

1 AN ACT concerning criminal law.

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

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 15-113 as follows:

6 (625 ILCS 5/15-113) (from Ch. 95 1/2, par. 15-113)

7 (Text of Section before amendment by P.A. 100-987)

8 Sec. 15-113. Violations; Penalties.

9 (a) Whenever any vehicle is operated in violation of the
10 provisions of Section 15-111 or subsection (d) of Section
11 3-401, the owner or driver of such vehicle shall be deemed
12 guilty of such violation and either the owner or the driver of
13 such vehicle may be prosecuted for such violation. Any person
14 charged with a violation of any of these provisions who pleads
15 not guilty shall be present in court for the trial on the
16 charge. Any person, firm or corporation convicted of any
17 violation of Section 15-111 including, but not limited to, a
18 maximum axle or gross limit specified on a regulatory sign
19 posted in accordance with paragraph (e) or (f) of Section
20 15-111, shall be fined according to the following schedule:

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

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

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

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

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

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

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

7 From 5001 or more pounds overweight, the fine shall be computed
8 by assessing \$1500 for the first 5000 pounds overweight and
9 \$150 for each additional increment of 500 pounds overweight or
10 fraction thereof.

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

18 (b) Whenever any vehicle is operated in violation of the
19 provisions of Sections 15-102, 15-103 or 15-107, the owner or

1 driver of such vehicle shall be deemed guilty of such violation
2 and either may be prosecuted for such violation. Any person,
3 firm or corporation convicted of any violation of Sections
4 15-102, 15-103 or 15-107 shall be fined for the first or second
5 conviction an amount equal to not less than \$50 nor more than
6 \$500, and for the third and subsequent convictions by the same
7 person, firm or corporation within a period of one year after
8 the date of the first offense, not less than \$500 nor more than
9 \$1,000.

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

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

15 (Text of Section after amendment by P.A. 100-987)

16 Sec. 15-113. Violations; Penalties.

17 (a) Whenever any vehicle is operated in violation of the
18 provisions of Section 15-111 or subsection (d) of Section
19 3-401, the owner or driver of such vehicle shall be deemed
20 guilty of such violation and either the owner or the driver of
21 such vehicle may be prosecuted for such violation. Any person
22 charged with a violation of any of these provisions who pleads
23 not guilty shall be present in court for the trial on the
24 charge. Any person, firm, or corporation convicted of any
25 violation of Section 15-111 including, but not limited to, a

1 maximum axle or gross limit specified on a regulatory sign
2 posted in accordance with paragraph (e) or (f) of Section
3 15-111, shall be fined according to the following schedule:

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

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

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

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

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

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

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

11 From 5001 or more pounds overweight, the fine shall be computed
12 by assessing \$1500 for the first 5000 pounds overweight and
13 \$150 for each additional increment of 500 pounds overweight or
14 fraction thereof.

15 In addition, any person, firm, or corporation convicted of
16 4 or more violations of Section 15-111 within any 12 month
17 period shall be fined an additional amount of \$5,000 for the

1 fourth and each subsequent conviction within the 12 month
2 period. Provided, however, that with regard to a firm or
3 corporation, a fourth or subsequent conviction shall mean a
4 fourth or subsequent conviction attributable to any one
5 employee-driver.

6 (b) Whenever any vehicle is operated in violation of the
7 provisions of Sections 15-102, 15-103 or 15-107, the owner or
8 driver of such vehicle shall be deemed guilty of such violation
9 and either may be prosecuted for such violation. Any person,
10 firml or corporation convicted of any violation of Sections
11 15-102, 15-103 or 15-107 shall be fined for the first or second
12 conviction an amount equal to not less than \$50 nor more than
13 \$500, and for the third and subsequent convictions by the same
14 person, firml or corporation within a period of one year after
15 the date of the first offense, not less than \$500 nor more than
16 \$1,000.

17 (c) All proceeds equal to 50% of the fines recovered
18 ~~imposed~~ under subsection (a) of this Section shall be remitted
19 to the State Treasurer and deposited into the Capital Projects
20 Fund.

21 (Source: P.A. 100-987, eff. 7-1-19.)

22 Section 10. The Clerks of Courts Act is amended by changing
23 Section 27.1b and by adding Section 27.1c as follows:

24 (705 ILCS 105/27.1b)

1 (This Section may contain text from a Public Act with a
2 delayed effective date)

3 (Section scheduled to be repealed on December 31, 2019)

4 Sec. 27.1b. Circuit court clerk fees. Notwithstanding any
5 other provision of law, all fees charged by the clerks of the
6 circuit court for the services described in this Section shall
7 be established, collected, and disbursed in accordance with
8 this Section. Except as otherwise specified in this Section,
9 all fees under this Section shall be paid in advance and
10 disbursed by each clerk on a monthly basis. In a county with a
11 population of over 3,000,000, units of local government and
12 school districts shall not be required to pay fees under this
13 Section in advance and the clerk shall instead send an itemized
14 bill to the unit of local government or school district, within
15 30 days of the fee being incurred, and the unit of local
16 government or school district shall be allowed at least 30 days
17 from the date of the itemized bill to pay; these payments shall
18 be disbursed by each clerk on a monthly basis. Unless otherwise
19 specified in this Section, the amount of a fee shall be
20 determined by ordinance or resolution of the county board and
21 remitted to the county treasurer to be used for purposes
22 related to the operation of the court system in the county. In
23 a county with population of over 3,000,000, any amount retained
24 by the clerk of the circuit court or remitted to the county
25 treasurer shall be subject to appropriation by the county
26 board.

1 (a) Civil cases. The fee for filing a complaint, petition,
2 or other pleading initiating a civil action shall be as set
3 forth in the applicable schedule under this subsection in
4 accordance with case categories established by the Supreme
5 Court in schedules.

6 (1) SCHEDULE 1: not to exceed a total of \$366 in a
7 county with a population of 3,000,000 or more and not to
8 exceed \$316 in any other county, except as applied to units
9 of local government and school districts in counties with
10 more than 3,000,000 inhabitants an amount not to exceed
11 \$190 through December 31, 2021 and \$184 on and after
12 January 1, 2022. The fees collected under this schedule
13 shall be disbursed as follows:

14 (A) The clerk shall retain a sum, in an amount not
15 to exceed \$55 in a county with a population of
16 3,000,000 or more and in an amount not to exceed \$45 in
17 any other county determined by the clerk with the
18 approval of the Supreme Court, to be used for court
19 automation, court document storage, and administrative
20 purposes.

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

25 (i) up to \$10, as specified by the Supreme
26 Court in accordance with Part 10A of Article II of

1 the Code of Civil Procedure, into the Mandatory
2 Arbitration Fund;

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

4 (iii) \$9 into the Supreme Court Special
5 Purposes Fund.

6 (C) The clerk shall remit a sum to the County
7 Treasurer, in an amount not to exceed \$290 in a county
8 with a population of 3,000,000 or more and in an amount
9 not to exceed \$250 in any other county, as specified by
10 ordinance or resolution passed by the county board, for
11 purposes related to the operation of the court system
12 in the county.

13 (2) SCHEDULE 2: not to exceed a total of \$357 in a
14 county with a population of 3,000,000 or more and not to
15 exceed \$266 in any other county, except as applied to units
16 of local government and school districts in counties with
17 more than 3,000,000 inhabitants an amount not to exceed
18 \$190 through December 31, 2021 and \$184 on and after
19 January 1, 2022. The fees collected under this schedule
20 shall be disbursed as follows:

21 (A) The clerk shall retain a sum, in an amount not
22 to exceed \$55 in a county with a population of
23 3,000,000 or more and in an amount not to exceed \$45 in
24 any other county determined by the clerk with the
25 approval of the Supreme Court, to be used for court
26 automation, court document storage, and administrative

1 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 \$281 in a county
15 with a population of 3,000,000 or more and in an amount
16 not to exceed \$200 in any other county, as specified by
17 ordinance or resolution passed by the county board, for
18 purposes related to the operation of the court system
19 in the county.

20 (3) SCHEDULE 3: not to exceed a total of \$265 in a
21 county with a population of 3,000,000 or more and not to
22 exceed \$89 in any other county, except as applied to units
23 of local government and school districts in counties with
24 more than 3,000,000 inhabitants an amount not to exceed
25 \$190 through December 31, 2021 and \$184 on and after
26 January 1, 2022. The fees collected under this schedule

1 shall be disbursed as follows:

2 (A) The clerk shall retain a sum, in an amount not
3 to exceed \$55 in a county with a population of
4 3,000,000 or more and in an amount not to exceed \$22 in
5 any other county determined by the clerk with the
6 approval of the Supreme Court, to be used for court
7 automation, court document storage, and administrative
8 purposes.

9 (B) The clerk shall remit \$11 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) \$2 into the Access to Justice Fund; and

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

16 (C) The clerk shall remit a sum to the County
17 Treasurer, in an amount not to exceed \$199 in a county
18 with a population of 3,000,000 or more and in an amount
19 not to exceed \$56 in any other county, as specified by
20 ordinance or resolution passed by the county board, for
21 purposes related to the operation of the court system
22 in the county.

23 (4) SCHEDULE 4: \$0.

24 (b) Appearance. The fee for filing an appearance in a civil
25 action, including a cannabis civil law action under the
26 Cannabis Control Act, shall be as set forth in the applicable

1 schedule under this subsection in accordance with case
2 categories established by the Supreme Court in schedules.

3 (1) SCHEDULE 1: not to exceed a total of \$230 in a
4 county with a population of 3,000,000 or more and not to
5 exceed \$191 in any other county, except as applied to units
6 of local government and school districts in counties with
7 more than 3,000,000 inhabitants an amount not to exceed
8 \$75. The fees collected under this schedule shall be
9 disbursed as follows:

10 (A) The clerk shall retain a sum, in an amount not
11 to exceed \$50 in a county with a population of
12 3,000,000 or more and in an amount not to exceed \$45 in
13 any other county determined by the clerk with the
14 approval of the Supreme Court, to be used for court
15 automation, court document storage, and administrative
16 purposes.

17 (B) The clerk shall remit up to \$21 to the State
18 Treasurer. The State Treasurer shall deposit the
19 appropriate amounts, in accordance with the clerk's
20 instructions, as follows:

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

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

26 (iii) \$9 into the Supreme Court Special

1 Purposes Fund.

2 (C) The clerk shall remit a sum to the County
3 Treasurer, in an amount not to exceed \$159 in a county
4 with a population of 3,000,000 or more and in an amount
5 not to exceed \$125 in any other county, as specified by
6 ordinance or resolution passed by the county board, for
7 purposes related to the operation of the court system
8 in the county.

9 (2) SCHEDULE 2: not to exceed a total of \$130 in a
10 county with a population of 3,000,000 or more and not to
11 exceed \$109 in any other county, except as applied to units
12 of local government and school districts in counties with
13 more than 3,000,000 inhabitants an amount not to exceed
14 \$75. The fees collected under this schedule shall be
15 disbursed as follows:

16 (A) The clerk shall retain a sum, in an amount not
17 to exceed \$50 in a county with a population of
18 3,000,000 or more and in an amount not to exceed \$10 in
19 any other county determined by the clerk with the
20 approval of the Supreme Court, to be used for court
21 automation, court document storage, and administrative
22 purposes.

23 (B) The clerk shall remit \$9 to the State
24 Treasurer, which the State Treasurer shall deposit
25 into the Supreme Court Special Purpose Fund.

26 (C) The clerk shall remit a sum to the County

1 Treasurer, in an amount not to exceed \$71 in a county
2 with a population of 3,000,000 or more and in an amount
3 not to exceed \$90 in any other county, as 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 (b-5) Kane County and Will County. In Kane County and Will
9 County civil cases, there is an additional fee of up to \$30 as
10 set by the county board under Section 5-1101.3 of the Counties
11 Code to be paid by each party at the time of filing the first
12 pleading, paper, or other appearance; provided that no
13 additional fee shall be required if more than one party is
14 represented in a single pleading, paper, or other appearance.
15 Distribution of fees collected under this subsection (b-5)
16 shall be as provided in Section 5-1101.3 of the Counties Code.

17 (c) Counterclaim or third party complaint. When any
18 defendant files a counterclaim or third party complaint, as
19 part of the defendant's answer or otherwise, the defendant
20 shall pay a filing fee for each counterclaim or third party
21 complaint in an amount equal to the filing fee the defendant
22 would have had to pay had the defendant brought a separate
23 action for the relief sought in the counterclaim or third party
24 complaint, less the amount of the appearance fee, if any, that
25 the defendant has already paid in the action in which the
26 counterclaim or third party complaint is filed.

1 (d) Alias summons. The clerk shall collect a fee not to
2 exceed \$6 in a county with a population of 3,000,000 or more
3 and not to exceed \$5 in any other county for each alias summons
4 or citation issued by the clerk, except as applied to units of
5 local government and school districts in counties with more
6 than 3,000,000 inhabitants an amount not to exceed \$5 for each
7 alias summons or citation issued by the clerk.

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

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

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

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

26 (g) Petition to vacate or modify.

1 (1) In a proceeding involving a petition to vacate or
2 modify any final judgment or order filed within 30 days
3 after the judgment or order was entered, except for an
4 eviction ~~a forcible entry and detainer~~ case, small claims
5 case, petition to reopen an estate, petition to modify,
6 terminate, or enforce a judgment or order for child or
7 spousal support, or petition to modify, suspend, or
8 terminate an order for withholding, the fee shall not
9 exceed \$60 in a county with a population of 3,000,000 or
10 more and shall not exceed \$50 in any other county, except
11 as applied to units of local government and school
12 districts in counties with more than 3,000,000 inhabitants
13 an amount not to exceed \$50.

14 (2) In a proceeding involving a petition to vacate or
15 modify any final judgment or order filed more than 30 days
16 after the judgment or order was entered, except for a
17 petition to modify, terminate, or enforce a judgment or
18 order for child or spousal support, or petition to modify,
19 suspend, or terminate an order for withholding, the fee
20 shall not exceed \$75.

21 (3) In a proceeding involving a motion to vacate or
22 amend a final order, motion to vacate an ex parte judgment,
23 judgment of forfeiture, or "failure to appear" or "failure
24 to comply" notices sent to the Secretary of State, the fee
25 shall equal \$40.

26 (h) Appeals preparation. The fee for preparation of a

1 record on appeal shall be based on the number of pages, as
2 follows:

3 (1) if the record contains no more than 100 pages, the
4 fee shall not exceed \$70 in a county with a population of
5 3,000,000 or more and shall not exceed \$50 in any other
6 county;

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

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

12 (i) Remands. In any cases remanded to the circuit court
13 from the Supreme Court or the appellate court for a new trial,
14 the clerk shall reinstate the case with either its original
15 number or a new number. The clerk shall not charge any new or
16 additional fee for the reinstatement. Upon reinstatement, the
17 clerk shall advise the parties of the reinstatement. Parties
18 shall have the same right to a jury trial on remand and
19 reinstatement that they had before the appeal, and no
20 additional or new fee or charge shall be made for a jury trial
21 after remand.

22 (j) Garnishment, wage deduction, and citation. In
23 garnishment affidavit, wage deduction affidavit, and citation
24 petition proceedings:

25 (1) if the amount in controversy in the proceeding is
26 not more than \$1,000, the fee may not exceed \$35 in a

1 county with a population of 3,000,000 or more and may not
2 exceed \$15 in any other county, except as applied to units
3 of local government and school districts in counties with
4 more than 3,000,000 inhabitants an amount not to exceed
5 \$15;

6 (2) if the amount in controversy in the proceeding is
7 greater than \$1,000 and not more than \$5,000, the fee may
8 not exceed \$45 in a county with a population of 3,000,000
9 or more and may not exceed \$30 in any other county, except
10 as applied to units of local government and school
11 districts in counties with more than 3,000,000 inhabitants
12 an amount not to exceed \$30; and

13 (3) if the amount in controversy in the proceeding is
14 greater than \$5,000, the fee may not exceed \$65 in a county
15 with a population of 3,000,000 or more and may not exceed
16 \$50 in any other county, except as applied to units of
17 local government and school districts in counties with more
18 than 3,000,000 inhabitants an amount not to exceed \$50.

19 (j-5) Debt collection. In any proceeding to collect a debt
20 subject to the exception in item (ii) of subparagraph (A-5) of
21 paragraph (1) of subsection (z) of this Section, the circuit
22 court shall order and the clerk shall collect from each
23 judgment debtor a fee of:

24 (1) \$35 if the amount in controversy in the proceeding
25 is not more than \$1,000;

26 (2) \$45 if the amount in controversy in the proceeding

1 is greater than \$1,000 and not more than \$5,000; and

2 (3) \$65 if the amount in controversy in the proceeding
3 is greater than \$5,000.

4 (k) Collections.

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

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

25 (3) The clerk may collect a fee of \$5 for
26 certifications made to the Secretary of State as provided

1 in Section 7-703 of the Illinois Vehicle Code, ~~Family~~
2 ~~Financial Responsibility Law~~ and this fee ~~these fees~~ shall
3 be deposited into the Separate Maintenance and Child
4 Support Collection Fund.

5 (4) In proceedings to foreclose the lien of delinquent
6 real estate taxes, State's Attorneys shall receive a fee of
7 10% of the total amount realized from the sale of real
8 estate sold in the proceedings. The clerk shall collect the
9 fee from the total amount realized from the sale of the
10 real estate sold in the proceedings and remit to the County
11 Treasurer to be credited to the earnings of the Office of
12 the State's Attorney.

13 (l) 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 \$10 in a county with a
6 population of 3,000,000 or more and not to exceed \$6 in any
7 other county, except as applied to units of local government
8 and school districts in counties with more than 3,000,000
9 inhabitants an amount not to exceed \$6.

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

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

21 (s) Voluntary assignment. For filing each deed of voluntary
22 assignment, the clerk shall collect a fee not to exceed \$20.
23 For recording a deed of voluntary assignment, the clerk shall
24 collect a fee not to exceed 50 cents for each 100 words.
25 Exceptions filed to claims presented to an assignee of a debtor
26 who has made a voluntary assignment for the benefit of

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

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

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

15 (v) Probate filings.

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

19 (2) For filing a claim in an estate when the amount
20 claimed is greater than \$150 and not more than \$500, the
21 fee shall not exceed \$40 in a county with a population of
22 3,000,000 or more and shall not exceed \$25 in any other
23 county; when the amount claimed is greater than \$500 and
24 not more than \$10,000, the fee shall not exceed \$55 in a
25 county with a population of 3,000,000 or more and shall not
26 exceed \$40 in any other county; and when the amount claimed

1 is more than \$10,000, the fee shall not exceed \$75 in a
2 county with a population of 3,000,000 or more and shall not
3 exceed \$60 in any other county; except the court in
4 allowing a claim may add to the amount allowed the filing
5 fee paid by the claimant.

6 (3) For filing in an estate a claim, petition, or
7 supplemental proceeding based upon an action seeking
8 equitable relief including the construction or contest of a
9 will, enforcement of a contract to make a will, and
10 proceedings involving testamentary trusts or the
11 appointment of testamentary trustees, the fee shall not
12 exceed \$60.

13 (4) There shall be no fee for filing in an estate: (i)
14 the appearance of any person for the purpose of consent; or
15 (ii) the appearance of an executor, administrator,
16 administrator to collect, guardian, guardian ad litem, or
17 special administrator.

18 (5) For each jury demand, the fee shall not exceed
19 \$137.50.

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

23 (7) For each exemplification, the fee shall not exceed
24 \$2, plus the fee for certification.

25 (8) The executor, administrator, guardian, petitioner,
26 or other interested person or his or her attorney shall pay

1 the cost of publication by the clerk directly to the
2 newspaper.

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

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

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

18 (x) Miscellaneous.

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

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

26 (y) Other fees. Any fees not covered in this Section shall

1 be set by rule or administrative order of the circuit court
2 with the approval of the Administrative Office of the Illinois
3 Courts. The clerk of the circuit court may provide services in
4 connection with the operation of the clerk's office, other than
5 those services mentioned in this Section, as may be requested
6 by the public and agreed to by the clerk and approved by the
7 Chief Judge. Any charges for additional services shall be as
8 agreed to between the clerk and the party making the request
9 and approved by the Chief Judge. Nothing in this subsection
10 shall be construed to require any clerk to provide any service
11 not otherwise required by law.

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

25 (z) Exceptions.

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

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

8 (A-5) any unit of local government or school
9 district, except in counties having a population of
10 500,000 or more the county board may by resolution set
11 fees for units of local government or school districts
12 no greater than the minimum fees applicable in counties
13 with a population less than 3,000,000; provided
14 however, no fee may be charged to any unit of local
15 government or school district in connection with any
16 action which, in whole or in part, is: (i) to enforce
17 an ordinance; (ii) to collect a debt; or (iii) under
18 the Administrative Review Law;

19 (B) any action instituted by the corporate
20 authority of a municipality with more than 1,000,000
21 inhabitants under Section 11-31-1 of the Illinois
22 Municipal Code and any action instituted under
23 subsection (b) of Section 11-31-1 of the Illinois
24 Municipal Code by a private owner or tenant of real
25 property within 1,200 feet of a dangerous or unsafe
26 building seeking an order compelling the owner or

1 owners of the building to take any of the actions
2 authorized under that subsection;

3 (C) any commitment petition or petition for an
4 order authorizing the administration of psychotropic
5 medication or electroconvulsive therapy under the
6 Mental Health and Developmental Disabilities Code;

7 (D) a petitioner in any order of protection
8 proceeding, including, but not limited to, fees for
9 filing, modifying, withdrawing, certifying, or
10 photocopying petitions for orders of protection,
11 issuing alias summons, any related filing service, or
12 certifying, modifying, vacating, or photocopying any
13 orders of protection; or

14 (E) proceedings for the appointment of a
15 confidential intermediary under the Adoption Act.

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

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

23 (aa) This Section is repealed on January 1, 2021 ~~December~~
24 ~~31, 2019~~.

25 (Source: P.A. 100-987, eff. 7-1-19; 100-994, eff. 7-1-19;
26 revised 10-4-18.)

1 (705 ILCS 105/27.1c new)

2 Sec. 27.1c. Assessment report.

3 (a) Not later than February 29, 2020, the clerk of the
4 circuit court shall submit to the Administrative Office of the
5 Illinois Courts a report for the period July 1, 2019 through
6 December 31, 2019 containing, with respect to each of the 4
7 categories of civil cases established by the Supreme Court
8 pursuant to Section 27.1b of this Act:

9 (1) the total number of cases that were filed;

10 (2) the amount of filing fees that were collected
11 pursuant to subsection (a) of Section 27.1b;

12 (3) the amount of appearance fees that were collected
13 pursuant to subsection (b) of Section 27.1b;

14 (4) the amount of fees collected pursuant to subsection
15 (b-5) of Section 27.1b;

16 (5) the amount of filing fees collected for
17 counterclaims or third party complaints pursuant to
18 subsection (c) of Section 27.1b;

19 (6) the nature and amount of any fees collected
20 pursuant to subsection (y) of Section 27.1b; and

21 (7) the number of cases for which, pursuant to Section
22 5-105 of the Code of Civil Procedure, there were waivers of
23 fees, costs, and charges of 25%, 50%, 75%, or 100%,
24 respectively, and the associated amount of fees, costs, and
25 charges that were waived.

1 (b) The Administrative Office of the Illinois Courts shall
2 publish the reports submitted under this Section on its
3 website.

4 (c) This Section is repealed on January 1, 2021.

5 Section 15. The Criminal and Traffic Assessment Act is
6 amended by changing Sections 1-5, 5-10, 10-5, 15-30, 15-50,
7 15-52, 15-60, and 15-70 and by adding Section 1-10 as follows:

8 (705 ILCS 135/1-5)

9 (This Section may contain text from a Public Act with a
10 delayed effective date)

11 (Section scheduled to be repealed on January 1, 2021)

12 Sec. 1-5. Definitions. In this Act:

13 "Assessment" means any costs imposed on a defendant under
14 schedules 1 through 13 of this Act.

15 "Business offense" means any offense punishable by a fine
16 in excess of \$1,000 and for which a sentence of imprisonment is
17 not an authorized disposition ~~a petty offense for which the~~
18 ~~fine is in excess of \$1,000.~~

19 "Case" means all charges and counts filed against a single
20 defendant which are being prosecuted as a single proceeding
21 before the court.

22 "Count" means each separate offense charged in the same
23 indictment, information, or complaint when the indictment,
24 information, or complaint alleges the commission of more than

1 one offense.

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

6 (1) Fish and Aquatic Life Code;

7 (2) Wildlife Code;

8 (3) Boat Registration and Safety Act;

9 (4) Park District Code;

10 (5) Chicago Park District Act;

11 (6) State Parks Act;

12 (7) State Forest Act;

13 (8) Forest Fire Protection District Act;

14 (9) Snowmobile Registration and Safety Act;

15 (10) Endangered Species Protection Act;

16 (11) Forest Products Transportation Act;

17 (12) Timber Buyers Licensing Act;

18 (13) Downstate Forest Preserve District Act;

19 (14) Exotic Weed Act;

20 (15) Ginseng Harvesting Act;

21 (16) Cave Protection Act;

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

24 (18) Recreational Trails of Illinois Act;

25 (19) Herptiles-Herps Act; or

26 (20) any rule, regulation, proclamation, or ordinance

1 adopted under any Code or Act named in paragraphs (1)
2 through (19) of this definition.

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

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

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

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

23 "Emergency response" means any incident requiring a
24 response by a police officer, an ambulance, a firefighter
25 carried on the rolls of a regularly constituted fire department
26 or fire protection district, a firefighter of a volunteer fire

1 department, or a member of a recognized not-for-profit rescue
2 or emergency medical service provider. "Emergency response"
3 does not include a drug-related emergency response.

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

7 "Fine" means a pecuniary punishment for a conviction or
8 supervision disposition as ordered by a court of law.

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

12 "Major traffic offense" means a traffic offense, as defined
13 by paragraph (f) of Supreme Court Rule 501, under the Illinois
14 Vehicle Code or a similar provision of a local ordinance other
15 than a petty offense or business offense.

16 "Minor traffic offense" means a traffic offense, as defined
17 by paragraph (f) of Supreme Court Rule 501, that is a petty
18 offense or business offense under the Illinois Vehicle Code or
19 a similar provision of a local ordinance.

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

23 "Offense" means a violation of any local ordinance or penal
24 statute of this State.

25 "Petty offense" means any offense punishable by a fine of
26 up to \$1,000 and for which a sentence of imprisonment is not an

1 authorized disposition.

2 "Service provider costs" means costs incurred as a result
3 of services provided by an entity including, but not limited
4 to, traffic safety programs, laboratories, ambulance
5 companies, and fire departments. "Service provider costs"
6 includes conditional amounts under this Act that are
7 reimbursements for services provided.

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

16 "Supervision" means a disposition of conditional and
17 revocable release without probationary supervision, but under
18 the conditions and reporting requirements as are imposed by the
19 court, at the successful conclusion of which disposition the
20 defendant is discharged and a judgment dismissing the charges
21 is entered.

22 (Source: P.A. 100-987, eff. 7-1-19; 100-994, eff. 7-1-19;
23 revised 10-4-18.)

24 (705 ILCS 135/1-10 new)

25 Sec. 1-10. Assessment reports.

1 (a) Not later than February 29, 2020, the clerk of the
2 circuit court shall file with the Administrative Office of the
3 Illinois Courts:

4 (1) a report for the period July 1, 2019 through
5 December 31, 2019 containing the total number of cases
6 filed in the following categories: total felony cases;
7 felony driving under the influence of alcohol, drugs, or a
8 combination thereof; cases that contain at least one count
9 of driving under the influence of alcohol, drugs, or a
10 combination thereof; felony cases that contain at least one
11 count of a drug offense; felony cases that contain at least
12 one count of a sex offense; total misdemeanor cases;
13 misdemeanor driving under the influence of alcohol, drugs,
14 or a combination thereof cases; misdemeanor cases that
15 contain at least one count of a drug offense; misdemeanor
16 cases that contain at least one count of a sex offense;
17 total traffic offense counts; traffic offense counts of a
18 misdemeanor offense under the Illinois Vehicle Code;
19 traffic offense counts of an overweight offense under the
20 Illinois Vehicle Code; traffic offense counts that are
21 satisfied under Supreme Court Rule 529; conservation
22 cases; and ordinance cases that do not contain an offense
23 under the Illinois Vehicle Code;

24 (2) a report for the period July 1, 2019 through
25 December 31, 2019 containing the following for each
26 schedule referenced in Sections 15-5 through 15-70 of this

1 Act: the number of offenses for which assessments were
2 imposed; the amount of any fines imposed in addition to
3 assessments; the number and amount of conditional
4 assessments ordered pursuant to Section 15-70; and for 25%,
5 50%, 75%, and 100% waivers, respectively, the number of
6 offenses for which waivers were granted and the associated
7 amount of assessments that were waived; and

8 (3) a report for the period July 1, 2019 through
9 December 31, 2019 containing, with respect to each schedule
10 referenced in Sections 15-5 through 15-70 of this Act, the
11 number of offenses for which assessments were collected;
12 the number of offenses for which fines were collected and
13 the amount collected; and how much was disbursed to each
14 fund under the disbursement requirements for each schedule
15 defined in Section 15-5.

16 (b) The Administrative Office of the Illinois Courts shall
17 publish the reports submitted under this Section on its
18 website.

19 (c) A list of offenses that qualify as drug offenses for
20 Schedules 3 and 7 and a list of offenses that qualify as sex
21 offenses for Schedules 4 and 8 shall be distributed to clerks
22 of the circuit court by the Administrative Office of the
23 Illinois Courts.

24 (705 ILCS 135/5-10)

25 (This Section may contain text from a Public Act with a

1 delayed effective date)

2 (Section scheduled to be repealed on January 1, 2021)

3 Sec. 5-10. Schedules; payment.

4 (a) In each case, the court shall order an assessment at
5 the time of sentencing, as set forth in this Act, for a
6 defendant to pay in addition to any fine, restitution, or
7 forfeiture ordered by the court when the defendant is convicted
8 of, pleads guilty to, or is placed on court supervision for a
9 violation of a statute of this State or a similar local
10 ordinance. The court may order a fine, restitution, or
11 forfeiture on any violation that is being sentenced but shall
12 order only one assessment from the Schedule of Assessments 1
13 through 13 of this Act for all sentenced violations in a case,
14 that being the schedule applicable to the highest classified
15 offense violation that is being sentenced, plus any conditional
16 assessments under Section 15-70 of this Act applicable to any
17 sentenced violation in the case.

18 (b) If the court finds that the schedule of assessments
19 will cause an undue burden on any victim in a case or if the
20 court orders community service or some other punishment in
21 place of the applicable schedule of assessments, the court may
22 reduce the amount set forth in the applicable schedule of
23 assessments or not order the applicable schedule of
24 assessments. If the court reduces the amount set forth in the
25 applicable schedule of assessments, then all recipients of the
26 funds collected will receive a prorated amount to reflect the

1 reduction.

2 (c) The court may order the assessments to be paid
3 forthwith or within a specified period of time or in
4 installments.

5 (c-3) Excluding any ordered conditional assessment, if the
6 assessment is not paid within the period of probation,
7 conditional discharge, or supervision to which the defendant
8 was originally sentenced, the court may extend the period of
9 probation, conditional discharge, or supervision under Section
10 5-6-2 or 5-6-3.1 of the Unified Code of Corrections, as
11 applicable, until the assessment is paid or until successful
12 completion of public or community service set forth in
13 subsection (b) of Section 5-20 of this Act or the successful
14 completion of the substance abuse intervention or treatment
15 program set forth in subsection (c-5) of this Section.

16 (c-5) Excluding any ordered conditional assessment, the
17 court may suspend the collection of the assessment; provided,
18 the defendant agrees to enter a substance abuse intervention or
19 treatment program approved by the court; and further provided
20 that the defendant agrees to pay for all or some portion of the
21 costs associated with the intervention or treatment program. In
22 this case, the collection of the assessment shall be suspended
23 during the defendant's participation in the approved
24 intervention or treatment program. Upon successful completion
25 of the program, the defendant may apply to the court to reduce
26 the assessment imposed under this Section by any amount

1 actually paid by the defendant for his or her participation in
2 the program. The court shall not reduce the assessment under
3 this subsection unless the defendant establishes to the
4 satisfaction of the court that he or she has successfully
5 completed the intervention or treatment program. If the
6 defendant's participation is for any reason terminated before
7 his or her successful completion of the intervention or
8 treatment program, collection of the entire assessment imposed
9 under this Act shall be enforced. Nothing in this Section shall
10 be deemed to affect or suspend any other fines, restitution
11 costs, forfeitures, or assessments imposed under this or any
12 other Act.

13 (d) Except as provided in Section 5-15 of this Act, the
14 defendant shall pay to the clerk of the court and the clerk
15 shall remit the assessment to the appropriate entity as set
16 forth in the ordered schedule of assessments within one month
17 of its receipt.

18 (e) Unless a court ordered payment schedule is implemented
19 or the assessment requirements of this Act are waived under a
20 court order, the clerk of the circuit court may add to any
21 unpaid assessments under this Act a delinquency amount equal to
22 5% of the unpaid assessments that remain unpaid after 30 days,
23 10% of the unpaid assessments that remain unpaid after 60 days,
24 and 15% of the unpaid assessments that remain unpaid after 90
25 days. Notice to those parties may be made by signage posting or
26 publication. The additional delinquency amounts collected

1 under this Section shall be deposited into the Circuit Clerk
2 Operations and Administration Fund and used to defray
3 additional administrative costs incurred by the clerk of the
4 circuit court in collecting unpaid assessments.

5 (Source: P.A. 100-987, eff. 7-1-19.)

6 (705 ILCS 135/10-5)

7 (This Section may contain text from a Public Act with a
8 delayed effective date)

9 (Section scheduled to be repealed on January 1, 2021)

10 Sec. 10-5. Funds.

11 (a) All money collected by the Clerk of the Circuit Court
12 under Article 15 of this Act shall be remitted as directed in
13 Article 15 of this Act to the county treasurer, to the State
14 Treasurer, and to the treasurers of the units of local
15 government. If an amount payable to any of the treasurers is
16 less than \$10, the clerk may postpone remitting the money until
17 \$10 has accrued or by the end of fiscal year. The treasurers
18 shall deposit the money as indicated in the schedules, except,
19 in a county with a population of over 3,000,000, money ~~monies~~
20 remitted to the county treasurer shall be subject to
21 appropriation by the county board. Any amount retained by the
22 Clerk of the Circuit Court in a county with population of over
23 3,000,000 shall be subject to appropriation by the county
24 board.

25 (b) The county treasurer or the treasurer of the unit of

1 local government may create the funds indicated in paragraphs
2 (1) through (5), (9), and (16) of subsection (d) of this
3 Section, if not already in existence. If a county or unit of
4 local government has not instituted, and does not plan to
5 institute a program that uses a particular fund, the treasurer
6 need not create the fund and may instead deposit the money
7 intended for the fund into the general fund of the county or
8 unit of local government for use in financing the court system.

9 (c) If the arresting agency is a State agency, the
10 arresting agency portion shall be remitted by the clerk of
11 court to the State Treasurer who shall deposit the portion as
12 follows:

13 (1) if the arresting agency is the Department of State
14 Police, into the State Police Law Enforcement
15 Administration Fund;

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

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

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

23 (d) Fund descriptions and provisions:

24 (1) The Court Automation Fund is to defray the expense,
25 borne by the county, of establishing and maintaining
26 automated record keeping systems in the Office of the Clerk

1 of the Circuit Court. The money shall be remitted monthly
2 by the clerk to the county treasurer and identified as
3 funds for the Circuit Court Clerk. The fund shall be
4 audited by the county auditor, and the board shall make
5 expenditures from the fund in payment of any costs related
6 to the automation of court records including hardware,
7 software, research and development costs, and personnel
8 costs related to the foregoing, provided that the
9 expenditure is approved by the clerk of the court and by
10 the chief judge of the circuit court or his or her
11 designee.

12 (2) The Document Storage Fund is to defray the expense,
13 borne by the county, of establishing and maintaining a
14 document storage system and converting the records of the
15 circuit court clerk to electronic or micrographic storage.
16 The money shall be remitted monthly by the clerk to the
17 county treasurer and identified as funds for the circuit
18 court clerk. The fund shall be audited by the county
19 auditor, and the board shall make expenditure from the fund
20 in payment of any cost related to the storage of court
21 records, including hardware, software, research and
22 development costs, and personnel costs related to the
23 foregoing, provided that the expenditure is approved by the
24 clerk of the court.

25 (3) The Circuit Clerk Operations and Administration
26 Fund may be used ~~is~~ to defray the expenses incurred for

1 collection and disbursement of the various assessment
2 schedules. The money shall be remitted monthly by the clerk
3 to the county treasurer and identified as funds for the
4 circuit court clerk.

5 (4) The State's Attorney Records Automation Fund is to
6 defray the expense of establishing and maintaining
7 automated record keeping systems in the offices of the
8 State's Attorney. The money shall be remitted monthly by
9 the clerk to the county treasurer for deposit into the
10 State's Attorney Records Automation Fund. Expenditures
11 from this fund may be made by the State's Attorney for
12 hardware, software, and research and development related
13 to automated record keeping systems.

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

23 (6) The DUI Fund shall be used for enforcement and
24 prevention of driving while under the influence of alcohol,
25 other drug or drugs, intoxicating compound or compounds or
26 any combination thereof, as defined by Section 11-501 of

1 the Illinois Vehicle Code, including, but not limited to,
2 the purchase of law enforcement equipment and commodities
3 that will assist in the prevention of alcohol-related
4 criminal violence throughout the State; police officer
5 training and education in areas related to alcohol-related
6 ~~alcohol-related~~ crime, including, but not limited to, DUI
7 training; and police officer salaries, including, but not
8 limited to, salaries for hire-back ~~hire-back~~ funding for
9 safety checkpoints, saturation patrols, and liquor store
10 sting operations. Any moneys ~~received by the Department of~~
11 ~~State Police shall be deposited into the State Police~~
12 ~~Operations Assistance Fund and those moneys and moneys in~~
13 ~~the State Police DUI Fund~~ shall be used to purchase law
14 enforcement equipment that will assist in the prevention of
15 alcohol-related ~~alcohol-related~~ criminal violence
16 throughout the State. The money shall be remitted monthly
17 by the clerk to the State or local treasurer for deposit as
18 provided by law.

19 (7) The Trauma Center Fund shall be distributed as
20 provided under Section 3.225 of the Emergency Medical
21 Services (EMS) Systems Act.

22 (8) The Probation and Court Services Fund is to be
23 expended as described in Section 15.1 of the Probation and
24 Probation Officers Act.

25 (9) The Circuit Court Clerk Electronic Citation Fund
26 shall have the Circuit Court Clerk as the custodian, ex

1 officio, of the Fund and shall be used to perform the
2 duties required by the office for establishing and
3 maintaining electronic citations. The Fund shall be
4 audited by the county's auditor.

5 (10) The Drug Treatment Fund is a special fund in the
6 State treasury. Moneys in the Fund shall be expended as
7 provided in Section 411.2 of the Illinois Controlled
8 Substances Act.

9 (11) The Violent Crime Victims Assistance Fund is a
10 special fund in the State treasury to provide moneys for
11 the grants to be awarded under the Violent Crime Victims
12 Assistance Act.

13 (12) The Criminal Justice Information Projects Fund
14 shall be appropriated to and administered by the Illinois
15 Criminal Justice Information Authority for distribution to
16 fund Department of State Police drug task forces and
17 Metropolitan Enforcement Groups, for the costs associated
18 with making grants from the Prescription Pill and Drug
19 Disposal Fund, for undertaking criminal justice
20 information projects, and for the operating and other
21 expenses of the Authority incidental to those criminal
22 justice information projects. The moneys deposited into
23 the Criminal Justice Information Projects Fund under
24 Sections 15-15 and 15-35 of this Act shall be appropriated
25 to and administered by the Illinois Criminal Justice
26 Information Authority for distribution to fund Department

1 of State Police drug task forces and Metropolitan
2 Enforcement Groups by dividing the funds equally by the
3 total number of Department of State Police drug task forces
4 and Illinois Metropolitan Enforcement Groups.

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

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

19 (15) The Prisoner Review Board Vehicle and Equipment
20 Fund is a special fund in the State treasury. The Prisoner
21 Review Board shall, subject to appropriation by the General
22 Assembly and approval by the Secretary, use all moneys in
23 the Prisoner Review Board Vehicle and Equipment Fund for
24 the purchase and operation of vehicles and equipment.

25 (16) In each county in which a Children's Advocacy
26 Center provides services, a Child Advocacy Center Fund is

1 specifically for the operation and administration of the
2 Children's Advocacy Center, from which the county board
3 shall make grants to support the activities and services of
4 the Children's Advocacy Center within that county.

5 (Source: P.A. 100-987, eff. 7-1-19; revised 10-4-18.)

6 (705 ILCS 135/15-30)

7 (This Section may contain text from a Public Act with a
8 delayed effective date)

9 (Section scheduled to be repealed on January 1, 2021)

10 Sec. 15-30. SCHEDULE 6; misdemeanor DUI offenses.

11 SCHEDULE 6: For a misdemeanor under Section 11-501 of the
12 Illinois Vehicle Code, Section 5-7 of the Snowmobile
13 Registration and Safety Act, Section 5-16 of the Boat
14 Registration and Safety Act, or a similar provision of a local
15 ordinance, the Clerk of the Circuit Court shall collect \$1,381
16 and remit as follows:

17 (1) As the county's portion, \$322 to the county treasurer,
18 who shall deposit the money as follows:

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

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

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

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

25 (E) \$225 into the county's General Fund;

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

2 (G) \$2 into the State's Attorney Records Automation
3 Fund;

4 (H) \$2 into the Public Defenders Records Automation
5 Fund;

6 (I) \$10 into the County Jail Medical Costs Fund; and

7 (J) \$20 into the Probation and Court Services Fund.

8 (2) As the State's portion, \$707 to the State Treasurer,
9 who shall deposit the money as follows:

10 (A) \$330 into the State Police Operations Assistance
11 Fund;

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

13 (C) \$5 into the State Police Merit Board Public Safety
14 Fund;

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

16 (E) \$5 into the Spinal Cord Injury Paralysis Cure
17 Research Trust Fund;

18 (F) \$22 into the Fire Prevention Fund;

19 (G) \$160 into the Traffic and Criminal Conviction
20 Surcharge Fund;

21 (H) \$5 into the Law Enforcement Camera Grant Fund; and

22 (I) \$75 into the Violent Crime Victims Assistance Fund.

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

1 (A) if the arresting agency is a local agency, to the
2 treasurer of the unit of local government of the arresting
3 agency, who shall deposit the money as follows:

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

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

8 (B) as provided in subsection (c) of Section 10-5 of
9 this Act if the arresting agency is a State agency.

10 (Source: P.A. 100-987, eff. 7-1-19.)

11 (705 ILCS 135/15-50)

12 (This Section may contain text from a Public Act with a
13 delayed effective date)

14 (Section scheduled to be repealed on January 1, 2021)

15 Sec. 15-50. SCHEDULE 10; minor traffic offenses.

16 SCHEDULE 10: For a minor traffic offense, except those
17 offenses listed in Schedule 10.5, the Clerk of the Circuit
18 Court shall collect \$226 plus, if applicable, the amount
19 established under paragraph (1.5) of this Section and remit as
20 follows:

21 (1) As the county's portion, \$168 to the county treasurer,
22 who shall deposit the money as follows:

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

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

25 (C) \$5 into the Circuit Court Clerk Operation and

1 Administrative Fund;

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

4 (E) \$115 into the county's General Fund.

5 (1.5) In a county with a population of 3,000,000 or more,
6 the county board may by ordinance or resolution establish an
7 additional assessment not to exceed \$28 to be remitted to the
8 county treasurer of which \$5 shall be deposited into the Court
9 Automation Fund, \$5 shall be deposited into the Court Document
10 Storage Fund, \$2 shall be deposited into the State's Attorneys
11 Records Automation Fund, \$2 shall be deposited into the Public
12 Defenders Records Automation Fund, \$10 shall be deposited into
13 the Probation and Court Services Fund, and the remainder shall
14 be used for purposes related to the operation of the court
15 system.

16 (2) As the State's portion, \$46 to the State Treasurer, who
17 shall deposit the money as follows:

18 (A) \$10 into the State Police Operations Assistance
19 Fund;

20 (B) \$5 into the State Police Merit Board Public Safety
21 Fund;

22 (C) \$4 into the Drivers Education Fund;

23 (D) \$20 into the Traffic and Criminal Conviction
24 Surcharge Fund;

25 (E) \$4 into the Law Enforcement Camera Grant Fund; and

26 (F) \$3 into the Violent Crime Victims Assistance Fund.

1 (3) As the arresting agency's portion, \$12, to the
2 treasurer of the unit of local government of the arresting
3 agency, who shall deposit the money as follows:

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

10 (B) \$10 into the General Fund of that unit of local
11 government or as provided in subsection (c) of Section 10-5
12 of this Act if the arresting agency is a State agency,
13 unless more than one agency is responsible for the arrest
14 in which case the amount shall be remitted to each unit of
15 government equally.

16 (Source: P.A. 100-987, eff. 7-1-19.)

17 (705 ILCS 135/15-52)

18 (This Section may contain text from a Public Act with a
19 delayed effective date)

20 (Section scheduled to be repealed on January 1, 2021)

21 Sec. 15-52. SCHEDULE 10.5; truck weight and load offenses.

22 SCHEDULE 10.5: For offenses ~~an offense~~ under ~~paragraph (1),~~
23 ~~(2), or (3)~~ of subsection (d) of Section 3-401, ~~or~~ Section
24 15-111, or punishable by fine under Section 15-113.1, 15-113.2,
25 or 15-113.3 of the Illinois Vehicle Code, the Clerk of the

1 Circuit Court shall collect \$260 and remit as follows:

2 (1) As the county's portion, \$168 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) \$115 into the county's General Fund.

11 (2) As the State's portion, \$92 to the State Treasurer, who
12 shall deposit the money as follows:

13 (A) \$31 into the State Police Merit Board Public Safety
14 Fund, regardless of the type of overweight citation or
15 arresting law enforcement agency;

16 (B) \$31 into the Traffic and Criminal Conviction
17 Surcharge Fund; and

18 (C) \$30 to the State Police Operations Assistance Fund.

19 (Source: P.A. 100-987, eff. 7-1-19.)

20 (705 ILCS 135/15-60)

21 (This Section may contain text from a Public Act with a
22 delayed effective date)

23 (Section scheduled to be repealed on January 1, 2021)

24 Sec. 15-60. SCHEDULE 12; dispositions under Supreme Court
25 Rule 529.

1 SCHEDULE 12: For a disposition under paragraph (a)(1) or
2 (c) of Supreme Court Rule 529, the Clerk of the Circuit Court
3 shall collect \$164 and remit the money as follows:

4 (1) As the county's portion, \$100, to the county treasurer,
5 who shall deposit the money as follows:

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

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

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

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

12 (E) \$47 into the county's General Fund.

13 (2) As the State's portion, \$14 to the State Treasurer, who
14 shall deposit the money as follows:

15 (A) \$3 into the Drivers Education Fund;

16 (B) \$2 into the State Police Merit Board Public Safety
17 Fund;

18 (C) \$4 into the Traffic and Criminal Conviction
19 Surcharge Fund;

20 (D) \$1 into the Law Enforcement Camera Grant Fund; and

21 (E) \$4 into the Violent Crime Victims Assistance Fund.

22 (3) As the arresting agency's portion, \$50 as follows,
23 unless more than one agency is responsible for the arrest in
24 which case the amount shall be remitted to each unit of
25 government equally:

26 (A) if the arresting agency is a local agency to the

1 treasurer of the unit of local government of the arresting
2 agency, who shall deposit the money as follows:

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

5 (ii) \$48 into the General Fund of the unit of local
6 government; or

7 (B) as provided in subsection (c) of Section 10-5 of
8 this Act if the arresting agency is a State agency.

9 (Source: P.A. 100-987, eff. 7-1-19.)

10 (705 ILCS 135/15-70)

11 (This Section may contain text from a Public Act with a
12 delayed effective date)

13 (Section scheduled to be repealed on January 1, 2021)

14 Sec. 15-70. Conditional assessments. In addition to
15 payments under one of the Schedule of Assessments 1 through 13
16 of this Act, the court shall also order payment of any of the
17 following conditional assessment amounts for each sentenced
18 violation in the case to which a conditional assessment is
19 applicable, which shall be collected and remitted by the Clerk
20 of the Circuit Court as provided in this Section:

21 (1) arson, residential arson, or aggravated arson,
22 \$500 per conviction to the State Treasurer for deposit into
23 the Fire Prevention Fund;

24 (2) child pornography under Section 11-20.1 of the
25 Criminal Code of 1961 or the Criminal Code of 2012, \$500

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

4 (A) if the arresting agency is an agency of a unit
5 of local government, \$500 to the treasurer of the unit
6 of local government for deposit into the unit of local
7 government's General Fund, except that if the
8 Department of State Police provides digital or
9 electronic forensic examination assistance, or both,
10 to the arresting agency then \$100 to the State
11 Treasurer for deposit into the State Crime Laboratory
12 Fund; or

13 (B) if the arresting agency is the Department of
14 State Police, \$500 ~~remitted~~ to the State Treasurer for
15 deposit into the State Crime Laboratory Fund;

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

24 (4) DNA analysis, \$250 on each conviction in which it
25 was used to the State Treasurer for deposit into the State
26 Offender DNA Identification System Fund as set forth in

1 Section 5-4-3 of the Unified Code of Corrections;

2 (5) DUI analysis, \$150 on each sentenced violation in
3 which it was used as set forth in subsection (f) of Section
4 5-9-1.9 of the Unified Code of Corrections;

5 (6) drug-related offense involving possession or
6 delivery of cannabis or possession or delivery of a
7 controlled substance, other than methamphetamine, as
8 defined in the Cannabis Control Act or the Illinois
9 Controlled Substances Act, an amount not less than the full
10 street value of the cannabis or controlled substance seized
11 for each conviction to be disbursed as follows:

12 (A) 12.5% of the street value assessment shall be
13 paid into the Youth Drug Abuse Prevention Fund, to be
14 used by the Department of Human Services for the
15 funding of programs and services for drug-abuse
16 treatment, and prevention and education services;

17 (B) 37.5% to the county in which the charge was
18 prosecuted, to be deposited into the county General
19 Fund;

20 (C) 50% to the treasurer of the arresting law
21 enforcement agency of the municipality or county, or to
22 the State Treasurer if the arresting agency was a state
23 agency;

24 (D) if the arrest was made in combination with
25 multiple law enforcement agencies, the clerk shall
26 equitably allocate the portion in subparagraph (C) of

1 this paragraph (6) among the law enforcement agencies
2 involved in the arrest;

3 (6.5) Kane County or Will County, in felony,
4 misdemeanor, local or county ordinance, traffic, or
5 conservation cases, up to \$30 as set by the county board
6 under Section 5-1101.3 of the Counties Code upon the entry
7 of a judgment of conviction, an order of supervision, or a
8 sentence of probation without entry of judgment under
9 Section 10 of the Cannabis Control Act, Section 410 of the
10 Illinois Controlled Substances Act, Section 70 of the
11 Methamphetamine Control and Community Protection Act,
12 Section 12-4.3 or subdivision (b) (1) of Section 12-3.05 of
13 the Criminal Code of 1961 or the Criminal Code of 2012,
14 Section 10-102 of the Illinois Alcoholism and Other Drug
15 Dependency Act, or Section 10 of the Steroid Control Act;
16 except in local or county ordinance, traffic, and
17 conservation cases, if fines are paid in full without a
18 court appearance, then the assessment shall not be imposed
19 or collected. Distribution of assessments collected under
20 this paragraph (6.5) shall be as provided in Section
21 5-1101.3 of the Counties Code;

22 (7) methamphetamine-related offense involving
23 possession or delivery of methamphetamine or any salt of an
24 optical isomer of methamphetamine or possession of a
25 methamphetamine manufacturing material as set forth in
26 Section 10 of the Methamphetamine Control and Community

1 Protection Act with the intent to manufacture a substance
2 containing methamphetamine or salt of an optical isomer of
3 methamphetamine, an amount not less than the full street
4 value of the methamphetamine or salt of an optical isomer
5 of methamphetamine or methamphetamine manufacturing
6 materials seized for each conviction to be disbursed as
7 follows:

8 (A) 12.5% of the street value assessment shall be
9 paid into the Youth Drug Abuse Prevention Fund, to be
10 used by the Department of Human Services for the
11 funding of programs and services for drug-abuse
12 treatment, and prevention and education services;

13 (B) 37.5% to the county in which the charge was
14 prosecuted, to be deposited into the county General
15 Fund;

16 (C) 50% to the treasurer of the arresting law
17 enforcement agency of the municipality or county, or to
18 the State Treasurer if the arresting agency was a state
19 agency;

20 (D) if the arrest was made in combination with
21 multiple law enforcement agencies, the clerk shall
22 equitably allocate the portion in subparagraph (C) of
23 this paragraph (6) among the law enforcement agencies
24 involved in the arrest;

25 (8) order of protection violation under Section 12-3.4
26 of the Criminal Code of 2012, \$200 for each conviction to

1 the county treasurer for deposit into the Probation and
2 Court Services Fund for implementation of a domestic
3 violence surveillance program and any other assessments or
4 fees imposed under Section 5-9-1.16 of the Unified Code of
5 Corrections;

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

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

10 (A) petty or business offense, \$4 to the county
11 treasurer of which \$2 deposited into the State's
12 Attorney Records Automation Fund and \$2 into the Public
13 Defender Records Automation Fund;

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

17 (11) speeding in a construction zone violation, \$250 to
18 the State Treasurer for deposit into the Transportation
19 Safety Highway Hire-back Fund, unless (i) the violation
20 occurred on a highway other than an interstate highway and
21 (ii) a county police officer wrote the ticket for the
22 violation, in which case to the county treasurer for
23 deposit into that county's Transportation Safety Highway
24 Hire-back Fund;

25 (12) supervision disposition on an offense under the
26 Illinois Vehicle Code or similar provision of a local

1 ordinance, 50 cents, unless waived by the court, into the
2 Prisoner Review Board Vehicle and Equipment 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 sentenced violation to the State Treasurer for
25 deposit as follows: (i) for sexual assault, as defined in
26 Section 5-9-1.7 of the Unified Code of Corrections, when

1 the 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 Section 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, \$1,000 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;

9 (17) violation based upon each plea of guilty,
10 stipulation of facts, or finding of guilt resulting in a
11 judgment of conviction or order of supervision for an
12 offense under Section 10-9, 11-14.1, 11-14.3, or 11-18 of
13 the Criminal Code of 2012 that results in the imposition of
14 a fine, to be distributed as follows:

15 (A) \$50 to the county treasurer for deposit into
16 the Circuit Court Clerk Operation and Administrative
17 Fund to cover the costs in administering this paragraph
18 (17);

19 (B) \$300 to the State Treasurer who shall deposit
20 the portion as follows:

21 (i) if the arresting or investigating agency
22 is the Department of State Police, into the State
23 Police Law Enforcement Administration Operations
24 ~~Assistance~~ Fund;

25 (ii) if the arresting or investigating agency
26 is the Department of Natural Resources, into the

1 Conservation Police Operations Assistance Fund;
2 (iii) if the arresting or investigating agency
3 is the Secretary of State, into the Secretary of
4 State Police Services Fund;
5 (iv) if the arresting or investigating agency
6 is the Illinois Commerce Commission, into the
7 Public Utility Fund; or
8 (v) if more than one of the State agencies in
9 this subparagraph (B) is the arresting or
10 investigating agency, then equal shares with the
11 shares deposited as provided in the applicable
12 items (i) through (iv) of this subparagraph (B);
13 and
14 (C) the remainder for deposit into the Specialized
15 Services for Survivors of Human Trafficking Fund; and
16 (18) weapons violation under Section 24-1.1, 24-1.2,
17 or 24-1.5 of the Criminal Code of 1961 or the Criminal Code
18 of 2012, \$100 for each conviction to the State Treasurer
19 for deposit into the Trauma Center Fund.
20 (Source: P.A. 100-987, eff. 7-1-19.)

21 Section 20. The Unified Code of Corrections is amended by
22 changing Sections 5-4.5-50, 5-4.5-55, 5-4.5-60, 5-4.5-65,
23 5-4.5-75, 5-4.5-80, and 5-9-1.9 as follows:

24 (730 ILCS 5/5-4.5-50)

1 (Text of Section before amendment by P.A. 100-987)

2 Sec. 5-4.5-50. SENTENCE PROVISIONS; ALL FELONIES. Except
3 as otherwise provided, for all felonies:

4 (a) NO SUPERVISION. The court, upon a plea of guilty or a
5 stipulation by the defendant of the facts supporting the charge
6 or a finding of guilt, may not defer further proceedings and
7 the imposition of a sentence and may not enter an order for
8 supervision of the defendant.

9 (b) FELONY FINES. An offender may be sentenced to pay a
10 fine not to exceed, for each offense, \$25,000 or the amount
11 specified in the offense, whichever is greater, or if the
12 offender is a corporation, \$50,000 or the amount specified in
13 the offense, whichever is greater. A fine may be imposed in
14 addition to a sentence of conditional discharge, probation,
15 periodic imprisonment, or imprisonment. See Article 9 of
16 Chapter V (730 ILCS 5/Ch. V, Art. 9) for imposition of
17 additional amounts and determination of amounts and payment.

18 (c) REASONS FOR SENTENCE STATED. The sentencing judge in
19 each felony conviction shall set forth his or her reasons for
20 imposing the particular sentence entered in the case, as
21 provided in Section 5-4-1 (730 ILCS 5/5-4-1). Those reasons may
22 include any mitigating or aggravating factors specified in this
23 Code, or the lack of any such factors, as well as any other
24 mitigating or aggravating factors that the judge sets forth on
25 the record that are consistent with the purposes and principles
26 of sentencing set out in this Code.

1 (d) MOTION TO REDUCE SENTENCE. A motion to reduce a
2 sentence may be made, or the court may reduce a sentence
3 without motion, within 30 days after the sentence is imposed. A
4 defendant's challenge to the correctness of a sentence or to
5 any aspect of the sentencing hearing shall be made by a written
6 motion filed with the circuit court clerk within 30 days
7 following the imposition of sentence. A motion not filed within
8 that 30-day period is not timely. The court may not increase a
9 sentence once it is imposed. A notice of motion must be filed
10 with the motion. The notice of motion shall set the motion on
11 the court's calendar on a date certain within a reasonable time
12 after the date of filing.

13 If a motion filed pursuant to this subsection is timely
14 filed, the proponent of the motion shall exercise due diligence
15 in seeking a determination on the motion and the court shall
16 thereafter decide the motion within a reasonable time.

17 If a motion filed pursuant to this subsection is timely
18 filed, then for purposes of perfecting an appeal, a final
19 judgment is not considered to have been entered until the
20 motion to reduce the sentence has been decided by order entered
21 by the trial court.

22 (e) CONCURRENT SENTENCE; PREVIOUS UNEXPIRED FEDERAL OR
23 OTHER-STATE SENTENCE. A defendant who has a previous and
24 unexpired sentence of imprisonment imposed by another state or
25 by any district court of the United States and who, after
26 sentence for a crime in Illinois, must return to serve the

1 unexpired prior sentence may have his or her sentence by the
2 Illinois court ordered to be concurrent with the prior
3 other-state or federal sentence. The court may order that any
4 time served on the unexpired portion of the other-state or
5 federal sentence, prior to his or her return to Illinois, shall
6 be credited on his or her Illinois sentence. The appropriate
7 official of the other state or the United States shall be
8 furnished with a copy of the order imposing sentence, which
9 shall provide that, when the offender is released from
10 other-state or federal confinement, whether by parole or by
11 termination of sentence, the offender shall be transferred by
12 the Sheriff of the committing Illinois county to the Illinois
13 Department of Corrections. The court shall cause the Department
14 of Corrections to be notified of the sentence at the time of
15 commitment and to be provided with copies of all records
16 regarding the sentence.

17 (f) REDUCTION; PREVIOUS UNEXPIRED ILLINOIS SENTENCE. A
18 defendant who has a previous and unexpired sentence of
19 imprisonment imposed by an Illinois circuit court for a crime
20 in this State and who is subsequently sentenced to a term of
21 imprisonment by another state or by any district court of the
22 United States and who has served a term of imprisonment imposed
23 by the other state or district court of the United States, and
24 must return to serve the unexpired prior sentence imposed by
25 the Illinois circuit court, may apply to the Illinois circuit
26 court that imposed sentence to have his or her sentence

1 reduced.

2 The circuit court may order that any time served on the
3 sentence imposed by the other state or district court of the
4 United States be credited on his or her Illinois sentence. The
5 application for reduction of a sentence under this subsection
6 shall be made within 30 days after the defendant has completed
7 the sentence imposed by the other state or district court of
8 the United States.

9 (g) NO REQUIRED BIRTH CONTROL. A court may not impose a
10 sentence or disposition that requires the defendant to be
11 implanted or injected with or to use any form of birth control.
12 (Source: P.A. 95-1052, eff. 7-1-09.)

13 (Text of Section after amendment by P.A. 100-987)

14 Sec. 5-4.5-50. SENTENCE PROVISIONS; ALL FELONIES. Except
15 as otherwise provided, for all felonies:

16 (a) NO SUPERVISION. The court, upon a plea of guilty or a
17 stipulation by the defendant of the facts supporting the charge
18 or a finding of guilt, may not defer further proceedings and
19 the imposition of a sentence and may not enter an order for
20 supervision of the defendant.

21 (b) FELONY FINES. Unless otherwise specified by law, the
22 minimum fine is \$75 ~~\$25~~. An offender may be sentenced to pay a
23 fine not to exceed, for each offense, \$25,000 or the amount
24 specified in the offense, whichever is greater, or if the
25 offender is a corporation, \$50,000 or the amount specified in

1 the offense, whichever is greater. A fine may be imposed in
2 addition to a sentence of conditional discharge, probation,
3 periodic imprisonment, or imprisonment. See Article 9 of
4 Chapter V (730 ILCS 5/Ch. V, Art. 9) for imposition of
5 additional amounts and determination of amounts and payment. If
6 the court finds that the fine would impose an undue burden on
7 the victim, the court may reduce or waive the fine.

8 (c) REASONS FOR SENTENCE STATED. The sentencing judge in
9 each felony conviction shall set forth his or her reasons for
10 imposing the particular sentence entered in the case, as
11 provided in Section 5-4-1 (730 ILCS 5/5-4-1). Those reasons may
12 include any mitigating or aggravating factors specified in this
13 Code, or the lack of any such factors, as well as any other
14 mitigating or aggravating factors that the judge sets forth on
15 the record that are consistent with the purposes and principles
16 of sentencing set out in this Code.

17 (d) MOTION TO REDUCE SENTENCE. A motion to reduce a
18 sentence may be made, or the court may reduce a sentence
19 without motion, within 30 days after the sentence is imposed. A
20 defendant's challenge to the correctness of a sentence or to
21 any aspect of the sentencing hearing shall be made by a written
22 motion filed with the circuit court clerk within 30 days
23 following the imposition of sentence. A motion not filed within
24 that 30-day period is not timely. The court may not increase a
25 sentence once it is imposed. A notice of motion must be filed
26 with the motion. The notice of motion shall set the motion on

1 the court's calendar on a date certain within a reasonable time
2 after the date of filing.

3 If a motion filed pursuant to this subsection is timely
4 filed, the proponent of the motion shall exercise due diligence
5 in seeking a determination on the motion and the court shall
6 thereafter decide the motion within a reasonable time.

7 If a motion filed pursuant to this subsection is timely
8 filed, then for purposes of perfecting an appeal, a final
9 judgment is not considered to have been entered until the
10 motion to reduce the sentence has been decided by order entered
11 by the trial court.

12 (e) CONCURRENT SENTENCE; PREVIOUS UNEXPIRED FEDERAL OR
13 OTHER-STATE SENTENCE. A defendant who has a previous and
14 unexpired sentence of imprisonment imposed by another state or
15 by any district court of the United States and who, after
16 sentence for a crime in Illinois, must return to serve the
17 unexpired prior sentence may have his or her sentence by the
18 Illinois court ordered to be concurrent with the prior
19 other-state or federal sentence. The court may order that any
20 time served on the unexpired portion of the other-state or
21 federal sentence, prior to his or her return to Illinois, shall
22 be credited on his or her Illinois sentence. The appropriate
23 official of the other state or the United States shall be
24 furnished with a copy of the order imposing sentence, which
25 shall provide that, when the offender is released from
26 other-state or federal confinement, whether by parole or by

1 termination of sentence, the offender shall be transferred by
2 the Sheriff of the committing Illinois county to the Illinois
3 Department of Corrections. The court shall cause the Department
4 of Corrections to be notified of the sentence at the time of
5 commitment and to be provided with copies of all records
6 regarding the sentence.

7 (f) REDUCTION; PREVIOUS UNEXPIRED ILLINOIS SENTENCE. A
8 defendant who has a previous and unexpired sentence of
9 imprisonment imposed by an Illinois circuit court for a crime
10 in this State and who is subsequently sentenced to a term of
11 imprisonment by another state or by any district court of the
12 United States and who has served a term of imprisonment imposed
13 by the other state or district court of the United States, and
14 must return to serve the unexpired prior sentence imposed by
15 the Illinois circuit court, may apply to the Illinois circuit
16 court that imposed sentence to have his or her sentence
17 reduced.

18 The circuit court may order that any time served on the
19 sentence imposed by the other state or district court of the
20 United States be credited on his or her Illinois sentence. The
21 application for reduction of a sentence under this subsection
22 shall be made within 30 days after the defendant has completed
23 the sentence imposed by the other state or district court of
24 the United States.

25 (g) NO REQUIRED BIRTH CONTROL. A court may not impose a
26 sentence or disposition that requires the defendant to be

1 implanted or injected with or to use any form of birth control.
2 (Source: P.A. 100-987, eff. 7-1-19.)

3 (730 ILCS 5/5-4.5-55)

4 (Text of Section before amendment by P.A. 100-987)

5 Sec. 5-4.5-55. CLASS A MISDEMEANORS; SENTENCE. For a Class
6 A misdemeanor:

7 (a) TERM. The sentence of imprisonment shall be a
8 determinate sentence of less than one year.

9 (b) PERIODIC IMPRISONMENT. A sentence of periodic
10 imprisonment shall be for a definite term of less than one
11 year, except as otherwise provided in Section 5-5-3 or 5-7-1
12 (730 ILCS 5/5-5-3 or 5/5-7-1).

13 (c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS
14 5/5-8-1.2) concerning eligibility for the county impact
15 incarceration program.

16 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided
17 in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the
18 period of probation or conditional discharge shall not exceed 2
19 years. The court shall specify the conditions of probation or
20 conditional discharge as set forth in Section 5-6-3 (730 ILCS
21 5/5-6-3).

22 (e) FINE. A fine not to exceed \$2,500 for each offense or
23 the amount specified in the offense, whichever is greater, may
24 be imposed. A fine may be imposed in addition to a sentence of
25 conditional discharge, probation, periodic imprisonment, or

1 imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V,
2 Art. 9) for imposition of additional amounts and determination
3 of amounts and payment.

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 MONITORING AND HOME DETENTION. See Section
19 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for
20 electronic monitoring and home detention.

21 (Source: P.A. 100-431, eff. 8-25-17.)

22 (Text of Section after amendment by P.A. 100-987)

23 Sec. 5-4.5-55. CLASS A MISDEMEANORS; SENTENCE. For a Class
24 A misdemeanor:

25 (a) TERM. The sentence of imprisonment shall be a

1 determinate sentence of less than one year.

2 (b) PERIODIC IMPRISONMENT. A sentence of periodic
3 imprisonment shall be for a definite term of less than one
4 year, except as otherwise provided in Section 5-5-3 or 5-7-1
5 (730 ILCS 5/5-5-3 or 5/5-7-1).

6 (c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS
7 5/5-8-1.2) concerning eligibility for the county impact
8 incarceration program.

9 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided
10 in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the
11 period of probation or conditional discharge shall not exceed 2
12 years. The court shall specify the conditions of probation or
13 conditional discharge as set forth in Section 5-6-3 (730 ILCS
14 5/5-6-3).

15 (e) FINE. Unless otherwise specified by law, the minimum
16 fine is \$75 ~~\$25~~. A fine not to exceed \$2,500 for each offense
17 or the amount specified in the offense, whichever is greater,
18 may be imposed. A fine may be imposed in addition to a sentence
19 of conditional discharge, probation, periodic imprisonment, or
20 imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V,
21 Art. 9) for imposition of additional amounts and determination
22 of amounts and payment. If the court finds that the fine would
23 impose an undue burden on the victim, the court may reduce or
24 waive the fine.

25 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)
26 concerning restitution.

1 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall
2 be concurrent or consecutive as provided in Section 5-8-4 (730
3 ILCS 5/5-8-4).

4 (h) DRUG COURT. See Section 20 of the Drug Court Treatment
5 Act (730 ILCS 166/20) concerning eligibility for a drug court
6 program.

7 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730
8 ILCS 5/5-4.5-100) concerning credit for time spent in home
9 detention prior to judgment.

10 (j) GOOD BEHAVIOR ALLOWANCE. See the County Jail Good
11 Behavior Allowance Act (730 ILCS 130/) for rules and
12 regulations for good behavior allowance.

13 (k) ELECTRONIC MONITORING AND HOME DETENTION. See Section
14 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for
15 electronic monitoring and home detention.

16 (Source: P.A. 100-431, eff. 8-25-17; 100-987, eff. 7-1-19.)

17 (730 ILCS 5/5-4.5-60)

18 (Text of Section before amendment by P.A. 100-987)

19 Sec. 5-4.5-60. CLASS B MISDEMEANORS; SENTENCE. For a Class
20 B misdemeanor:

21 (a) TERM. The sentence of imprisonment shall be a
22 determinate sentence of not more than 6 months.

23 (b) PERIODIC IMPRISONMENT. A sentence of periodic
24 imprisonment shall be for a definite term of up to 6 months or
25 as otherwise provided in Section 5-7-1 (730 ILCS 5/5-7-1).

1 (c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS
2 5/5-8-1.2) concerning eligibility for the county impact
3 incarceration program.

4 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided
5 in Section 5-6-2 (730 ILCS 5/5-6-2), the period of probation or
6 conditional discharge shall not exceed 2 years. The court shall
7 specify the conditions of probation or conditional discharge as
8 set forth in Section 5-6-3 (730 ILCS 5/5-6-3).

9 (e) FINE. A fine not to exceed \$1,500 for each offense or
10 the amount specified in the offense, whichever is greater, may
11 be imposed. A fine may be imposed in addition to a sentence of
12 conditional discharge, probation, periodic imprisonment, or
13 imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V,
14 Art. 9) for imposition of additional amounts and determination
15 of amounts and payment.

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 MONITORING AND HOME DETENTION. See Section
5 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for
6 electronic monitoring and home detention.

7 (Source: P.A. 100-431, eff. 8-25-17.)

8 (Text of Section after amendment by P.A. 100-987)

9 Sec. 5-4.5-60. CLASS B MISDEMEANORS; SENTENCE. For a Class
10 B misdemeanor:

11 (a) TERM. The sentence of imprisonment shall be a
12 determinate sentence of not more than 6 months.

13 (b) PERIODIC IMPRISONMENT. A sentence of periodic
14 imprisonment shall be for a definite term of up to 6 months or
15 as otherwise provided in Section 5-7-1 (730 ILCS 5/5-7-1).

16 (c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS
17 5/5-8-1.2) concerning eligibility for the county impact
18 incarceration program.

19 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided
20 in Section 5-6-2 (730 ILCS 5/5-6-2), the period of probation or
21 conditional discharge shall not exceed 2 years. The court shall
22 specify the conditions of probation or conditional discharge as
23 set forth in Section 5-6-3 (730 ILCS 5/5-6-3).

24 (e) FINE. Unless otherwise specified by law, the minimum
25 fine is \$75 ~~\$25~~. A fine not to exceed \$1,500 for each offense

1 or the amount specified in the offense, whichever is greater,
2 may be imposed. A fine may be imposed in addition to a sentence
3 of conditional discharge, probation, periodic imprisonment, or
4 imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V,
5 Art. 9) for imposition of additional amounts and determination
6 of amounts and payment. If the court finds that the fine would
7 impose an undue burden on the victim, the court may reduce or
8 waive the fine.

9 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)
10 concerning restitution.

11 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall
12 be concurrent or consecutive as provided in Section 5-8-4 (730
13 ILCS 5/5-8-4).

14 (h) DRUG COURT. See Section 20 of the Drug Court Treatment
15 Act (730 ILCS 166/20) concerning eligibility for a drug court
16 program.

17 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730
18 ILCS 5/5-4.5-100) concerning credit for time spent in home
19 detention prior to judgment.

20 (j) GOOD BEHAVIOR ALLOWANCE. See the County Jail Good
21 Behavior Allowance Act (730 ILCS 130/) for rules and
22 regulations for good behavior allowance.

23 (k) ELECTRONIC MONITORING AND HOME DETENTION. See Section
24 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for
25 electronic monitoring and home detention.

26 (Source: P.A. 100-431, eff. 8-25-17; 100-987, eff. 7-1-19.)

1 (730 ILCS 5/5-4.5-65)

2 (Text of Section before amendment by P.A. 100-987)

3 Sec. 5-4.5-65. CLASS C MISDEMEANORS; SENTENCE. For a Class
4 C misdemeanor:

5 (a) TERM. The sentence of imprisonment shall be a
6 determinate sentence of not more than 30 days.

7 (b) PERIODIC IMPRISONMENT. A sentence of periodic
8 imprisonment shall be for a definite term of up to 30 days or
9 as otherwise provided in Section 5-7-1 (730 ILCS 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 5-6-2 (730 ILCS 5/5-6-2), the period of probation or
15 conditional discharge shall not exceed 2 years. The court shall
16 specify the conditions of probation or conditional discharge as
17 set forth in Section 5-6-3 (730 ILCS 5/5-6-3).

18 (e) FINE. A fine not to exceed \$1,500 for each offense or
19 the amount specified in the offense, whichever is greater, may
20 be imposed. A fine may be imposed in addition to a sentence of
21 conditional discharge, probation, periodic imprisonment, or
22 imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V,
23 Art. 9) for imposition of additional amounts and determination
24 of amounts and payment.

25 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)

1 concerning restitution.

2 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall
3 be concurrent or consecutive as provided in Section 5-8-4 (730
4 ILCS 5/5-8-4).

5 (h) DRUG COURT. See Section 20 of the Drug Court Treatment
6 Act (730 ILCS 166/20) concerning eligibility for a drug court
7 program.

8 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730
9 ILCS 5/5-4.5-100) concerning credit for time spent in home
10 detention prior to judgment.

11 (j) GOOD BEHAVIOR ALLOWANCE. See the County Jail Good
12 Behavior Allowance Act (730 ILCS 130/) for rules and
13 regulations for good behavior allowance.

14 (k) ELECTRONIC MONITORING AND HOME DETENTION. See Section
15 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for
16 electronic monitoring and home detention.

17 (Source: P.A. 100-431, eff. 8-25-17.)

18 (Text of Section after amendment by P.A. 100-987)

19 Sec. 5-4.5-65. CLASS C MISDEMEANORS; SENTENCE. For a Class
20 C misdemeanor:

21 (a) TERM. The sentence of imprisonment shall be a
22 determinate sentence of not more than 30 days.

23 (b) PERIODIC IMPRISONMENT. A sentence of periodic
24 imprisonment shall be for a definite term of up to 30 days or
25 as otherwise provided in Section 5-7-1 (730 ILCS 5/5-7-1).

1 (c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS
2 5/5-8-1.2) concerning eligibility for the county impact
3 incarceration program.

4 (d) PROBATION; CONDITIONAL DISCHARGE. Except as provided
5 in Section 5-6-2 (730 ILCS 5/5-6-2), the period of probation or
6 conditional discharge shall not exceed 2 years. The court shall
7 specify the conditions of probation or conditional discharge as
8 set forth in Section 5-6-3 (730 ILCS 5/5-6-3).

9 (e) FINE. Unless otherwise specified by law, the minimum
10 fine is \$75 ~~\$25~~. A fine not to exceed \$1,500 for each offense
11 or the amount specified in the offense, whichever is greater,
12 may be imposed. A fine may be imposed in addition to a sentence
13 of conditional discharge, probation, periodic imprisonment, or
14 imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V,
15 Art. 9) for imposition of additional amounts and determination
16 of amounts and payment. If the court finds that the fine would
17 impose an undue burden on the victim, the court may reduce or
18 waive the fine.

19 (f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6)
20 concerning restitution.

21 (g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall
22 be concurrent or consecutive as provided in Section 5-8-4 (730
23 ILCS 5/5-8-4).

24 (h) DRUG COURT. See Section 20 of the Drug Court Treatment
25 Act (730 ILCS 166/20) concerning eligibility for a drug court
26 program.

1 (i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730
2 ILCS 5/5-4.5-100) concerning credit for time spent in home
3 detention prior to judgment.

4 (j) GOOD BEHAVIOR ALLOWANCE. See the County Jail Good
5 Behavior Allowance Act (730 ILCS 130/) for rules and
6 regulations for good behavior allowance.

7 (k) ELECTRONIC MONITORING AND HOME DETENTION. See Section
8 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for
9 electronic monitoring and home detention.
10 (Source: P.A. 100-431, eff. 8-25-17; 100-987, eff. 7-1-19.)

11 (730 ILCS 5/5-4.5-75)

12 (Text of Section before amendment by P.A. 100-987)

13 Sec. 5-4.5-75. PETTY OFFENSES; SENTENCE. Except as
14 otherwise provided, for a petty offense:

15 (a) FINE. A defendant may be sentenced to pay a fine not to
16 exceed \$1,000 for each offense or the amount specified in the
17 offense, whichever is less. A fine may be imposed in addition
18 to a sentence of conditional discharge or probation. See
19 Article 9 of Chapter V (730 ILCS 5/Ch. V, Art. 9) for
20 imposition of additional amounts and determination of amounts
21 and payment.

22 (b) PROBATION; CONDITIONAL DISCHARGE. Except as provided
23 in Section 5-6-2 (730 ILCS 5/5-6-2), a defendant may be
24 sentenced to a period of probation or conditional discharge not
25 to exceed 6 months. The court shall specify the conditions of

1 probation or conditional discharge as set forth in Section
2 5-6-3 (730 ILCS 5/5-6-3).

3 (c) RESTITUTION. A defendant may be sentenced to make
4 restitution to the victim under Section 5-5-6 (730 ILCS
5 5/5-5-6).

6 (d) SUPERVISION; ORDER. The court, upon a plea of guilty or
7 a stipulation by the defendant of the facts supporting the
8 charge or a finding of guilt, may defer further proceedings and
9 the imposition of a sentence and may enter an order for
10 supervision of the defendant. If the defendant is not barred
11 from receiving an order for supervision under Section 5-6-1
12 (730 ILCS 5/5-6-1) or otherwise, the court may enter an order
13 for supervision after considering the circumstances of the
14 offense, and the history, character, and condition of the
15 offender, if the court is of the opinion that:

16 (1) the defendant is not likely to commit further
17 crimes;

18 (2) the defendant and the public would be best served
19 if the defendant were not to receive a criminal record; and

20 (3) in the best interests of justice, an order of
21 supervision is more appropriate than a sentence otherwise
22 permitted under this Code.

23 (e) SUPERVISION; PERIOD. When a defendant is placed on
24 supervision, the court shall enter an order for supervision
25 specifying the period of supervision, and shall defer further
26 proceedings in the case until the conclusion of the period. The

1 period of supervision shall be reasonable under all of the
2 circumstances of the case, and except as otherwise provided,
3 may not be longer than 2 years. The court shall specify the
4 conditions of supervision as set forth in Section 5-6-3.1 (730
5 ILCS 5/5-6-3.1).

6 (Source: P.A. 95-1052, eff. 7-1-09.)

7 (Text of Section after amendment by P.A. 100-987)

8 Sec. 5-4.5-75. PETTY OFFENSES; SENTENCE. Except as
9 otherwise provided, for a petty offense:

10 (a) FINE. Unless otherwise specified by law, the minimum
11 fine is \$75 ~~\$25~~. A defendant may be sentenced to pay a fine not
12 to exceed \$1,000 for each offense or the amount specified in
13 the offense, whichever is less. A fine may be imposed in
14 addition to a sentence of conditional discharge or probation.
15 See Article 9 of Chapter V (730 ILCS 5/Ch. V, Art. 9) for
16 imposition of additional amounts and determination of amounts
17 and payment. If the court finds that the fine would impose an
18 undue burden on the victim, the court may reduce or waive the
19 fine.

20 (b) PROBATION; CONDITIONAL DISCHARGE. Except as provided
21 in Section 5-6-2 (730 ILCS 5/5-6-2), a defendant may be
22 sentenced to a period of probation or conditional discharge not
23 to exceed 6 months. The court shall specify the conditions of
24 probation or conditional discharge as set forth in Section
25 5-6-3 (730 ILCS 5/5-6-3).

1 (c) RESTITUTION. A defendant may be sentenced to make
2 restitution to the victim under Section 5-5-6 (730 ILCS
3 5/5-5-6).

4 (d) SUPERVISION; ORDER. The court, upon a plea of guilty or
5 a stipulation by the defendant of the facts supporting the
6 charge or a finding of guilt, may defer further proceedings and
7 the imposition of a sentence and may enter an order for
8 supervision of the defendant. If the defendant is not barred
9 from receiving an order for supervision under Section 5-6-1
10 (730 ILCS 5/5-6-1) or otherwise, the court may enter an order
11 for supervision after considering the circumstances of the
12 offense, and the history, character, and condition of the
13 offender, if the court is of the opinion that:

14 (1) the defendant is not likely to commit further
15 crimes;

16 (2) the defendant and the public would be best served
17 if the defendant were not to receive a criminal record; and

18 (3) in the best interests of justice, an order of
19 supervision is more appropriate than a sentence otherwise
20 permitted under this Code.

21 (e) SUPERVISION; PERIOD. When a defendant is placed on
22 supervision, the court shall enter an order for supervision
23 specifying the period of supervision, and shall defer further
24 proceedings in the case until the conclusion of the period. The
25 period of supervision shall be reasonable under all of the
26 circumstances of the case, and except as otherwise provided,

1 may not be longer than 2 years. The court shall specify the
2 conditions of supervision as set forth in Section 5-6-3.1 (730
3 ILCS 5/5-6-3.1).

4 (Source: P.A. 100-987, eff. 7-1-19.)

5 (730 ILCS 5/5-4.5-80)

6 (Text of Section before amendment by P.A. 100-987)

7 Sec. 5-4.5-80. BUSINESS OFFENSES; SENTENCE. Except as
8 otherwise provided, for a business offense:

9 (a) FINE. A defendant may be sentenced to pay a fine not to
10 exceed for each offense the amount specified in the statute
11 defining that offense. A fine may be imposed in addition to a
12 sentence of conditional discharge. See Article 9 of Chapter V
13 (730 ILCS 5/Ch. V, Art. 9) for imposition of additional amounts
14 and determination of amounts and payment.

15 (b) CONDITIONAL DISCHARGE. A defendant may be sentenced to
16 a period of conditional discharge. The court shall specify the
17 conditions of conditional discharge as set forth in Section
18 5-6-3 (730 ILCS 5/5-6-3).

19 (c) RESTITUTION. A defendant may be sentenced to make
20 restitution to the victim under Section 5-5-6 (730 ILCS
21 5/5-5-6).

22 (d) SUPERVISION; ORDER. The court, upon a plea of guilty or
23 a stipulation by the defendant of the facts supporting the
24 charge or a finding of guilt, may defer further proceedings and
25 the imposition of a sentence and may enter an order for

1 supervision of the defendant. If the defendant is not barred
2 from receiving an order for supervision under Section 5-6-1
3 (730 ILCS 5/5-6-1) or otherwise, the court may enter an order
4 for supervision after considering the circumstances of the
5 offense, and the history, character, and condition of the
6 offender, if the court is of the opinion that:

7 (1) the defendant is not likely to commit further
8 crimes;

9 (2) the defendant and the public would be best served
10 if the defendant were not to receive a criminal record; and

11 (3) in the best interests of justice, an order of
12 supervision is more appropriate than a sentence otherwise
13 permitted under this Code.

14 (e) SUPERVISION; PERIOD. When a defendant is placed on
15 supervision, the court shall enter an order for supervision
16 specifying the period of supervision, and shall defer further
17 proceedings in the case until the conclusion of the period. The
18 period of supervision shall be reasonable under all of the
19 circumstances of the case, and except as otherwise provided,
20 may not be longer than 2 years. The court shall specify the
21 conditions of supervision as set forth in Section 5-6-3.1 (730
22 ILCS 5/5-6-3.1).

23 (Source: P.A. 95-1052, eff. 7-1-09.)

24 (Text of Section after amendment by P.A. 100-987)

25 Sec. 5-4.5-80. BUSINESS OFFENSES; SENTENCE. Except as

1 otherwise provided, for a business offense:

2 (a) FINE. Unless otherwise specified by law, the minimum
3 fine is \$75 ~~\$25~~. A defendant may be sentenced to pay a fine not
4 to exceed for each offense the amount specified in the statute
5 defining that offense. A fine may be imposed in addition to a
6 sentence of conditional discharge. See Article 9 of Chapter V
7 (730 ILCS 5/Ch. V, Art. 9) for imposition of additional amounts
8 and determination of amounts and payment. If the court finds
9 that the fine would impose an undue burden on the victim, the
10 court may reduce or waive the fine.

11 (b) CONDITIONAL DISCHARGE. A defendant may be sentenced to
12 a period of conditional discharge. The court shall specify the
13 conditions of conditional discharge as set forth in Section
14 5-6-3 (730 ILCS 5/5-6-3).

15 (c) RESTITUTION. A defendant may be sentenced to make
16 restitution to the victim under Section 5-5-6 (730 ILCS
17 5/5-5-6).

18 (d) SUPERVISION; ORDER. The court, upon a plea of guilty or
19 a stipulation by the defendant of the facts supporting the
20 charge or a finding of guilt, may defer further proceedings and
21 the imposition of a sentence and may enter an order for
22 supervision of the defendant. If the defendant is not barred
23 from receiving an order for supervision under Section 5-6-1
24 (730 ILCS 5/5-6-1) or otherwise, the court may enter an order
25 for supervision after considering the circumstances of the
26 offense, and the history, character, and condition of the

1 offender, if the court is of the opinion that:

2 (1) the defendant is not likely to commit further
3 crimes;

4 (2) the defendant and the public would be best served
5 if the defendant were not to receive a criminal record; and

6 (3) in the best interests of justice, an order of
7 supervision is more appropriate than a sentence otherwise
8 permitted under this Code.

9 (e) SUPERVISION; PERIOD. When a defendant is placed on
10 supervision, the court shall enter an order for supervision
11 specifying the period of supervision, and shall defer further
12 proceedings in the case until the conclusion of the period. The
13 period of supervision shall be reasonable under all of the
14 circumstances of the case, and except as otherwise provided,
15 may not be longer than 2 years. The court shall specify the
16 conditions of supervision as set forth in Section 5-6-3.1 (730
17 ILCS 5/5-6-3.1).

18 (Source: P.A. 100-987, eff. 7-1-19.)

19 (730 ILCS 5/5-9-1.9)

20 (Text of Section before amendment by P.A. 100-987)

21 Sec. 5-9-1.9. DUI analysis fee.

22 (a) "Crime laboratory" means a not-for-profit laboratory
23 substantially funded by a single unit or combination of units
24 of local government or the State of Illinois that regularly
25 employs at least one person engaged in the DUI analysis of

1 blood, other bodily substance, and urine for criminal justice
2 agencies in criminal matters and provides testimony with
3 respect to such examinations.

4 "DUI analysis" means an analysis of blood, other bodily
5 substance, or urine for purposes of determining whether a
6 violation of Section 11-501 of the Illinois Vehicle Code has
7 occurred.

8 (b) When a person has been adjudged guilty of an offense in
9 violation of Section 11-501 of the Illinois Vehicle Code, in
10 addition to any other disposition, penalty, or fine imposed, a
11 crime laboratory DUI analysis fee of \$150 for each offense for
12 which the person was convicted shall be levied by the court for
13 each case in which a laboratory analysis occurred. Upon
14 verified petition of the person, the court may suspend payment
15 of all or part of the fee if it finds that the person does not
16 have the ability to pay the fee.

17 (c) In addition to any other disposition made under the
18 provisions of the Juvenile Court Act of 1987, any minor
19 adjudicated delinquent for an offense which if committed by an
20 adult would constitute a violation of Section 11-501 of the
21 Illinois Vehicle Code shall be assessed a crime laboratory DUI
22 analysis fee of \$150 for each adjudication. Upon verified
23 petition of the minor, the court may suspend payment of all or
24 part of the fee if it finds that the minor does not have the
25 ability to pay the fee. The parent, guardian, or legal
26 custodian of the minor may pay some or all of the fee on the

1 minor's behalf.

2 (d) All crime laboratory DUI analysis fees provided for by
3 this Section shall be collected by the clerk of the court and
4 forwarded to the appropriate crime laboratory DUI fund as
5 provided in subsection (f).

6 (e) Crime laboratory funds shall be established as follows:

7 (1) A unit of local government that maintains a crime
8 laboratory may establish a crime laboratory DUI fund within
9 the office of the county or municipal treasurer.

10 (2) Any combination of units of local government that
11 maintains a crime laboratory may establish a crime
12 laboratory DUI fund within the office of the treasurer of
13 the county where the crime laboratory is situated.

14 (3) The State Police DUI Fund is created as a special
15 fund in the State Treasury.

16 (f) The analysis fee provided for in subsections (b) and
17 (c) of this Section shall be forwarded to the office of the
18 treasurer of the unit of local government that performed the
19 analysis if that unit of local government has established a
20 crime laboratory DUI fund, or to the State Treasurer for
21 deposit into the State Police DUI Fund if the analysis was
22 performed by a laboratory operated by the Department of State
23 Police. If the analysis was performed by a crime laboratory
24 funded by a combination of units of local government, the
25 analysis fee shall be forwarded to the treasurer of the county
26 where the crime laboratory is situated if a crime laboratory

1 DUI fund has been established in that county. If the unit of
2 local government or combination of units of local government
3 has not established a crime laboratory DUI fund, then the
4 analysis fee shall be forwarded to the State Treasurer for
5 deposit into the State Police DUI Fund. The clerk of the
6 circuit court may retain the amount of \$10 from each collected
7 analysis fee to offset administrative costs incurred in
8 carrying out the clerk's responsibilities under this Section.

9 (g) Fees deposited into a crime laboratory DUI fund created
10 under paragraphs (1) and (2) of subsection (e) of this Section
11 shall be in addition to any allocations made pursuant to
12 existing law and shall be designated for the exclusive use of
13 the crime laboratory. These uses may include, but are not
14 limited to, the following:

15 (1) Costs incurred in providing analysis for DUI
16 investigations conducted within this State.

17 (2) Purchase and maintenance of equipment for use in
18 performing analyses.

19 (3) Continuing education, training, and professional
20 development of forensic scientists regularly employed by
21 these laboratories.

22 (h) Fees deposited in the State Police DUI Fund created
23 under paragraph (3) of subsection (e) of this Section shall be
24 used by State crime laboratories as designated by the Director
25 of State Police. These funds shall be in addition to any
26 allocations made according to existing law and shall be

1 designated for the exclusive use of State crime laboratories.
2 These uses may include those enumerated in subsection (g) of
3 this Section.

4 (Source: P.A. 99-697, eff. 7-29-16.)

5 (Text of Section after amendment by P.A. 100-987)

6 Sec. 5-9-1.9. DUI analysis fee.

7 (a) "Crime laboratory" means a not-for-profit laboratory
8 substantially funded by a single unit or combination of units
9 of local government or the State of Illinois that regularly
10 employs at least one person engaged in the DUI analysis of
11 blood, other bodily substance, and urine for criminal justice
12 agencies in criminal matters and provides testimony with
13 respect to such examinations.

14 "DUI analysis" means an analysis of blood, other bodily
15 substance, or urine for purposes of determining whether a
16 violation of Section 11-501 of the Illinois Vehicle Code has
17 occurred.

18 (b) (Blank).

19 (c) In addition to any other disposition made under the
20 provisions of the Juvenile Court Act of 1987, any minor
21 adjudicated delinquent for an offense which if committed by an
22 adult would constitute a violation of Section 11-501 of the
23 Illinois Vehicle Code shall pay a crime laboratory DUI analysis
24 assessment of \$150 for each adjudication. Upon verified
25 petition of the minor, the court may suspend payment of all or

1 part of the assessment if it finds that the minor does not have
2 the ability to pay the assessment. The parent, guardian, or
3 legal custodian of the minor may pay some or all of the
4 assessment on the minor's behalf.

5 (d) All crime laboratory DUI analysis assessments provided
6 for by this Section shall be collected by the clerk of the
7 court and forwarded to the appropriate crime laboratory DUI
8 fund as provided in subsection (f).

9 (e) Crime laboratory funds shall be established as follows:

10 (1) A unit of local government that maintains a crime
11 laboratory may establish a crime laboratory DUI fund within
12 the office of the county or municipal treasurer.

13 (2) Any combination of units of local government that
14 maintains a crime laboratory may establish a crime
15 laboratory DUI fund within the office of the treasurer of
16 the county where the crime laboratory is situated.

17 (3) The State Police DUI Fund is created as a special
18 fund in the State Treasury.

19 (f) The analysis assessment provided for in subsection (c)
20 of this Section shall be forwarded to the office of the
21 treasurer of the unit of local government that performed the
22 analysis if that unit of local government has established a
23 crime laboratory DUI fund, or to the State Treasurer for
24 deposit into the State Crime Laboratory ~~Police Operations~~
25 ~~Assistance~~ Fund if the analysis was performed by a laboratory
26 operated by the Department of State Police. If the analysis was

1 performed by a crime laboratory funded by a combination of
2 units of local government, the analysis assessment shall be
3 forwarded to the treasurer of the county where the crime
4 laboratory is situated if a crime laboratory DUI fund has been
5 established in that county. If the unit of local government or
6 combination of units of local government has not established a
7 crime laboratory DUI fund, then the analysis assessment shall
8 be forwarded to the State Treasurer for deposit into the State
9 Crime Laboratory ~~Police Operations Assistance~~ Fund.

10 (g) Moneys deposited into a crime laboratory DUI fund
11 created under paragraphs (1) and (2) of subsection (e) of this
12 Section shall be in addition to any allocations made pursuant
13 to existing law and shall be designated for the exclusive use
14 of the crime laboratory. These uses may include, but are not
15 limited to, the following:

16 (1) Costs incurred in providing analysis for DUI
17 investigations conducted within this State.

18 (2) Purchase and maintenance of equipment for use in
19 performing analyses.

20 (3) Continuing education, training, and professional
21 development of forensic scientists regularly employed by
22 these laboratories.

23 (h) Moneys deposited in the State Crime Laboratory ~~Police~~
24 ~~Operations Assistance~~ Fund shall be used by State crime
25 laboratories as designated by the Director of State Police.
26 These funds shall be in addition to any allocations made

1 according to existing law and shall be designated for the
2 exclusive use of State crime laboratories. These uses may
3 include those enumerated in subsection (g) of this Section.
4 (Source: P.A. 99-697, eff. 7-29-16; 100-987, eff. 7-1-19.)

5 Section 25. The Code of Civil Procedure is amended by
6 changing Section 5-105 as follows:

7 (735 ILCS 5/5-105) (from Ch. 110, par. 5-105)

8 Sec. 5-105. Waiver of court fees, costs, and charges.

9 (a) As used in this Section:

10 (1) "Fees, costs, and charges" means payments imposed
11 on a party in connection with the prosecution or defense of
12 a civil action, including, but not limited to: fees set
13 forth in Section 27.1b of the Clerks of Courts Act; fees
14 for service of process and other papers served either
15 within or outside this State, including service by
16 publication pursuant to Section 2-206 of this Code and
17 publication of necessary legal notices; motion fees;
18 charges for participation in, or attendance at, any
19 mandatory process or procedure including, but not limited
20 to, conciliation, mediation, arbitration, counseling,
21 evaluation, "Children First", "Focus on Children" or
22 similar programs; fees for supplementary proceedings;
23 charges for translation services; guardian ad litem fees;
24 and all other processes and procedures deemed by the court

1 to be necessary to commence, prosecute, defend, or enforce
2 relief in a civil action.

3 (2) "Indigent person" means any person who meets one or
4 more of the following criteria:

5 (i) He or she is receiving assistance under one or
6 more of the following means-based ~~means-based~~
7 governmental public benefits programs: Supplemental
8 Security Income (SSI), Aid to the Aged, Blind and
9 Disabled (AABD), Temporary Assistance for Needy
10 Families (TANF), Supplemental Nutrition Assistance
11 Program (SNAP), General Assistance, Transitional
12 Assistance, or State Children and Family Assistance.

13 (ii) His or her available personal income is 125%
14 ~~200%~~ or less of the current poverty level, unless the
15 applicant's assets that are not exempt under Part 9 or
16 10 of Article XII of this Code are of a nature and
17 value that the court determines that the applicant is
18 able to pay the fees, costs, and charges.

19 (iii) He or she is, in the discretion of the court,
20 unable to proceed in an action without payment of fees,
21 costs, and charges and whose payment of those fees,
22 costs, and charges would result in substantial
23 hardship to the person or his or her family.

24 (iv) He or she is an indigent person pursuant to
25 Section 5-105.5 of this Code.

26 (3) "Poverty level" means the current poverty level as

1 established by the United States Department of Health and
2 Human Services.

3 (b) On the application of any person, before or after the
4 commencement of an action:

5 (1) If the court finds that the applicant is an
6 indigent person, the court shall grant the applicant a full
7 fees, costs, and charges waiver entitling him or her to sue
8 or defend the action without payment of any of the fees,
9 costs, and charges.

10 (2) If the court finds that the applicant satisfies any
11 of the criteria contained in items (i), (ii), or (iii) of
12 this subdivision (b)(2), the court shall grant the
13 applicant a partial fees, costs, and charges waiver
14 entitling him or her to sue or defend the action upon
15 payment of the applicable percentage of the assessments,
16 costs, and charges of the action, as follows:

17 (i) the court shall waive 75% of all fees, costs,
18 and charges if the available income of the applicant is
19 greater than 125% ~~200%~~ but does not exceed 150% ~~250%~~ of
20 the poverty level, unless the assets of the applicant
21 that are not exempt under Part 9 or 10 of Article XII
22 of this Code are such that the applicant is able,
23 without undue hardship, to pay a greater portion of the
24 fees, costs, and charges;

25 (ii) the court shall waive 50% of all fees, costs,
26 and charges if the available income is greater than

1 150% ~~250%~~ but does not exceed 175% ~~300%~~ of the poverty
2 level, unless the assets of the applicant that are not
3 exempt under Part 9 or 10 of Article XII of this Code
4 are such that the applicant is able, without undue
5 hardship, to pay a greater portion of the fees, costs,
6 and charges; and

7 (iii) the court shall waive 25% of all fees, costs,
8 and charges if the available income of the applicant is
9 greater than 175% ~~300%~~ but does not exceed 200% ~~400%~~ of
10 the current poverty level, unless the assets of the
11 applicant that are not exempt under Part 9 or 10 of
12 Article XII of this Code are such that the applicant is
13 able, without undue hardship, to pay a greater portion
14 of the fees, costs, and charges.

15 (c) An application for waiver of court fees, costs, and
16 charges shall be in writing and signed by the applicant, or, if
17 the applicant is a minor or an incompetent adult, by another
18 person having knowledge of the facts. The contents of the
19 application for waiver of court fees, costs, and charges, and
20 the procedure for the decision of the applications, shall be
21 established by Supreme Court Rule. Factors to consider in
22 evaluating an application shall include:

23 (1) the applicant's receipt of needs based
24 governmental public benefits, including Supplemental
25 Security Income (SSI); Aid to the Aged, Blind and Disabled
26 (ADBBD); Temporary Assistance for Needy Families (TANF);

1 Supplemental Nutrition Assistance Program (SNAP or "food
2 stamps"); General Assistance; Transitional Assistance; or
3 State Children and Family Assistance;

4 (2) the employment status of the applicant and amount
5 of monthly income, if any;

6 (3) income received from the applicant's pension,
7 Social Security benefits, unemployment benefits, and other
8 sources;

9 (4) income received by the applicant from other
10 household members;

11 (5) the applicant's monthly expenses, including rent,
12 home mortgage, other mortgage, utilities, food, medical,
13 vehicle, childcare, debts, child support, and other
14 expenses; and

15 (6) financial affidavits or other similar supporting
16 documentation provided by the applicant showing that
17 payment of the imposed fees, costs, and charges would
18 result in substantial hardship to the applicant or the
19 applicant's family.

20 (c-5) The court shall provide, through the office of the
21 clerk of the court, the application for waiver of court fees,
22 costs, and charges to any person seeking to sue or defend an
23 action who indicates an inability to pay the fees, costs, and
24 charges of the action. The clerk of the court shall post in a
25 conspicuous place in the courthouse a notice no smaller than
26 8.5 x 11 inches, using no smaller than 30-point typeface

1 printed in English and in Spanish, advising the public that
2 they may ask the court for permission to sue or defend a civil
3 action without payment of fees, costs, and charges. The notice
4 shall be substantially as follows:

5 "If you are unable to pay the fees, costs, and charges
6 of an action you may ask the court to allow you to proceed
7 without paying them. Ask the clerk of the court for forms."

8 (d) (Blank).

9 (e) The clerk of the court shall not refuse to accept and
10 file any complaint, appearance, or other paper presented by the
11 applicant if accompanied by an application for waiver of court
12 fees, costs, and charges, and those papers shall be considered
13 filed on the date the application is presented. If the
14 application is denied or a partial fees, costs, and charges
15 waiver is granted, the order shall state a date certain by
16 which the necessary fees, costs, and charges must be paid. For
17 good cause shown, the court may allow an applicant who receives
18 a partial fees, costs, and charges waiver to defer payment of
19 fees, costs, and charges, make installment payments, or make
20 payment upon reasonable terms and conditions stated in the
21 order. The court may dismiss the claims or strike the defenses
22 of any party failing to pay the fees, costs, and charges within
23 the time and in the manner ordered by the court. A judicial
24 ruling on an application for waiver of court assessments does
25 not constitute a decision of a substantial issue in the case
26 under Section 2-1001 of this Code.

1 (f) The order granting a full or partial fees, costs, and
2 charges waiver shall expire after one year. Upon expiration of
3 the waiver, or a reasonable period of time before expiration,
4 the party whose fees, costs, and charges were waived may file
5 another application for waiver and the court shall consider the
6 application in accordance with the applicable Supreme Court
7 Rule.

8 (f-5) If, before or at the time of final disposition of the
9 case, the court obtains information, including information
10 from the court file, suggesting that a person whose fees,
11 costs, and charges were initially waived was not entitled to a
12 full or partial waiver at the time of application, the court
13 may require the person to appear at a court hearing by giving
14 the applicant no less than 10 days' written notice of the
15 hearing and the specific reasons why the initial waiver might
16 be reconsidered. The court may require the applicant to provide
17 reasonably available evidence, including financial
18 information, to support his or her eligibility for the waiver,
19 but the court shall not require submission of information that
20 is unrelated to the criteria for eligibility and application
21 requirements set forth in subdivision ~~subdivisions~~ (b) (1) or
22 (b) (2) of this Section. If the court finds that the person was
23 not initially entitled to any waiver, the person shall pay all
24 fees, costs, and charges relating to the civil action,
25 including any previously waived ~~previously waived~~ fees, costs,
26 and charges. The order may state terms of payment in accordance

1 with subsection (e). The court shall not conduct a hearing
2 under this subsection more often than once every 6 months.

3 (f-10) If, before or at the time of final disposition of
4 the case, the court obtains information, including information
5 from the court file, suggesting that a person who received a
6 full or partial waiver has experienced a change in financial
7 condition so that he or she is no longer eligible for that
8 waiver, the court may require the person to appear at a court
9 hearing by giving the applicant no less than 10 days' written
10 notice of the hearing and the specific reasons why the waiver
11 might be reconsidered. The court may require the person to
12 provide reasonably available evidence, including financial
13 information, to support his or her continued eligibility for
14 the waiver, but shall not require submission of information
15 that is unrelated to the criteria for eligibility and
16 application requirements set forth in subdivisions ~~subsections~~
17 (b) (1) and (b) (2) of this Section. If the court enters an order
18 finding that the person is no longer entitled to a waiver, or
19 is entitled to a partial waiver different than that which the
20 person had previously received, the person shall pay the
21 requisite fees, costs, and charges from the date of the order
22 going forward. The order may state terms of payment in
23 accordance with subsection (e) of this Section. The court shall
24 not conduct a hearing under this subsection more often than
25 once every 6 months.

26 (g) A court, in its discretion, may appoint counsel to

1 represent an indigent person, and that counsel shall perform
2 his or her duties without fees, charges, or reward.

3 (h) Nothing in this Section shall be construed to affect
4 the right of a party to sue or defend an action in forma
5 pauperis without the payment of fees, costs, charges, or the
6 right of a party to court-appointed counsel, as authorized by
7 any other provision of law or by the rules of the Illinois
8 Supreme Court. Nothing in this Section shall be construed to
9 limit the authority of a court to order another party to the
10 action to pay the fees, costs, and charges of the action.

11 (h-5) If a party is represented by a civil legal services
12 provider or an attorney in a court-sponsored pro bono program
13 as defined in Section 5-105.5 of this Code, the attorney
14 representing that party shall file a certification with the
15 court in accordance with Supreme Court Rule 298 and that party
16 shall be allowed to sue or defend without payment of fees,
17 costs, and charges without filing an application under this
18 Section.

19 (h-10) If an attorney files an appearance on behalf of a
20 person whose fees, costs, and charges were initially waived
21 under this Section, the attorney must pay all fees, costs, and
22 charges relating to the civil action, including any previously
23 waived fees, costs, and charges, unless the attorney is either
24 a civil legal services provider, representing his or her client
25 as part of a court-sponsored pro bono program as defined in
26 Section 5-105.1 of this Code, or appearing under a limited

1 scope appearance in accordance with Supreme Court Rule
2 13(c) (6).

3 (i) The provisions of this Section are severable under
4 Section 1.31 of the Statute on Statutes.

5 (Source: P.A. 100-987, eff. 7-1-19; revised 10-3-18.)

6 Section 95. No acceleration or delay. Where this Act makes
7 changes in a statute that is represented in this Act by text
8 that is not yet or no longer in effect (for example, a Section
9 represented by multiple versions), the use of that text does
10 not accelerate or delay the taking effect of (i) the changes
11 made by this Act or (ii) provisions derived from any other
12 Public Act.

13 Section 99. Effective date. This Act takes effect July 1,
14 2019.