to the State Treasurer for deposit into the State  
25 Police Operations Assistance Fund ~~DUI Fund~~. ~~The clerk of the~~  
26 ~~circuit court may retain the amount of \$10 from each collected~~

1 ~~analysis fee to offset administrative costs incurred in~~  
2 ~~carrying out the clerk's responsibilities under this Section.~~

3 (g) Moneys ~~Fees~~ deposited into a crime laboratory DUI fund  
4 created under paragraphs (1) and (2) of subsection (e) of this  
5 Section shall be in addition to any allocations made pursuant  
6 to existing law and shall be designated for the exclusive use  
7 of the crime laboratory. These uses may include, but are not  
8 limited to, the following:

9 (1) Costs incurred in providing analysis for DUI  
10 investigations conducted within this State.

11 (2) Purchase and maintenance of equipment for use in  
12 performing analyses.

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 Police Operations  
17 Assistance ~~DUI~~ Fund ~~created under paragraph (3) of subsection~~  
18 ~~(e) of this Section~~ shall be used by State crime laboratories  
19 as designated by the Director of State Police. These funds  
20 shall be in addition to any allocations made according to  
21 existing law and shall be designated for the exclusive use of  
22 State crime laboratories. These uses may include those  
23 enumerated in subsection (g) of this Section.

24 (Source: P.A. 99-697, eff. 7-29-16.)

1           Sec. 5-9-1.11. Domestic Violence Abuser Services ~~Violation~~  
2 ~~of an order of protection;~~ Fund.

3           (a) (Blank). ~~In addition to any other penalty imposed, a~~  
4 ~~fine of \$20 shall be imposed upon any person who is convicted~~  
5 ~~of or placed on supervision for violation of an order of~~  
6 ~~protection; provided that the offender and victim are family or~~  
7 ~~household members as defined in Section 103 of the Illinois~~  
8 ~~Domestic Violence Act of 1986.~~

9           ~~The additional amount shall be assessed by the court~~  
10 ~~imposing sentence and shall be collected by the Circuit Clerk~~  
11 ~~in addition to the fine, if any, and costs in the case. Each~~  
12 ~~such additional penalty shall be remitted by the Circuit Clerk~~  
13 ~~within one month after receipt to the State Treasurer for~~  
14 ~~deposit into the Domestic Violence Abuser Services Fund. The~~  
15 ~~Circuit Clerk shall retain 10% of the penalty to cover the~~  
16 ~~costs incurred in administering and enforcing this Section. The~~  
17 ~~additional penalty shall not be considered a part of the fine~~  
18 ~~for purposes of any reduction in the fine for time served~~  
19 ~~either before or after sentencing.~~

20           ~~The State Treasurer shall deposit into the Domestic~~  
21 ~~Violence Abuser Services Fund each fine received from circuit~~  
22 ~~clerks under Section 5-9-1.5 of the Unified Code of~~  
23 ~~Corrections.~~

24           ~~Upon request of the victim or the victim's representative,~~  
25 ~~the court shall determine whether the fine will impose an undue~~  
26 ~~burden on the victim of the offense. For purposes of this~~

1 ~~paragraph, the defendant may not be considered the victim's~~  
2 ~~representative. If the court finds that the fine would impose~~  
3 ~~an undue burden on the victim, the court may reduce or waive~~  
4 ~~the fine. The court shall order that the defendant may not use~~  
5 ~~funds belonging solely to the victim of the offense for payment~~  
6 ~~of the fine.~~

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

1 (b) Domestic Violence Abuser Services Fund;  
2 administration. There is created a Domestic Violence Abuser  
3 Services Fund in the State Treasury. Moneys deposited into the  
4 Fund under Section 2-70 of the Criminal and Traffic Assessments  
5 Act ~~this Section~~ shall be appropriated to the Department of  
6 Human Services for the purpose of providing services specified  
7 by this Section. Upon appropriation of moneys from the Domestic  
8 Violence Abuser Services Fund, the Department of Human Services  
9 shall set aside 10% of all appropriated funds for the purposes  
10 of program training, development and assessment. The  
11 Department shall make grants of all remaining moneys from the  
12 Fund to qualified domestic violence abuser services programs  
13 through a competitive application process. A "qualified  
14 domestic violence abuser services program" is one which the  
15 Department determines is in compliance with protocols for  
16 abuser services promulgated by the Department. To the extent  
17 possible the Department shall ensure that moneys received from  
18 penalties imposed by courts in judicial districts are returned  
19 to qualified abuser services programs serving those districts.  
20 (Source: P.A. 90-241, eff. 1-1-98.)

21 (730 ILCS 5/5-9-1.16)

22 Sec. 5-9-1.16. Protective order violation service provider  
23 fees.

24 (a) (Blank). ~~There shall be added to every penalty imposed~~  
25 ~~in sentencing for a violation of an order of protection under~~

1 ~~Section 12-3.4 or 12-30 of the Criminal Code of 1961 or the~~  
2 ~~Criminal Code of 2012 an additional fee to be set in an amount~~  
3 ~~not less than \$200 to be imposed upon a plea of guilty or~~  
4 ~~finding of guilty resulting in a judgment of conviction.~~

5 (b) ~~(Blank). Such additional amount shall be assessed by~~  
6 ~~the court imposing sentence and shall be collected by the~~  
7 ~~Circuit Clerk in addition to the fine, if any, and costs in the~~  
8 ~~case to be used by the supervising authority in implementing~~  
9 ~~the domestic violence surveillance program. The clerk of the~~  
10 ~~circuit court shall pay all monies collected from this fee to~~  
11 ~~the county treasurer for deposit in the probation and court~~  
12 ~~services fund under Section 15.1 of the Probation and~~  
13 ~~Probations Officers Act.~~

14 (c) The supervising authority of a domestic violence  
15 surveillance program under Section 5-8A-7 of this Act shall  
16 assess a person either convicted of, or charged with, the  
17 violation of an order of protection an additional service  
18 provider fee to cover the costs of providing the equipment used  
19 and the additional supervision needed for such domestic  
20 violence surveillance program. If the court finds that the fee  
21 would impose an undue burden on the victim, the court may  
22 reduce or waive the fee. The court shall order that the  
23 defendant may not use funds belonging solely to the victim of  
24 the offense for payment of the fee.

25 When the supervising authority is the court or the  
26 probation and court services department, the fee shall be

1 collected by the circuit court clerk. The clerk of the circuit  
2 court shall pay all monies collected from this fee and all  
3 other required probation fees that are assessed to the county  
4 treasurer for deposit in the probation and court services fund  
5 under Section 15.1 of the Probation and Probations Officers  
6 Act. In counties with a population of 2 million or more, when  
7 the supervising authority is the court or the probation and  
8 court services department, the fee shall be collected by the  
9 supervising authority. In these counties, the supervising  
10 authority shall pay all monies collected from this fee and all  
11 other required probation fees that are assessed, to the county  
12 treasurer for deposit in the probation and court services fund  
13 under Section 15.1 of the Probation and Probation Officers Act.

14 When the supervising authority is the Department of  
15 Corrections, the Department shall collect the fee for deposit  
16 into the Department of Corrections Reimbursement and Education  
17 Fund. ~~The Circuit Clerk shall retain 10% of such penalty and~~  
18 ~~deposit that percentage into the Circuit Court Clerk Operation~~  
19 ~~and Administrative Fund to cover the costs incurred in~~  
20 ~~administering and enforcing this Section.~~

21 (d) (Blank).

22 (e) (Blank).

23 (Source: P.A. 99-933, eff. 1-27-17.)

24 Section 3-50. The County Jail Act is amended by changing  
25 Section 17 as follows:

1 (730 ILCS 125/17) (from Ch. 75, par. 117)

2 Sec. 17. Bedding, clothing, fuel, and medical aid;  
3 reimbursement for medical expenses. The Warden of the jail  
4 shall furnish necessary bedding, clothing, fuel, and medical  
5 services for all prisoners under his charge, and keep an  
6 accurate account of the same. When services that result in  
7 qualified medical expenses are required by any person held in  
8 custody, the county, private hospital, physician or any public  
9 agency which provides such services shall be entitled to obtain  
10 reimbursement from the county for the cost of such services.  
11 The county board of a county may adopt an ordinance or  
12 resolution providing for reimbursement for the cost of those  
13 services at the Department of Healthcare and Family Services'  
14 rates for medical assistance. To the extent that such person is  
15 reasonably able to pay for such care, including reimbursement  
16 from any insurance program or from other medical benefit  
17 programs available to such person, he or she shall reimburse  
18 the county or arresting authority. If such person has already  
19 been determined eligible for medical assistance under the  
20 Illinois Public Aid Code at the time the person is detained,  
21 the cost of such services, to the extent such cost exceeds  
22 \$500, shall be reimbursed by the Department of Healthcare and  
23 Family Services under that Code. A reimbursement under any  
24 public or private program authorized by this Section shall be  
25 paid to the county or arresting authority to the same extent as



1 would have been obtained had the services been rendered in a  
2 non-custodial environment.

3 The sheriff or his or her designee may cause an application  
4 for medical assistance under the Illinois Public Aid Code to be  
5 completed for an arrestee who is a hospital inpatient. If such  
6 arrestee is determined eligible, he or she shall receive  
7 medical assistance under the Code for hospital inpatient  
8 services only. An arresting authority shall be responsible for  
9 any qualified medical expenses relating to the arrestee until  
10 such time as the arrestee is placed in the custody of the  
11 sheriff. However, the arresting authority shall not be so  
12 responsible if the arrest was made pursuant to a request by the  
13 sheriff. When medical expenses are required by any person held  
14 in custody, the county shall be entitled to obtain  
15 reimbursement from the County Jail Medical Costs Fund to the  
16 extent moneys are available from the Fund. To the extent that  
17 the person is reasonably able to pay for that care, including  
18 reimbursement from any insurance program or from other medical  
19 benefit programs available to the person, he or she shall  
20 reimburse the county.

21 ~~The county shall be entitled to a \$10 fee for each~~  
22 ~~conviction or order of supervision for a criminal violation,~~  
23 ~~other than a petty offense or business offense. The fee shall~~  
24 ~~be taxed as costs to be collected from the defendant, if~~  
25 ~~possible, upon conviction or entry of an order of supervision.~~  
26 ~~The fee shall not be considered a part of the fine for purposes~~

1 ~~of any reduction in the fine.~~

2 ~~All such fees collected shall be deposited by the county in~~  
3 ~~a fund to be established and known as the County Jail Medical~~  
4 ~~Costs Fund. Moneys in the Fund shall be used solely for~~  
5 ~~reimbursement to the county of costs for medical expenses and~~  
6 ~~administration of the Fund.~~

7 For the purposes of this Section, "arresting authority"  
8 means a unit of local government, other than a county, which  
9 employs peace officers and whose peace officers have made the  
10 arrest of a person. For the purposes of this Section,  
11 "qualified medical expenses" include medical and hospital  
12 services but do not include (i) expenses incurred for medical  
13 care or treatment provided to a person on account of a  
14 self-inflicted injury incurred prior to or in the course of an  
15 arrest, (ii) expenses incurred for medical care or treatment  
16 provided to a person on account of a health condition of that  
17 person which existed prior to the time of his or her arrest, or  
18 (iii) expenses for hospital inpatient services for arrestees  
19 enrolled for medical assistance under the Illinois Public Aid  
20 Code.

21 (Source: P.A. 95-842, eff. 8-15-08; 96-1280, eff. 7-26-10.)

22 (30 ILCS 105/5.414 rep.)

23 (30 ILCS 105/5.613 rep.)

24 (30 ILCS 105/5.671 rep.)

25 Section 3-55. The State Finance Act is amended by repealing

1 Sections 5.414, 5.613, and 5.671.

2 (50 ILCS 705/9.1 rep.)

3 Section 3-57. Illinois Police Training Act is amended by  
4 repealing Section 9.1.

5 (55 ILCS 5/3-4012 rep.)

6 (55 ILCS 5/5-1101 rep.)

7 (55 ILCS 5/5-1101.3 rep.)

8 (55 ILCS 5/5-1101.5 rep.)

9 (55 ILCS 5/5-1103 rep.)

10 Section 3-60. The Counties Code is amended by repealing  
11 Sections 3-4012, 5-1101, 5-1101.3, 5-1101.5, and 5-1103.

12 (625 ILCS 5/16-104a rep.)

13 (625 ILCS 5/16-104b rep.)

14 (625 ILCS 5/16-104c rep.)

15 (625 ILCS 5/16-104d rep.)

16 (625 ILCS 5/16-104d-1 rep.)

17 Section 3-65. The Illinois Vehicle Code is amended by  
18 repealing Sections 16-104a, 16-104b, 16-104c, 16-104d, and  
19 16-104d-1.

20 (705 ILCS 105/27.1a rep.)

21 (705 ILCS 105/27.2 rep.)

22 (705 ILCS 105/27.2a rep.)

1 (705 ILCS 105/27.3a rep.)

2 (705 ILCS 105/27.3c rep.)

3 (705 ILCS 105/27.3e rep.)

4 (705 ILCS 105/27.3g rep.)

5 (705 ILCS 105/27.4 rep.)

6 (705 ILCS 105/27.5 rep.)

7 (705 ILCS 105/27.6 rep.)

8 Section 3-70. The Clerks of Courts Act is amended by  
9 repealing Sections 27.1a, 27.2, 27.2a, 27.3a, 27.3c, 27.3e,  
10 27.3g, 27.4, 27.5, and 27.6.

11 (720 ILCS 570/411.4 rep.)

12 Section 3-75. The Illinois Controlled Substances Act is  
13 amended by repealing Section 411.4.

14 (730 ILCS 5/5-9-1.1 rep.)

15 (730 ILCS 5/5-9-1.1-5 rep.)

16 (730 ILCS 5/5-9-1.5 rep.)

17 (730 ILCS 5/5-9-1.6 rep.)

18 (730 ILCS 5/5-9-1.10 rep.)

19 (730 ILCS 5/5-9-1.12 rep.)

20 (730 ILCS 5/5-9-1.14 rep.)

21 (730 ILCS 5/5-9-1.15 rep.)

22 (730 ILCS 5/5-9-1.17 rep.)

23 (730 ILCS 5/5-9-1.18 rep.)

24 (730 ILCS 5/5-9-1.19 rep.)

1 (730 ILCS 5/5-9-1.20 rep.)

2 Section 3-80. The Unified Code of Corrections is amended by  
3 repealing Sections 5-9-1.1, 5-9-1.1-5, 5-9-1.5, 5-9-1.6,  
4 5-9-1.10, 5-9-1.12, 5-9-1.14, 5-9-1.15, 5-9-1.17, 5-9-1.18,  
5 5-9-1.19, and 5-9-1.20.

6 Section 9-99. Effective date. This Act takes effect July 1,  
7 2018.".