

1 AN ACT concerning finance.

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

4 Section 5. The State Finance Act is amended by changing
5 Section 6z-68 as follows:

6 (30 ILCS 105/6z-68)

7 Sec. 6z-68. The Intercity Passenger Rail Fund.

8 (a) The Intercity Passenger Rail Fund is created as a
9 special fund in the State treasury. Moneys in the Fund may be
10 used by the Department of Transportation, subject to
11 appropriation, for the operation of intercity passenger rail
12 services in the State through Amtrak or its successor.

13 Moneys received for the purposes of this Section,
14 including, without limitation, income tax checkoff receipts
15 and gifts, grants, and awards from any public or private
16 entity, must be deposited into the Fund. Any interest earned on
17 moneys in the Fund must be deposited into the Fund.

18 (b) (Blank). ~~At least one month before the beginning of~~
19 ~~each fiscal year, the chief operating officer of Amtrak or its~~
20 ~~successor must certify to the State Treasurer the number of~~
21 ~~Amtrak tickets sold at the State rate during that current~~
22 ~~fiscal year.~~

23 ~~On the first day of that next fiscal year, or as soon~~

1 ~~thereafter as practical, the State Treasurer must transfer,~~
2 ~~from the General Revenue Fund to the Intercity Passenger Rail~~
3 ~~Fund, an amount equal to the tickets certified by the chief~~
4 ~~operating officer of Amtrak multiplied by \$50.~~

5 (c) Beginning after June 1, 2017, the chief operating
6 officer of Amtrak or its successor shall no longer be required
7 to certify to the State Treasurer the number of Amtrak tickets
8 sold at the State rate during the current fiscal year.
9 Beginning July 1, 2017, the State Treasurer shall no longer be
10 required to transfer from the General Revenue Fund to the
11 Intercity Passenger Rail Fund an amount equal to the tickets
12 certified by the chief operating officer of Amtrak multiplied
13 by \$50.

14 (Source: P.A. 94-535, eff. 8-10-05.)

15 Section 10. The General Obligation Bond Act is amended by
16 changing Section 13 as follows:

17 (30 ILCS 330/13) (from Ch. 127, par. 663)

18 Sec. 13. Appropriation of proceeds from sale of Bonds.

19 (a) At all times, the proceeds from the sale of Bonds
20 issued pursuant to this Act are subject to appropriation by the
21 General Assembly and, except as provided in Sections 7.2 and
22 7.6, may be obligated or expended only with the written
23 approval of the Governor, in such amounts, at such times, and
24 for such purposes as the respective State agencies, as defined

1 in Section 1-7 of the Illinois State Auditing Act, as amended,
2 deem necessary or desirable for the specific purposes
3 contemplated in Sections 2 through 8 of this Act.
4 Notwithstanding any other provision of this Act, proceeds from
5 the sale of Bonds issued pursuant to this Act appropriated by
6 the General Assembly to the Architect of the Capitol may be
7 obligated or expended by the Architect of the Capitol without
8 the written approval of the Governor.

9 (b) Proceeds from the sale of Bonds for the purpose of
10 development of coal and alternative forms of energy shall be
11 expended in such amounts and at such times as the Department of
12 Commerce and Economic Opportunity, with the advice and
13 recommendation of the Illinois Coal Development Board for coal
14 development projects, may deem necessary and desirable for the
15 specific purpose contemplated by Section 7 of this Act. In
16 considering the approval of projects to be funded, the
17 Department of Commerce and Economic Opportunity shall give
18 special consideration to projects designed to remove sulfur and
19 other pollutants in the preparation and utilization of coal,
20 and in the use and operation of electric utility generating
21 plants and industrial facilities which utilize Illinois coal as
22 their primary source of fuel.

23 (c) Except as directed in subsection (c-1) ~~or (c-2)~~, any
24 monies received by any officer or employee of the state
25 representing a reimbursement of expenditures previously paid
26 from general obligation bond proceeds shall, at the direction

1 of the Director of the Governor's Office of Management and
2 Budget, be deposited into the General Obligation Bond
3 Retirement and Interest Fund authorized in Section 14 of this
4 Act, or be deposited into the fund from which such expenditures
5 were paid.

6 (c-1) Any money received by the Department of
7 Transportation as reimbursement for expenditures for high
8 speed rail purposes pursuant to appropriations from the
9 Transportation Bond, Series B Fund for ~~(i) CREATE (Chicago~~
10 ~~Region Environmental and Transportation Efficiency), (ii) High~~
11 ~~Speed Rail, or (iii) AMTRAK~~ projects authorized by the federal
12 government under the provisions of the American Recovery and
13 Reinvestment Act of 2009 or the Safe Accountable Flexible
14 Efficient Transportation Equity Act-A Legacy for Users
15 (SAFETEA-LU), or any successor federal transportation
16 authorization Act, shall be deposited into the Federal High
17 Speed Rail Trust Fund.

18 (c-2) (Blank). ~~Any money received by the Department of~~
19 ~~Transportation as reimbursement for expenditures for transit~~
20 ~~capital purposes pursuant to appropriations from the~~
21 ~~Transportation Bond, Series B Fund for projects authorized by~~
22 ~~the federal government under the provisions of the American~~
23 ~~Recovery and Reinvestment Act of 2009 or the Safe Accountable~~
24 ~~Flexible Efficient Transportation Equity Act A Legacy for~~
25 ~~Users (SAFETEA-LU), or any successor federal transportation~~
26 ~~authorization Act, shall be deposited into the Federal Mass~~

1 ~~Transit Trust Fund.~~

2 (Source: P.A. 100-23, eff. 7-6-17.)

3 Section 15. The Downstate Public Transportation Act is
4 amended by changing Sections 2-2.04 and 2-15 as follows:

5 (30 ILCS 740/2-2.04) (from Ch. 111 2/3, par. 662.04)

6 Sec. 2-2.04. "Eligible operating expenses" means all
7 expenses required for public transportation, including
8 employee wages and benefits, materials, fuels, supplies,
9 rental of facilities, taxes other than income taxes, payment
10 made for debt service (including principal and interest) on
11 publicly owned equipment or facilities, and any other
12 expenditure which is an operating expense according to standard
13 accounting practices for the providing of public
14 transportation. Eligible operating expenses shall not include
15 allowances: (a) for depreciation whether funded or unfunded;
16 (b) for amortization of any intangible costs; (c) for debt
17 service on capital acquired with the assistance of capital
18 grant funds provided by the State of Illinois; (d) for profits
19 or return on investment; (e) for excessive payment to
20 associated entities; (f) for Comprehensive Employment Training
21 Act expenses; (g) for costs reimbursed under Sections 6 and 8
22 of the "Urban Mass Transportation Act of 1964", as amended; (h)
23 for entertainment expenses; (i) for charter expenses; (j) for
24 fines and penalties; (k) for charitable donations; (l) for

1 interest expense on long term borrowing and debt retirement
2 other than on publicly owned equipment or facilities; (m) for
3 income taxes; or (n) for such other expenses as the Department
4 may determine consistent with federal Department of
5 Transportation regulations or requirements. In consultation
6 with participants, the Department shall, by October 2008,
7 promulgate or update rules, pursuant to the Illinois
8 Administrative Procedure Act, concerning eligible expenses to
9 ensure consistent application of the Act, and the Department
10 shall provide written copies of those rules to all eligible
11 recipients. The Department shall review this process in the
12 same manner no less frequently than every 5 years.

13 With respect to participants other than any Metro-East
14 Transit District participant and those receiving federal
15 research development and demonstration funds pursuant to
16 Section 6 of the "Urban Mass Transportation Act of 1964", as
17 amended, during the fiscal year ending June 30, 1979, the
18 maximum eligible operating expenses for any such participant in
19 any fiscal year after Fiscal Year 1980 shall be the amount
20 appropriated for such participant for the fiscal year ending
21 June 30, 1980, plus in each year a 10% increase over the
22 maximum established for the preceding fiscal year. For Fiscal
23 Year 1980 the maximum eligible operating expenses for any such
24 participant shall be the amount of projected operating expenses
25 upon which the appropriation for such participant for Fiscal
26 Year 1980 is based.

1 With respect to participants receiving federal research
2 development and demonstration operating assistance funds for
3 operating assistance pursuant to Section 6 of the "Urban Mass
4 Transportation Act of 1964", as amended, during the fiscal year
5 ending June 30, 1979, the maximum eligible operating expenses
6 for any such participant in any fiscal year after Fiscal Year
7 1980 shall not exceed such participant's eligible operating
8 expenses for the fiscal year ending June 30, 1980, plus in each
9 year a 10% increase over the maximum established for the
10 preceding fiscal year. For Fiscal Year 1980, the maximum
11 eligible operating expenses for any such participant shall be
12 the eligible operating expenses incurred during such fiscal
13 year, or projected operating expenses upon which the
14 appropriation for such participant for the Fiscal Year 1980 is
15 based; whichever is less.

16 With respect to all participants other than any Metro-East
17 Transit District participant, the maximum eligible operating
18 expenses for any such participant in any fiscal year after
19 Fiscal Year 1985 (except Fiscal Year 2008 and Fiscal Year 2009)
20 shall be the amount appropriated for such participant for the
21 fiscal year ending June 30, 1985, plus (i) in fiscal years
22 prior to fiscal year 2019 ~~in each year~~ a 10% increase over the
23 maximum established for the preceding year and (ii) for fiscal
24 year 2019 and thereafter, the percentage increase shall be
25 equal to the percentage change in transfers ordered into the
26 Downstate Public Transportation Fund under subsection (b-6) of

1 Section 2-3 of this Act for the most recently completed fiscal
2 year over the amount ordered transferred under that Section in
3 the immediately preceding fiscal year, except if the percentage
4 change is zero or less than zero, then the maximum established
5 shall be equal to the maximum established for the preceding
6 fiscal year. For Fiscal Year 1985, the maximum eligible
7 operating expenses for any such participant shall be the amount
8 of projected operating expenses upon which the appropriation
9 for such participant for Fiscal Year 1985 is based.

10 With respect to any mass transit district participant that
11 has increased its district boundaries by annexing counties
12 since 1998 and is maintaining a level of local financial
13 support, including all income and revenues, equal to or greater
14 than the level in the State fiscal year ending June 30, 2001,
15 the maximum eligible operating expenses for any State fiscal
16 year after 2002 (except State fiscal years 2006 through 2009)
17 shall be the amount appropriated for that participant for the
18 State fiscal year ending June 30, 2002, plus, (i) in each State
19 fiscal year prior to fiscal year 2019, a 10% increase over the
20 preceding State fiscal year and (ii) for fiscal year 2015 and
21 thereafter, the percentage increase shall be equal to the
22 percentage change in transfers ordered into the Downstate
23 Public Transportation Fund under subsection (b-6) of Section
24 2-3 of this Act for the most recently completed fiscal year
25 over the amount ordered transferred under that Section in the
26 immediately preceding fiscal year, except if the percentage

1 change is zero or less than zero, then the maximum established
2 shall be equal to the maximum established for the preceding
3 fiscal year. For State fiscal year 2002, the maximum eligible
4 operating expenses for any such participant shall be the amount
5 of projected operating expenses upon which the appropriation
6 for that participant for State fiscal year 2002 is based. For
7 that participant, eligible operating expenses for State fiscal
8 year 2002 in excess of the eligible operating expenses for the
9 State fiscal year ending June 30, 2001, plus 10%, must be
10 attributed to the provision of services in the newly annexed
11 counties.

12 With respect to a participant that receives an initial
13 appropriation in State fiscal year 2002 or thereafter, the
14 maximum eligible operating expenses for any State fiscal year
15 after 2003 (except State fiscal years 2006 through 2009) shall
16 be the amount appropriated for that participant for the State
17 fiscal year in which it received its initial appropriation,
18 plus, (i) in fiscal years prior to fiscal year 2019 in each
19 year, a 10% increase over the preceding year and (ii) for
20 fiscal year 2019 and thereafter, the percentage increase shall
21 be equal to the percentage change in transfers ordered into the
22 Downstate Public Transportation Fund under subsection (b-6) of
23 Section 2-3 of this Act for the most recently completed fiscal
24 year over the amount ordered transferred under that Section in
25 the immediately preceding fiscal year, except if the percentage
26 change is zero or less than zero, then the maximum established

1 shall be equal to the maximum established for the preceding
2 fiscal year. For the initial State fiscal year in which a
3 participant received an appropriation, the maximum eligible
4 operating expenses for any such participant shall be the amount
5 of projected operating expenses upon which the appropriation
6 for that participant for that State fiscal year is based.

7 With respect to the District serving primarily the counties
8 of Monroe and St. Clair, beginning July 1, 2005, the St. Clair
9 County Transit District shall no longer be included for new
10 appropriation funding purposes as part of the Metro-East Public
11 Transportation Fund and instead shall be included for new
12 appropriation funding purposes as part of the Downstate Public
13 Transportation Fund; provided, however, that nothing herein
14 shall alter the eligibility of that District for previously
15 appropriated funds to which it would otherwise be entitled.

16 With respect to the District serving primarily Madison
17 County, beginning July 1, 2008, the Madison County Transit
18 District shall no longer be included for new appropriation
19 funding purposes as part of the Metro-East Public
20 Transportation Fund and instead shall be included for new
21 appropriation funding purposes as part of the Downstate Public
22 Transportation Fund; provided, however, that nothing herein
23 shall alter the eligibility of that District for previously
24 appropriated funds to which it would otherwise be entitled.

25 With respect to the fiscal year beginning July 1, 2007, and
26 thereafter, the following shall be included for new

1 appropriation funding purposes as part of the Downstate Public
2 Transportation Fund: Bond County; Bureau County; Coles County;
3 Edgar County; Stephenson County and the City of Freeport; Henry
4 County; Jo Daviess County; Kankakee and McLean Counties; Peoria
5 County; Piatt County; Shelby County; Tazewell and Woodford
6 Counties; Vermilion County; Williamson County; and Kendall
7 County.

8 (Source: P.A. 94-70, eff. 6-22-05; 95-708, eff. 1-18-08.)

9 (30 ILCS 740/2-15) (from Ch. 111 2/3, par. 675.1)

10 Sec. 2-15. Residual fund balance.

11 (a) Except as otherwise provided in this Section, all funds
12 which remain in the Downstate Public Transportation Fund or the
13 Metro-East Public Transportation Fund after the payment of the
14 fourth quarterly payment to participants other than Metro-East
15 Transit District participants and the last monthly payment to
16 Metro-East Transit participants in each fiscal year shall be
17 transferred (i) to the General Revenue Fund through fiscal year
18 2008 and (ii) to the Downstate Transit Improvement Fund for
19 fiscal years ~~fiscal year~~ 2009 through 2012 and each fiscal year
20 thereafter. Any amounts requested by the Department of
21 Transportation for transfer into the Downstate Transit
22 Improvement Fund during fiscal year 2018 are hereby nullified
23 and, if the funds have already been moved into the Downstate
24 Transit Improvement Fund, then the Comptroller shall
25 immediately order and the Treasurer shall transfer such funds

1 back to the Downstate Public Transportation Fund. In fiscal
2 year 2019 and each fiscal year thereafter, the transfer to the
3 Downstate Transit Improvement Fund shall be determined as
4 follows:

5 (1) the Department of Transportation shall calculate
6 the amounts directed to be transferred into the Downstate
7 Public Transportation Fund under subsection (b-6) of
8 Section 2-3 of this Act minus the amounts expended via
9 appropriations and transfers from the Downstate Public
10 Transportation Fund for the most recently completed Fiscal
11 Year (the "Net Resources Amount");

12 (2) the Department of Transportation shall also
13 compute the June 30 available balance in the Downstate
14 Public Transportation Fund for both the most recently
15 completed fiscal year and the immediately preceding fiscal
16 year and determine the change (positive or negative) in the
17 available balance over the course of the most recently
18 completed fiscal year (the "Balance Change Amount");

19 (3) if the Balance Change Amount indicates that the
20 June 30 available balance in the Downstate Public
21 Transportation Fund has stayed the same or increased during
22 the most recently completed fiscal year, then the requested
23 transfer to the Downstate Transit Improvement Fund in the
24 current fiscal year will be equal to the Net Resources
25 Amount calculated in paragraph (1) above;

26 (4) If the Balance Change Amount indicates that the

1 June 30 available balance has decreased during the most
2 recently completed fiscal year, then the requested
3 transfer to the Downstate Transit Improvement Fund shall be
4 equal to the Net Resources Amount reduced by the Balance
5 Change Amount. If the Balance Change Amount under this
6 paragraph (4) is greater than or equal to the Net Resources
7 Amount, then there will not be a transfer into the
8 Downstate Transit Improvement Fund during the current
9 fiscal year.

10 Transfers shall be made no later than 90 days following the
11 end of such fiscal year. Beginning fiscal year 2010, all moneys
12 each year in the Downstate Transit Improvement Fund, shall be
13 held solely for the benefit of the participants in the
14 Downstate Public Transportation Fund and shall be appropriated
15 solely to the Department to make competitive capital grants to
16 the participants of the respective funds and for no other
17 purpose. However, such amount as the Department determines to
18 be necessary for (1) allocation to participants for the
19 purposes of Section 2-7 for the first quarter of the succeeding
20 fiscal year and (2) an amount equal to 2% of the total
21 allocations to participants in the fiscal year just ended to be
22 used for the purpose of audit adjustments shall be retained in
23 such Funds to be used by the Department for such purposes.

24 (b) Notwithstanding any other provision of law, in addition
25 to any other transfers that may be provided by law, on July 1,
26 2011, or as soon thereafter as practical, the State Comptroller

1 shall direct and the State Treasurer shall transfer the
2 remaining balance from the Metro East Public Transportation
3 Fund into the General Revenue Fund. Upon completion of the
4 transfers, the Metro East Public Transportation Fund is
5 dissolved, and any future deposits due to that Fund and any
6 outstanding obligations or liabilities of that Fund pass to the
7 General Revenue Fund.

8 (Source: P.A. 97-72, eff. 7-1-11.)

9 Section 20. The Motor Fuel Tax Law is amended by changing
10 Section 8 as follows:

11 (35 ILCS 505/8) (from Ch. 120, par. 424)

12 Sec. 8. Except as provided in Section 8a, subdivision
13 (h) (1) of Section 12a, Section 13a.6, and items 13, 14, 15, and
14 16 of Section 15, all money received by the Department under
15 this Act, including payments made to the Department by member
16 jurisdictions participating in the International Fuel Tax
17 Agreement, shall be deposited in a special fund in the State
18 treasury, to be known as the "Motor Fuel Tax Fund", and shall
19 be used as follows:

20 (a) 2 1/2 cents per gallon of the tax collected on special
21 fuel under paragraph (b) of Section 2 and Section 13a of this
22 Act shall be transferred to the State Construction Account Fund
23 in the State Treasury;

24 (b) \$420,000 shall be transferred each month to the State

1 Boating Act Fund to be used by the Department of Natural
2 Resources for the purposes specified in Article X of the Boat
3 Registration and Safety Act;

4 (c) \$3,500,000 shall be transferred each month to the Grade
5 Crossing Protection Fund to be used as follows: not less than
6 \$12,000,000 each fiscal year shall be used for the construction
7 or reconstruction of rail highway grade separation structures;
8 \$2,250,000 in fiscal years 2004 through 2009 and \$3,000,000 in
9 fiscal year 2010 and each fiscal year thereafter shall be
10 transferred to the Transportation Regulatory Fund and shall be
11 accounted for as part of the rail carrier portion of such funds
12 and shall be used to pay the cost of administration of the
13 Illinois Commerce Commission's railroad safety program in
14 connection with its duties under subsection (3) of Section
15 18c-7401 of the Illinois Vehicle Code, with the remainder to be
16 used by the Department of Transportation upon order of the
17 Illinois Commerce Commission, to pay that part of the cost
18 apportioned by such Commission to the State to cover the
19 interest of the public in the use of highways, roads, streets,
20 or pedestrian walkways in the county highway system, township
21 and district road system, or municipal street system as defined
22 in the Illinois Highway Code, as the same may from time to time
23 be amended, for separation of grades, for installation,
24 construction or reconstruction of crossing protection or
25 reconstruction, alteration, relocation including construction
26 or improvement of any existing highway necessary for access to

1 property or improvement of any grade crossing and grade
2 crossing surface including the necessary highway approaches
3 thereto of any railroad across the highway or public road, or
4 for the installation, construction, reconstruction, or
5 maintenance of a pedestrian walkway over or under a railroad
6 right-of-way, as provided for in and in accordance with Section
7 18c-7401 of the Illinois Vehicle Code. The Commission may order
8 up to \$2,000,000 per year in Grade Crossing Protection Fund
9 moneys for the improvement of grade crossing surfaces and up to
10 \$300,000 per year for the maintenance and renewal of 4-quadrant
11 gate vehicle detection systems located at non-high speed rail
12 grade crossings. The Commission shall not order more than
13 \$2,000,000 per year in Grade Crossing Protection Fund moneys
14 for pedestrian walkways. In entering orders for projects for
15 which payments from the Grade Crossing Protection Fund will be
16 made, the Commission shall account for expenditures authorized
17 by the orders on a cash rather than an accrual basis. For
18 purposes of this requirement an "accrual basis" assumes that
19 the total cost of the project is expended in the fiscal year in
20 which the order is entered, while a "cash basis" allocates the
21 cost of the project among fiscal years as expenditures are
22 actually made. To meet the requirements of this subsection, the
23 Illinois Commerce Commission shall develop annual and 5-year
24 project plans of rail crossing capital improvements that will
25 be paid for with moneys from the Grade Crossing Protection
26 Fund. The annual project plan shall identify projects for the

1 succeeding fiscal year and the 5-year project plan shall
2 identify projects for the 5 directly succeeding fiscal years.
3 The Commission shall submit the annual and 5-year project plans
4 for this Fund to the Governor, the President of the Senate, the
5 Senate Minority Leader, the Speaker of the House of
6 Representatives, and the Minority Leader of the House of
7 Representatives on the first Wednesday in April of each year;

8 (d) of the amount remaining after allocations provided for
9 in subsections (a), (b) and (c), a sufficient amount shall be
10 reserved to pay all of the following:

11 (1) the costs of the Department of Revenue in
12 administering this Act;

13 (2) the costs of the Department of Transportation in
14 performing its duties imposed by the Illinois Highway Code
15 for supervising the use of motor fuel tax funds apportioned
16 to municipalities, counties and road districts;

17 (3) refunds provided for in Section 13, refunds for
18 overpayment of decal fees paid under Section 13a.4 of this
19 Act, and refunds provided for under the terms of the
20 International Fuel Tax Agreement referenced in Section
21 14a;

22 (4) beginning June 30, 2015, the costs of the Illinois
23 Environmental Protection Agency for ~~from October 1, 1985~~
24 ~~until June 30, 1994,~~ the administration of the Vehicle
25 Emissions Inspection Law, ~~which amount shall be certified~~
26 ~~monthly by the Environmental Protection Agency to the State~~

1 ~~Comptroller and shall promptly be transferred by the State~~
2 ~~Comptroller and Treasurer from the Motor Fuel Tax Fund to~~
3 ~~the Vehicle Inspection Fund, and for the period July 1,~~
4 ~~1994 through June 30, 2000, one twelfth of \$25,000,000 each~~
5 ~~month, for the period July 1, 2000 through June 30, 2003,~~
6 ~~one twelfth of \$30,000,000 each month, and \$15,000,000 on~~
7 ~~July 1, 2003, and \$15,000,000 on January 1, 2004, and~~
8 ~~\$15,000,000 on each July 1 and October 1, or as soon~~
9 ~~thereafter as may be practical, during the period July 1,~~
10 ~~2004 through June 30, 2012, and \$30,000,000 on June 1,~~
11 ~~2013, or as soon thereafter as may be practical, and~~
12 ~~\$15,000,000 on July 1 and October 1, or as soon thereafter~~
13 ~~as may be practical, during the period of July 1, 2013~~
14 ~~through June 30, 2015, for the administration of the~~
15 ~~Vehicle Emissions Inspection Law of 2005, to be paid~~
16 pursuant to appropriation transferred by the State
17 Comptroller and Treasurer from the Motor Fuel Tax Fund into
18 the Vehicle Inspection Fund;

19 (5) amounts ordered paid by the Court of Claims; and

20 (6) payment of motor fuel use taxes due to member
21 jurisdictions under the terms of the International Fuel Tax
22 Agreement. The Department shall certify these amounts to
23 the Comptroller by the 15th day of each month; the
24 Comptroller shall cause orders to be drawn for such
25 amounts, and the Treasurer shall administer those amounts
26 on or before the last day of each month;

1 (e) after allocations for the purposes set forth in
2 subsections (a), (b), (c) and (d), the remaining amount shall
3 be apportioned as follows:

4 (1) Until January 1, 2000, 58.4%, and beginning January
5 1, 2000, 45.6% shall be deposited as follows:

6 (A) 37% into the State Construction Account Fund,
7 and

8 (B) 63% into the Road Fund, \$1,250,000 of which
9 shall be reserved each month for the Department of
10 Transportation to be used in accordance with the
11 provisions of Sections 6-901 through 6-906 of the
12 Illinois Highway Code;

13 (2) Until January 1, 2000, 41.6%, and beginning January
14 1, 2000, 54.4% shall be transferred to the Department of
15 Transportation to be distributed as follows:

16 (A) 49.10% to the municipalities of the State,

17 (B) 16.74% to the counties of the State having
18 1,000,000 or more inhabitants,

19 (C) 18.27% to the counties of the State having less
20 than 1,000,000 inhabitants,

21 (D) 15.89% to the road districts of the State.

22 As soon as may be after the first day of each month the
23 Department of Transportation shall allot to each municipality
24 its share of the amount apportioned to the several
25 municipalities which shall be in proportion to the population
26 of such municipalities as determined by the last preceding

1 municipal census if conducted by the Federal Government or
2 Federal census. If territory is annexed to any municipality
3 subsequent to the time of the last preceding census the
4 corporate authorities of such municipality may cause a census
5 to be taken of such annexed territory and the population so
6 ascertained for such territory shall be added to the population
7 of the municipality as determined by the last preceding census
8 for the purpose of determining the allotment for that
9 municipality. If the population of any municipality was not
10 determined by the last Federal census preceding any
11 apportionment, the apportionment to such municipality shall be
12 in accordance with any census taken by such municipality. Any
13 municipal census used in accordance with this Section shall be
14 certified to the Department of Transportation by the clerk of
15 such municipality, and the accuracy thereof shall be subject to
16 approval of the Department which may make such corrections as
17 it ascertains to be necessary.

18 As soon as may be after the first day of each month the
19 Department of Transportation shall allot to each county its
20 share of the amount apportioned to the several counties of the
21 State as herein provided. Each allotment to the several
22 counties having less than 1,000,000 inhabitants shall be in
23 proportion to the amount of motor vehicle license fees received
24 from the residents of such counties, respectively, during the
25 preceding calendar year. The Secretary of State shall, on or
26 before April 15 of each year, transmit to the Department of

1 Transportation a full and complete report showing the amount of
2 motor vehicle license fees received from the residents of each
3 county, respectively, during the preceding calendar year. The
4 Department of Transportation shall, each month, use for
5 allotment purposes the last such report received from the
6 Secretary of State.

7 As soon as may be after the first day of each month, the
8 Department of Transportation shall allot to the several
9 counties their share of the amount apportioned for the use of
10 road districts. The allotment shall be apportioned among the
11 several counties in the State in the proportion which the total
12 mileage of township or district roads in the respective
13 counties bears to the total mileage of all township and
14 district roads in the State. Funds allotted to the respective
15 counties for the use of road districts therein shall be
16 allocated to the several road districts in the county in the
17 proportion which the total mileage of such township or district
18 roads in the respective road districts bears to the total
19 mileage of all such township or district roads in the county.
20 After July 1 of any year prior to 2011, no allocation shall be
21 made for any road district unless it levied a tax for road and
22 bridge purposes in an amount which will require the extension
23 of such tax against the taxable property in any such road
24 district at a rate of not less than either .08% of the value
25 thereof, based upon the assessment for the year immediately
26 prior to the year in which such tax was levied and as equalized

1 by the Department of Revenue or, in DuPage County, an amount
2 equal to or greater than \$12,000 per mile of road under the
3 jurisdiction of the road district, whichever is less. Beginning
4 July 1, 2011 and each July 1 thereafter, an allocation shall be
5 made for any road district if it levied a tax for road and
6 bridge purposes. In counties other than DuPage County, if the
7 amount of the tax levy requires the extension of the tax
8 against the taxable property in the road district at a rate
9 that is less than 0.08% of the value thereof, based upon the
10 assessment for the year immediately prior to the year in which
11 the tax was levied and as equalized by the Department of
12 Revenue, then the amount of the allocation for that road
13 district shall be a percentage of the maximum allocation equal
14 to the percentage obtained by dividing the rate extended by the
15 district by 0.08%. In DuPage County, if the amount of the tax
16 levy requires the extension of the tax against the taxable
17 property in the road district at a rate that is less than the
18 lesser of (i) 0.08% of the value of the taxable property in the
19 road district, based upon the assessment for the year
20 immediately prior to the year in which such tax was levied and
21 as equalized by the Department of Revenue, or (ii) a rate that
22 will yield an amount equal to \$12,000 per mile of road under
23 the jurisdiction of the road district, then the amount of the
24 allocation for the road district shall be a percentage of the
25 maximum allocation equal to the percentage obtained by dividing
26 the rate extended by the district by the lesser of (i) 0.08% or

1 (ii) the rate that will yield an amount equal to \$12,000 per
2 mile of road under the jurisdiction of the road district.

3 Prior to 2011, if any road district has levied a special
4 tax for road purposes pursuant to Sections 6-601, 6-602 and
5 6-603 of the Illinois Highway Code, and such tax was levied in
6 an amount which would require extension at a rate of not less
7 than .08% of the value of the taxable property thereof, as
8 equalized or assessed by the Department of Revenue, or, in
9 DuPage County, an amount equal to or greater than \$12,000 per
10 mile of road under the jurisdiction of the road district,
11 whichever is less, such levy shall, however, be deemed a proper
12 compliance with this Section and shall qualify such road
13 district for an allotment under this Section. Beginning in 2011
14 and thereafter, if any road district has levied a special tax
15 for road purposes under Sections 6-601, 6-602, and 6-603 of the
16 Illinois Highway Code, and the tax was levied in an amount that
17 would require extension at a rate of not less than 0.08% of the
18 value of the taxable property of that road district, as
19 equalized or assessed by the Department of Revenue or, in
20 DuPage County, an amount equal to or greater than \$12,000 per
21 mile of road under the jurisdiction of the road district,
22 whichever is less, that levy shall be deemed a proper
23 compliance with this Section and shall qualify such road
24 district for a full, rather than proportionate, allotment under
25 this Section. If the levy for the special tax is less than
26 0.08% of the value of the taxable property, or, in DuPage

1 County if the levy for the special tax is less than the lesser
2 of (i) 0.08% or (ii) \$12,000 per mile of road under the
3 jurisdiction of the road district, and if the levy for the
4 special tax is more than any other levy for road and bridge
5 purposes, then the levy for the special tax qualifies the road
6 district for a proportionate, rather than full, allotment under
7 this Section. If the levy for the special tax is equal to or
8 less than any other levy for road and bridge purposes, then any
9 allotment under this Section shall be determined by the other
10 levy for road and bridge purposes.

11 Prior to 2011, if a township has transferred to the road
12 and bridge fund money which, when added to the amount of any
13 tax levy of the road district would be the equivalent of a tax
14 levy requiring extension at a rate of at least .08%, or, in
15 DuPage County, an amount equal to or greater than \$12,000 per
16 mile of road under the jurisdiction of the road district,
17 whichever is less, such transfer, together with any such tax
18 levy, shall be deemed a proper compliance with this Section and
19 shall qualify the road district for an allotment under this
20 Section.

21 In counties in which a property tax extension limitation is
22 imposed under the Property Tax Extension Limitation Law, road
23 districts may retain their entitlement to a motor fuel tax
24 allotment or, beginning in 2011, their entitlement to a full
25 allotment if, at the time the property tax extension limitation
26 was imposed, the road district was levying a road and bridge

1 tax at a rate sufficient to entitle it to a motor fuel tax
2 allotment and continues to levy the maximum allowable amount
3 after the imposition of the property tax extension limitation.
4 Any road district may in all circumstances retain its
5 entitlement to a motor fuel tax allotment or, beginning in
6 2011, its entitlement to a full allotment if it levied a road
7 and bridge tax in an amount that will require the extension of
8 the tax against the taxable property in the road district at a
9 rate of not less than 0.08% of the assessed value of the
10 property, based upon the assessment for the year immediately
11 preceding the year in which the tax was levied and as equalized
12 by the Department of Revenue or, in DuPage County, an amount
13 equal to or greater than \$12,000 per mile of road under the
14 jurisdiction of the road district, whichever is less.

15 As used in this Section the term "road district" means any
16 road district, including a county unit road district, provided
17 for by the Illinois Highway Code; and the term "township or
18 district road" means any road in the township and district road
19 system as defined in the Illinois Highway Code. For the
20 purposes of this Section, "township or district road" also
21 includes such roads as are maintained by park districts, forest
22 preserve districts and conservation districts. The Department
23 of Transportation shall determine the mileage of all township
24 and district roads for the purposes of making allotments and
25 allocations of motor fuel tax funds for use in road districts.

26 Payment of motor fuel tax moneys to municipalities and

1 counties shall be made as soon as possible after the allotment
2 is made. The treasurer of the municipality or county may invest
3 these funds until their use is required and the interest earned
4 by these investments shall be limited to the same uses as the
5 principal funds.

6 (Source: P.A. 97-72, eff. 7-1-11; 97-333, eff. 8-12-11; 98-24,
7 eff. 6-19-13; 98-674, eff. 6-30-14.)

8 Section 25. The Regional Transportation Authority Act is
9 amended by changing Section 4.09 as follows:

10 (70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

11 Sec. 4.09. Public Transportation Fund and the Regional
12 Transportation Authority Occupation and Use Tax Replacement
13 Fund.

14 (a) (1) Except as otherwise provided in paragraph (4), as
15 soon as possible after the first day of each month, beginning
16 July 1, 1984, upon certification of the Department of Revenue,
17 the Comptroller shall order transferred and the Treasurer shall
18 transfer from the General Revenue Fund to a special fund in the
19 State Treasury to be known as the Public Transportation Fund an
20 amount equal to 25% of the net revenue, before the deduction of
21 the serviceman and retailer discounts pursuant to Section 9 of
22 the Service Occupation Tax Act and Section 3 of the Retailers'
23 Occupation Tax Act, realized from any tax imposed by the
24 Authority pursuant to Sections 4.03 and 4.03.1 and 25% of the

1 amounts deposited into the Regional Transportation Authority
2 tax fund created by Section 4.03 of this Act, from the County
3 and Mass Transit District Fund as provided in Section 6z-20 of
4 the State Finance Act and 25% of the amounts deposited into the
5 Regional Transportation Authority Occupation and Use Tax
6 Replacement Fund from the State and Local Sales Tax Reform Fund
7 as provided in Section 6z-17 of the State Finance Act. On the
8 first day of the month following the date that the Department
9 receives revenues from increased taxes under Section 4.03(m) as
10 authorized by this amendatory Act of the 95th General Assembly,
11 in lieu of the transfers authorized in the preceding sentence,
12 upon certification of the Department of Revenue, the
13 Comptroller shall order transferred and the Treasurer shall
14 transfer from the General Revenue Fund to the Public
15 Transportation Fund an amount equal to 25% of the net revenue,
16 before the deduction of the serviceman and retailer discounts
17 pursuant to Section 9 of the Service Occupation Tax Act and
18 Section 3 of the Retailers' Occupation Tax Act, realized from
19 (i) 80% of the proceeds of any tax imposed by the Authority at
20 a rate of 1.25% in Cook County, (ii) 75% of the proceeds of any
21 tax imposed by the Authority at the rate of 1% in Cook County,
22 and (iii) one-third of the proceeds of any tax imposed by the
23 Authority at the rate of 0.75% in the Counties of DuPage, Kane,
24 Lake, McHenry, and Will, all pursuant to Section 4.03, and 25%
25 of the net revenue realized from any tax imposed by the
26 Authority pursuant to Section 4.03.1, and 25% of the amounts

1 deposited into the Regional Transportation Authority tax fund
2 created by Section 4.03 of this Act from the County and Mass
3 Transit District Fund as provided in Section 6z-20 of the State
4 Finance Act, and 25% of the amounts deposited into the Regional
5 Transportation Authority Occupation and Use Tax Replacement
6 Fund from the State and Local Sales Tax Reform Fund as provided
7 in Section 6z-17 of the State Finance Act. As used in this
8 Section, net revenue realized for a month shall be the revenue
9 collected by the State pursuant to Sections 4.03 and 4.03.1
10 during the previous month from within the metropolitan region,
11 less the amount paid out during that same month as refunds to
12 taxpayers for overpayment of liability in the metropolitan
13 region under Sections 4.03 and 4.03.1.

14 Notwithstanding any provision of law to the contrary,
15 beginning on the effective date of this amendatory Act of the
16 100th General Assembly, those amounts required under this
17 paragraph (1) of subsection (a) to be transferred by the
18 Treasurer into the Public Transportation Fund from the General
19 Revenue Fund shall be directly deposited into the Public
20 Transportation Fund as the revenues are realized from the taxes
21 indicated.

22 (2) Except as otherwise provided in paragraph (4), on the
23 first day of the month following the effective date of this
24 amendatory Act of the 95th General Assembly and each month
25 thereafter, upon certification by the Department of Revenue,
26 the Comptroller shall order transferred and the Treasurer shall

1 transfer from the General Revenue Fund to the Public
2 Transportation Fund an amount equal to 5% of the net revenue,
3 before the deduction of the serviceman and retailer discounts
4 pursuant to Section 9 of the Service Occupation Tax Act and
5 Section 3 of the Retailers' Occupation Tax Act, realized from
6 any tax imposed by the Authority pursuant to Sections 4.03 and
7 4.03.1 and certified by the Department of Revenue under Section
8 4.03(n) of this Act to be paid to the Authority and 5% of the
9 amounts deposited into the Regional Transportation Authority
10 tax fund created by Section 4.03 of this Act from the County
11 and Mass Transit District Fund as provided in Section 6z-20 of
12 the State Finance Act, and 5% of the amounts deposited into the
13 Regional Transportation Authority Occupation and Use Tax
14 Replacement Fund from the State and Local Sales Tax Reform Fund
15 as provided in Section 6z-17 of the State Finance Act, and 5%
16 of the revenue realized by the Chicago Transit Authority as
17 financial assistance from the City of Chicago from the proceeds
18 of any tax imposed by the City of Chicago under Section 8-3-19
19 of the Illinois Municipal Code.

20 Notwithstanding any provision of law to the contrary,
21 beginning on the effective date of this amendatory Act of the
22 100th General Assembly, those amounts required under this
23 paragraph (2) of subsection (a) to be transferred by the
24 Treasurer into the Public Transportation Fund from the General
25 Revenue Fund shall be directly deposited into the Public
26 Transportation Fund as the revenues are realized from the taxes

1 indicated.

2 (3) Except as otherwise provided in paragraph (4), as soon
3 as possible after the first day of January, 2009 and each month
4 thereafter, upon certification of the Department of Revenue
5 with respect to the taxes collected under Section 4.03, the
6 Comptroller shall order transferred and the Treasurer shall
7 transfer from the General Revenue Fund to the Public
8 Transportation Fund an amount equal to 25% of the net revenue,
9 before the deduction of the serviceman and retailer discounts
10 pursuant to Section 9 of the Service Occupation Tax Act and
11 Section 3 of the Retailers' Occupation Tax Act, realized from
12 (i) 20% of the proceeds of any tax imposed by the Authority at
13 a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any
14 tax imposed by the Authority at the rate of 1% in Cook County,
15 and (iii) one-third of the proceeds of any tax imposed by the
16 Authority at the rate of 0.75% in the Counties of DuPage, Kane,
17 Lake, McHenry, and Will, all pursuant to Section 4.03, and the
18 Comptroller shall order transferred and the Treasurer shall
19 transfer from the General Revenue Fund to the Public
20 Transportation Fund (iv) an amount equal to 25% of the revenue
21 realized by the Chicago Transit Authority as financial
22 assistance from the City of Chicago from the proceeds of any
23 tax imposed by the City of Chicago under Section 8-3-19 of the
24 Illinois Municipal Code.

25 Notwithstanding any provision of law to the contrary,
26 beginning on the effective date of this amendatory Act of the

1 100th General Assembly, those amounts required under this
2 paragraph (3) of subsection (a) to be transferred by the
3 Treasurer into the Public Transportation Fund from the General
4 Revenue Fund shall be directly deposited into the Public
5 Transportation Fund as the revenues are realized from the taxes
6 indicated.

7 (4) Notwithstanding any provision of law to the contrary,
8 of the transfers to be made under paragraphs (1), (2), and (3)
9 of this subsection (a) from the General Revenue Fund to the
10 Public Transportation Fund, the first \$100,000,000 that would
11 have otherwise been transferred from the General Revenue Fund
12 shall be transferred from the Road Fund. The remaining balance
13 of such transfers shall be made from the General Revenue Fund.

14 (5) For State fiscal year 2018 only, notwithstanding any
15 provision of law to the contrary, the total amount of revenue
16 and deposits under this subsection (a) attributable to revenues
17 realized during State fiscal year 2018 shall be reduced by 10%.

18 (b) (1) Except as otherwise provided in this subsection (b),
19 all ~~All~~ moneys deposited in the Public Transportation Fund and
20 all moneys deposited into the Regional Transportation
21 Authority Occupation and Use Tax Replacement Fund, whether
22 deposited pursuant to this Section or otherwise, are allocated
23 to the Authority. The Comptroller, as soon as possible after
24 each monthly transfer provided in this Section and after each
25 deposit into the Public Transportation Fund, shall order the
26 Treasurer to pay to the Authority out of the Public

1 Transportation Fund the amount so transferred or deposited,
2 except for the following amounts: transfers from the Public
3 Transportation Fund to the Audit Expense Fund, plus any amounts
4 paid pursuant to appropriations to the Office of Executive
5 Inspector General as authorized under subsection (h) of Section
6 4.03.3 from the Public Transportation Fund. Any Additional
7 State Assistance and Additional Financial Assistance paid to
8 the Authority under this Section shall be expended by the
9 Authority for its purposes as provided in this Act. The balance
10 of the amounts paid to the Authority from the Public
11 Transportation Fund shall be expended by the Authority as
12 provided in Section 4.03.3. The Comptroller, as soon as
13 possible after each deposit into the Regional Transportation
14 Authority Occupation and Use Tax Replacement Fund provided in
15 this Section and Section 6z-17 of the State Finance Act, shall
16 order the Treasurer to pay to the Authority out of the Regional
17 Transportation Authority Occupation and Use Tax Replacement
18 Fund the amount so deposited. Such amounts paid to the
19 Authority may be expended by it for its purposes as provided in
20 this Act. The provisions directing the distributions from the
21 Public Transportation Fund and the Regional Transportation
22 Authority Occupation and Use Tax Replacement Fund provided for
23 in this Section shall constitute an irrevocable and continuing
24 appropriation of all amounts as provided herein. The State
25 Treasurer and State Comptroller are hereby authorized and
26 directed to make distributions as provided in this Section. (2)

1 Provided, however, no moneys deposited under subsection (a) of
2 this Section shall be paid from the Public Transportation Fund
3 to the Authority or its assignee for any fiscal year until the
4 Authority has certified to the Governor, the Comptroller, and
5 the Mayor of the City of Chicago that it has adopted for that
6 fiscal year an Annual Budget and Two-Year Financial Plan
7 meeting the requirements in Section 4.01(b).

8 (c) In recognition of the efforts of the Authority to
9 enhance the mass transportation facilities under its control,
10 the State shall provide financial assistance ("Additional
11 State Assistance") in excess of the amounts transferred to the
12 Authority from the General Revenue Fund under subsection (a) of
13 this Section. Additional State Assistance shall be calculated
14 as provided in subsection (d), but shall in no event exceed the
15 following specified amounts with respect to the following State
16 fiscal years:

17	1990	\$5,000,000;
18	1991	\$5,000,000;
19	1992	\$10,000,000;
20	1993	\$10,000,000;
21	1994	\$20,000,000;
22	1995	\$30,000,000;
23	1996	\$40,000,000;
24	1997	\$50,000,000;
25	1998	\$55,000,000; and
26	each year thereafter	\$55,000,000.

1 (c-5) The State shall provide financial assistance
2 ("Additional Financial Assistance") in addition to the
3 Additional State Assistance provided by subsection (c) and the
4 amounts transferred to the Authority from the General Revenue
5 Fund under subsection (a) of this Section. Additional Financial
6 Assistance provided by this subsection shall be calculated as
7 provided in subsection (d), but shall in no event exceed the
8 following specified amounts with respect to the following State
9 fiscal years:

10	2000	\$0;
11	2001	\$16,000,000;
12	2002	\$35,000,000;
13	2003	\$54,000,000;
14	2004	\$73,000,000;
15	2005	\$93,000,000; and
16	each year thereafter	\$100,000,000.

17 (d) Beginning with State fiscal year 1990 and continuing
18 for each State fiscal year thereafter, the Authority shall
19 annually certify to the State Comptroller and State Treasurer,
20 separately with respect to each of subdivisions (g)(2) and
21 (g)(3) of Section 4.04 of this Act, the following amounts:

22 (1) The amount necessary and required, during the State
23 fiscal year with respect to which the certification is
24 made, to pay its obligations for debt service on all
25 outstanding bonds or notes issued by the Authority under
26 subdivisions (g)(2) and (g)(3) of Section 4.04 of this Act.

1 (2) An estimate of the amount necessary and required to
2 pay its obligations for debt service for any bonds or notes
3 which the Authority anticipates it will issue under
4 subdivisions (g) (2) and (g) (3) of Section 4.04 during that
5 State fiscal year.

6 (3) Its debt service savings during the preceding State
7 fiscal year from refunding or advance refunding of bonds or
8 notes issued under subdivisions (g) (2) and (g) (3) of
9 Section 4.04.

10 (4) The amount of interest, if any, earned by the
11 Authority during the previous State fiscal year on the
12 proceeds of bonds or notes issued pursuant to subdivisions
13 (g) (2) and (g) (3) of Section 4.04, other than refunding or
14 advance refunding bonds or notes.

15 The certification shall include a specific schedule of debt
16 service payments, including the date and amount of each payment
17 for all outstanding bonds or notes and an estimated schedule of
18 anticipated debt service for all bonds and notes it intends to
19 issue, if any, during that State fiscal year, including the
20 estimated date and estimated amount of each payment.

21 Immediately upon the issuance of bonds for which an
22 estimated schedule of debt service payments was prepared, the
23 Authority shall file an amended certification with respect to
24 item (2) above, to specify the actual schedule of debt service
25 payments, including the date and amount of each payment, for
26 the remainder of the State fiscal year.

1 On the first day of each month of the State fiscal year in
2 which there are bonds outstanding with respect to which the
3 certification is made, the State Comptroller shall order
4 transferred and the State Treasurer shall transfer from the
5 Road Fund to the Public Transportation Fund the Additional
6 State Assistance and Additional Financial Assistance in an
7 amount equal to the aggregate of (i) one-twelfth of the sum of
8 the amounts certified under items (1) and (3) above less the
9 amount certified under item (4) above, plus (ii) the amount
10 required to pay debt service on bonds and notes issued during
11 the fiscal year, if any, divided by the number of months
12 remaining in the fiscal year after the date of issuance, or
13 some smaller portion as may be necessary under subsection (c)
14 or (c-5) of this Section for the relevant State fiscal year,
15 plus (iii) any cumulative deficiencies in transfers for prior
16 months, until an amount equal to the sum of the amounts
17 certified under items (1) and (3) above, plus the actual debt
18 service certified under item (2) above, less the amount
19 certified under item (4) above, has been transferred; except
20 that these transfers are subject to the following limits:

21 (A) In no event shall the total transfers in any State
22 fiscal year relating to outstanding bonds and notes issued
23 by the Authority under subdivision (g)(2) of Section 4.04
24 exceed the lesser of the annual maximum amount specified in
25 subsection (c) or the sum of the amounts certified under
26 items (1) and (3) above, plus the actual debt service

1 certified under item (2) above, less the amount certified
2 under item (4) above, with respect to those bonds and
3 notes.

4 (B) In no event shall the total transfers in any State
5 fiscal year relating to outstanding bonds and notes issued
6 by the Authority under subdivision (g) (3) of Section 4.04
7 exceed the lesser of the annual maximum amount specified in
8 subsection (c-5) or the sum of the amounts certified under
9 items (1) and (3) above, plus the actual debt service
10 certified under item (2) above, less the amount certified
11 under item (4) above, with respect to those bonds and
12 notes.

13 The term "outstanding" does not include bonds or notes for
14 which refunding or advance refunding bonds or notes have been
15 issued.

16 (e) Neither Additional State Assistance nor Additional
17 Financial Assistance may be pledged, either directly or
18 indirectly as general revenues of the Authority, as security
19 for any bonds issued by the Authority. The Authority may not
20 assign its right to receive Additional State Assistance or
21 Additional Financial Assistance, or direct payment of
22 Additional State Assistance or Additional Financial
23 Assistance, to a trustee or any other entity for the payment of
24 debt service on its bonds.

25 (f) The certification required under subsection (d) with
26 respect to outstanding bonds and notes of the Authority shall

1 be filed as early as practicable before the beginning of the
2 State fiscal year to which it relates. The certification shall
3 be revised as may be necessary to accurately state the debt
4 service requirements of the Authority.

5 (g) Within 6 months of the end of each fiscal year, the
6 Authority shall determine:

7 (i) whether the aggregate of all system generated
8 revenues for public transportation in the metropolitan
9 region which is provided by, or under grant or purchase of
10 service contracts with, the Service Boards equals 50% of
11 the aggregate of all costs of providing such public
12 transportation. "System generated revenues" include all
13 the proceeds of fares and charges for services provided,
14 contributions received in connection with public
15 transportation from units of local government other than
16 the Authority, except for contributions received by the
17 Chicago Transit Authority from a real estate transfer tax
18 imposed under subsection (i) of Section 8-3-19 of the
19 Illinois Municipal Code, and from the State pursuant to
20 subsection (i) of Section 2705-305 of the Department of
21 Transportation Law (20 ILCS 2705/2705-305), and all other
22 revenues properly included consistent with generally
23 accepted accounting principles but may not include: the
24 proceeds from any borrowing, and, beginning with the 2007
25 fiscal year, all revenues and receipts, including but not
26 limited to fares and grants received from the federal,

1 State or any unit of local government or other entity,
2 derived from providing ADA paratransit service pursuant to
3 Section 2.30 of the Regional Transportation Authority Act.
4 "Costs" include all items properly included as operating
5 costs consistent with generally accepted accounting
6 principles, including administrative costs, but do not
7 include: depreciation; payment of principal and interest
8 on bonds, notes or other evidences of obligations for
9 borrowed money of the Authority; payments with respect to
10 public transportation facilities made pursuant to
11 subsection (b) of Section 2.20; any payments with respect
12 to rate protection contracts, credit enhancements or
13 liquidity agreements made under Section 4.14; any other
14 cost as to which it is reasonably expected that a cash
15 expenditure will not be made; costs for passenger security
16 including grants, contracts, personnel, equipment and
17 administrative expenses, except in the case of the Chicago
18 Transit Authority, in which case the term does not include
19 costs spent annually by that entity for protection against
20 crime as required by Section 27a of the Metropolitan
21 Transit Authority Act; the costs of Debt Service paid by
22 the Chicago Transit Authority, as defined in Section 12c of
23 the Metropolitan Transit Authority Act, or bonds or notes
24 issued pursuant to that Section; the payment by the
25 Commuter Rail Division of debt service on bonds issued
26 pursuant to Section 3B.09; expenses incurred by the

1 Suburban Bus Division for the cost of new public
2 transportation services funded from grants pursuant to
3 Section 2.01e of this amendatory Act of the 95th General
4 Assembly for a period of 2 years from the date of
5 initiation of each such service; costs as exempted by the
6 Board for projects pursuant to Section 2.09 of this Act;
7 or, beginning with the 2007 fiscal year, expenses related
8 to providing ADA paratransit service pursuant to Section
9 2.30 of the Regional Transportation Authority Act; or in
10 fiscal years 2008 through 2012 inclusive, costs in the
11 amount of \$200,000,000 in fiscal year 2008, reducing by
12 \$40,000,000 in each fiscal year thereafter until this
13 exemption is eliminated. If said system generated revenues
14 are less than 50% of said costs, the Board shall remit an
15 amount equal to the amount of the deficit to the State. The
16 Treasurer shall deposit any such payment in the Road Fund;
17 and

18 (ii) whether, beginning with the 2007 fiscal year, the
19 aggregate of all fares charged and received for ADA
20 paratransit services equals the system generated ADA
21 paratransit services revenue recovery ratio percentage of
22 the aggregate of all costs of providing such ADA
23 paratransit services.

24 (h) If the Authority makes any payment to the State under
25 paragraph (g), the Authority shall reduce the amount provided
26 to a Service Board from funds transferred under paragraph (a)

1 in proportion to the amount by which that Service Board failed
2 to meet its required system generated revenues recovery ratio.
3 A Service Board which is affected by a reduction in funds under
4 this paragraph shall submit to the Authority concurrently with
5 its next due quarterly report a revised budget incorporating
6 the reduction in funds. The revised budget must meet the
7 criteria specified in clauses (i) through (vi) of Section
8 4.11(b)(2). The Board shall review and act on the revised
9 budget as provided in Section 4.11(b)(3).

10 (Source: P.A. 100-23, eff. 7-6-17.)

11 Section 30. The Clerks of Courts Act is amended by changing
12 Sections 27.5 and 27.6 as follows:

13 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

14 Sec. 27.5. (a) All fees, fines, costs, additional
15 penalties, bail balances assessed or forfeited, and any other
16 amount paid by a person to the circuit clerk that equals an
17 amount less than \$55, except restitution under Section 5-5-6 of
18 the Unified Code of Corrections, reimbursement for the costs of
19 an emergency response as provided under Section 11-501 of the
20 Illinois Vehicle Code, any fees collected for attending a
21 traffic safety program under paragraph (c) of Supreme Court
22 Rule 529, any fee collected on behalf of a State's Attorney
23 under Section 4-2002 of the Counties Code or a sheriff under
24 Section 4-5001 of the Counties Code, or any cost imposed under

1 Section 124A-5 of the Code of Criminal Procedure of 1963, for
2 convictions, orders of supervision, or any other disposition
3 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois
4 Vehicle Code, or a similar provision of a local ordinance, and
5 any violation of the Child Passenger Protection Act, or a
6 similar provision of a local ordinance, and except as otherwise
7 provided in this Section, shall be disbursed within 60 days
8 after receipt by the circuit clerk as follows: 47% shall be
9 disbursed to the entity authorized by law to receive the fine
10 imposed in the case; 12% shall be disbursed to the State
11 Treasurer; and 41% shall be disbursed to the county's general
12 corporate fund. Of the 12% disbursed to the State Treasurer,
13 1/6 shall be deposited by the State Treasurer into the Violent
14 Crime Victims Assistance Fund, 1/2 shall be deposited into the
15 Traffic and Criminal Conviction Surcharge Fund, and 1/3 shall
16 be deposited into the Drivers Education Fund. For fiscal years
17 1992 and 1993, amounts deposited into the Violent Crime Victims
18 Assistance Fund, the Traffic and Criminal Conviction Surcharge
19 Fund, or the Drivers Education Fund shall not exceed 110% of
20 the amounts deposited into those funds in fiscal year 1991. Any
21 amount that exceeds the 110% limit shall be distributed as
22 follows: 50% shall be disbursed to the county's general
23 corporate fund and 50% shall be disbursed to the entity
24 authorized by law to receive the fine imposed in the case. Not
25 later than March 1 of each year the circuit clerk shall submit
26 a report of the amount of funds remitted to the State Treasurer

1 under this Section during the preceding year based upon
2 independent verification of fines and fees. All counties shall
3 be subject to this Section, except that counties with a
4 population under 2,000,000 may, by ordinance, elect not to be
5 subject to this Section. For offenses subject to this Section,
6 judges shall impose one total sum of money payable for
7 violations. The circuit clerk may add on no additional amounts
8 except for amounts that are required by Sections 27.3a and
9 27.3c of this Act, Section 16-104c of the Illinois Vehicle
10 Code, and subsection (a) of Section 5-1101 of the Counties
11 Code, unless those amounts are specifically waived by the
12 judge. With respect to money collected by the circuit clerk as
13 a result of forfeiture of bail, ex parte judgment or guilty
14 plea pursuant to Supreme Court Rule 529, the circuit clerk
15 shall first deduct and pay amounts required by Sections 27.3a
16 and 27.3c of this Act. Unless a court ordered payment schedule
17 is implemented or fee requirements are waived pursuant to a
18 court order, the circuit clerk may add to any unpaid fees and
19 costs a delinquency amount equal to 5% of the unpaid fees that
20 remain unpaid after 30 days, 10% of the unpaid fees that remain
21 unpaid after 60 days, and 15% of the unpaid fees that remain
22 unpaid after 90 days. Notice to those parties may be made by
23 signage posting or publication. The additional delinquency
24 amounts collected under this Section shall be deposited in the
25 Circuit Court Clerk Operation and Administrative Fund to be
26 used to defray administrative costs incurred by the circuit

1 clerk in performing the duties required to collect and disburse
2 funds. This Section is a denial and limitation of home rule
3 powers and functions under subsection (h) of Section 6 of
4 Article VII of the Illinois Constitution.

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

7 (1) 50% of the amounts collected for felony offenses
8 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
9 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
10 Animals Act and Section 26-5 or 48-1 of the Criminal Code
11 of 1961 or the Criminal Code of 2012;

12 (2) 20% of the amounts collected for Class A and Class
13 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
14 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
15 for Animals Act and Section 26-5 or 48-1 of the Criminal
16 Code of 1961 or the Criminal Code of 2012; and

17 (3) 50% of the amounts collected for Class C
18 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
19 for Animals Act and Section 26-5 or 48-1 of the Criminal
20 Code of 1961 or the Criminal Code of 2012.

21 (c) Any person who receives a disposition of court
22 supervision for a violation of the Illinois Vehicle Code or a
23 similar provision of a local ordinance shall, in addition to
24 any other fines, fees, and court costs, pay an additional fee
25 of \$29, to be disbursed as provided in Section 16-104c of the
26 Illinois Vehicle Code. In addition to the fee of \$29, the

1 person shall also pay a fee of \$6, if not waived by the court.
2 If this \$6 fee is collected, \$5.50 of the fee shall be
3 deposited into the Circuit Court Clerk Operation and
4 Administrative Fund created by the Clerk of the Circuit Court
5 and 50 cents of the fee shall be deposited into the Prisoner
6 Review Board Vehicle and Equipment Fund in the State treasury.

7 (d) Any person convicted of, pleading guilty to, or placed
8 on supervision for a serious traffic violation, as defined in
9 Section 1-187.001 of the Illinois Vehicle Code, a violation of
10 Section 11-501 of the Illinois Vehicle Code, or a violation of
11 a similar provision of a local ordinance shall pay an
12 additional fee of \$35, to be disbursed as provided in Section
13 16-104d of that Code.

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

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

17 (1) A person who is found guilty of or pleads guilty to
18 violating subsection (a) of Section 11-501 of the Illinois
19 Vehicle Code, including any person placed on court
20 supervision for violating subsection (a), shall be fined
21 \$750 as provided for by subsection (f) of Section 11-501.01
22 of the Illinois Vehicle Code, payable to the circuit clerk,
23 who shall distribute the money pursuant to subsection (f)
24 of Section 11-501.01 of the Illinois Vehicle Code.

25 (2) When a crime laboratory DUI analysis fee of \$150,
26 provided for by Section 5-9-1.9 of the Unified Code of

1 Corrections is assessed, it shall be disbursed by the
2 circuit clerk as provided by subsection (f) of Section
3 5-9-1.9 of the Unified Code of Corrections.

4 (3) When a fine for a violation of subsection (a) of
5 Section 11-605 of the Illinois Vehicle Code is \$150 or
6 greater, the additional \$50 which is charged as provided
7 for by subsection (f) of Section 11-605 of the Illinois
8 Vehicle Code shall be disbursed by the circuit clerk to a
9 school district or districts for school safety purposes as
10 provided by subsection (f) of Section 11-605.

11 (4) When a fine for a violation of subsection (a) of
12 Section 11-1002.5 of the Illinois Vehicle Code is \$150 or
13 greater, the additional \$50 which is charged as provided
14 for by subsection (c) of Section 11-1002.5 of the Illinois
15 Vehicle Code shall be disbursed by the circuit clerk to a
16 school district or districts for school safety purposes as
17 provided by subsection (c) of Section 11-1002.5 of the
18 Illinois Vehicle Code.

19 (5) When a mandatory drug court fee of up to \$5 is
20 assessed as provided in subsection (f) of Section 5-1101 of
21 the Counties Code, it shall be disbursed by the circuit
22 clerk as provided in subsection (f) of Section 5-1101 of
23 the Counties Code.

24 (6) When a mandatory teen court, peer jury, youth
25 court, or other youth diversion program fee is assessed as
26 provided in subsection (e) of Section 5-1101 of the

1 Counties Code, it shall be disbursed by the circuit clerk
2 as provided in subsection (e) of Section 5-1101 of the
3 Counties Code.

4 (7) When a Children's Advocacy Center fee is assessed
5 pursuant to subsection (f-5) of Section 5-1101 of the
6 Counties Code, it shall be disbursed by the circuit clerk
7 as provided in subsection (f-5) of Section 5-1101 of the
8 Counties Code.

9 (8) When a victim impact panel fee is assessed pursuant
10 to subsection (b) of Section 11-501.01 of the Illinois
11 Vehicle Code, it shall be disbursed by the circuit clerk to
12 the victim impact panel to be attended by the defendant.

13 (9) When a new fee collected in traffic cases is
14 enacted after January 1, 2010 (the effective date of Public
15 Act 96-735), it shall be excluded from the percentage
16 disbursement provisions of this Section unless otherwise
17 indicated by law.

18 (f) Any person who receives a disposition of court
19 supervision for a violation of Section 11-501 of the Illinois
20 Vehicle Code shall, in addition to any other fines, fees, and
21 court costs, pay an additional fee of \$50, which shall be
22 collected by the circuit clerk and then remitted to the State
23 Treasurer for deposit into the Roadside Memorial Fund, a
24 special fund in the State treasury. However, the court may
25 waive the fee if full restitution is complied with. Subject to
26 appropriation, all moneys in the Roadside Memorial Fund shall

1 be used by the Department of Veterans' Affairs ~~Transportation~~
2 to pay for the cartage and erection of veterans' headstones
3 ~~fees imposed under subsection (f) of Section 20 of the Roadside~~
4 ~~Memorial Act~~. The fee shall be remitted by the circuit clerk
5 within one month after receipt to the State Treasurer for
6 deposit into the Roadside Memorial Fund.

7 (g) For any conviction or disposition of court supervision
8 for a violation of Section 11-1429 of the Illinois Vehicle
9 Code, the circuit clerk shall distribute the fines paid by the
10 person as specified by subsection (h) of Section 11-1429 of the
11 Illinois Vehicle Code.

12 (Source: P.A. 97-333, eff. 8-12-11; 97-1108, eff. 1-1-13;
13 97-1150, eff. 1-25-13; 98-658, eff. 6-23-14.)

14 (705 ILCS 105/27.6)

15 (Section as amended by P.A. 96-286, 96-576, 96-578, 96-625,
16 96-667, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, 97-1150,
17 98-658, 98-1013, 99-78, and 99-455)

18 Sec. 27.6. (a) All fees, fines, costs, additional
19 penalties, bail balances assessed or forfeited, and any other
20 amount paid by a person to the circuit clerk equalling an
21 amount of \$55 or more, except the fine imposed by Section
22 5-9-1.15 of the Unified Code of Corrections, the additional fee
23 required by subsections (b) and (c), restitution under Section
24 5-5-6 of the Unified Code of Corrections, contributions to a
25 local anti-crime program ordered pursuant to Section

1 5-6-3(b) (13) or Section 5-6-3.1(c) (13) of the Unified Code of
2 Corrections, reimbursement for the costs of an emergency
3 response as provided under Section 11-501 of the Illinois
4 Vehicle Code, any fees collected for attending a traffic safety
5 program under paragraph (c) of Supreme Court Rule 529, any fee
6 collected on behalf of a State's Attorney under Section 4-2002
7 of the Counties Code or a sheriff under Section 4-5001 of the
8 Counties Code, or any cost imposed under Section 124A-5 of the
9 Code of Criminal Procedure of 1963, for convictions, orders of
10 supervision, or any other disposition for a violation of
11 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a
12 similar provision of a local ordinance, and any violation of
13 the Child Passenger Protection Act, or a similar provision of a
14 local ordinance, and except as otherwise provided in this
15 Section shall be disbursed within 60 days after receipt by the
16 circuit clerk as follows: 44.5% shall be disbursed to the
17 entity authorized by law to receive the fine imposed in the
18 case; 16.825% shall be disbursed to the State Treasurer; and
19 38.675% shall be disbursed to the county's general corporate
20 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
21 shall be deposited by the State Treasurer into the Violent
22 Crime Victims Assistance Fund, 5.052/17 shall be deposited into
23 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall
24 be deposited into the Drivers Education Fund, and 6.948/17
25 shall be deposited into the Trauma Center Fund. Of the 6.948/17
26 deposited into the Trauma Center Fund from the 16.825%

1 disbursed to the State Treasurer, 50% shall be disbursed to the
2 Department of Public Health and 50% shall be disbursed to the
3 Department of Healthcare and Family Services. For fiscal year
4 1993, amounts deposited into the Violent Crime Victims
5 Assistance Fund, the Traffic and Criminal Conviction Surcharge
6 Fund, or the Drivers Education Fund shall not exceed 110% of
7 the amounts deposited into those funds in fiscal year 1991. Any
8 amount that exceeds the 110% limit shall be distributed as
9 follows: 50% shall be disbursed to the county's general
10 corporate fund and 50% shall be disbursed to the entity
11 authorized by law to receive the fine imposed in the case. Not
12 later than March 1 of each year the circuit clerk shall submit
13 a report of the amount of funds remitted to the State Treasurer
14 under this Section during the preceding year based upon
15 independent verification of fines and fees. All counties shall
16 be subject to this Section, except that counties with a
17 population under 2,000,000 may, by ordinance, elect not to be
18 subject to this Section. For offenses subject to this Section,
19 judges shall impose one total sum of money payable for
20 violations. The circuit clerk may add on no additional amounts
21 except for amounts that are required by Sections 27.3a and
22 27.3c of this Act, unless those amounts are specifically waived
23 by the judge. With respect to money collected by the circuit
24 clerk as a result of forfeiture of bail, ex parte judgment or
25 guilty plea pursuant to Supreme Court Rule 529, the circuit
26 clerk shall first deduct and pay amounts required by Sections

1 27.3a and 27.3c of this Act. This Section is a denial and
2 limitation of home rule powers and functions under subsection
3 (h) of Section 6 of Article VII of the Illinois Constitution.

4 (b) In addition to any other fines and court costs assessed
5 by the courts, any person convicted or receiving an order of
6 supervision for driving under the influence of alcohol or drugs
7 shall pay an additional fee of \$100 to the clerk of the circuit
8 court. This amount, less 2 1/2% that shall be used to defray
9 administrative costs incurred by the clerk, shall be remitted
10 by the clerk to the Treasurer within 60 days after receipt for
11 deposit into the Trauma Center Fund. This additional fee of
12 \$100 shall not be considered a part of the fine for purposes of
13 any reduction in the fine for time served either before or
14 after sentencing. Not later than March 1 of each year the
15 Circuit Clerk shall submit a report of the amount of funds
16 remitted to the State Treasurer under this subsection during
17 the preceding calendar year.

18 (b-1) In addition to any other fines and court costs
19 assessed by the courts, any person convicted or receiving an
20 order of supervision for driving under the influence of alcohol
21 or drugs shall pay an additional fee of \$5 to the clerk of the
22 circuit court. This amount, less 2 1/2% that shall be used to
23 defray administrative costs incurred by the clerk, shall be
24 remitted by the clerk to the Treasurer within 60 days after
25 receipt for deposit into the Spinal Cord Injury Paralysis Cure
26 Research Trust Fund. This additional fee of \$5 shall not be

1 considered a part of the fine for purposes of any reduction in
2 the fine for time served either before or after sentencing. Not
3 later than March 1 of each year the Circuit Clerk shall submit
4 a report of the amount of funds remitted to the State Treasurer
5 under this subsection during the preceding calendar year.

6 (c) In addition to any other fines and court costs assessed
7 by the courts, any person convicted for a violation of Sections
8 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the
9 Criminal Code of 2012 or a person sentenced for a violation of
10 the Cannabis Control Act, the Illinois Controlled Substances
11 Act, or the Methamphetamine Control and Community Protection
12 Act shall pay an additional fee of \$100 to the clerk of the
13 circuit court. This amount, less 2 1/2% that shall be used to
14 defray administrative costs incurred by the clerk, shall be
15 remitted by the clerk to the Treasurer within 60 days after
16 receipt for deposit into the Trauma Center Fund. This
17 additional fee of \$100 shall not be considered a part of the
18 fine for purposes of any reduction in the fine for time served
19 either before or after sentencing. Not later than March 1 of
20 each year the Circuit Clerk shall submit a report of the amount
21 of funds remitted to the State Treasurer under this subsection
22 during the preceding calendar year.

23 (c-1) In addition to any other fines and court costs
24 assessed by the courts, any person sentenced for a violation of
25 the Cannabis Control Act, the Illinois Controlled Substances
26 Act, or the Methamphetamine Control and Community Protection

1 Act shall pay an additional fee of \$5 to the clerk of the
2 circuit court. This amount, less 2 1/2% that shall be used to
3 defray administrative costs incurred by the clerk, shall be
4 remitted by the clerk to the Treasurer within 60 days after
5 receipt for deposit into the Spinal Cord Injury Paralysis Cure
6 Research Trust Fund. This additional fee of \$5 shall not be
7 considered a part of the fine for purposes of any reduction in
8 the fine for time served either before or after sentencing. Not
9 later than March 1 of each year the Circuit Clerk shall submit
10 a report of the amount of funds remitted to the State Treasurer
11 under this subsection during the preceding calendar year.

12 (d) The following amounts must be remitted to the State
13 Treasurer for deposit into the Illinois Animal Abuse Fund:

14 (1) 50% of the amounts collected for felony offenses
15 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
16 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
17 Animals Act and Section 26-5 or 48-1 of the Criminal Code
18 of 1961 or the Criminal Code of 2012;

19 (2) 20% of the amounts collected for Class A and Class
20 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
21 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
22 for Animals Act and Section 26-5 or 48-1 of the Criminal
23 Code of 1961 or the Criminal Code of 2012; and

24 (3) 50% of the amounts collected for Class C
25 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
26 for Animals Act and Section 26-5 or 48-1 of the Criminal

1 Code of 1961 or the Criminal Code of 2012.

2 (e) Any person who receives a disposition of court
3 supervision for a violation of the Illinois Vehicle Code or a
4 similar provision of a local ordinance shall, in addition to
5 any other fines, fees, and court costs, pay an additional fee
6 of \$29, to be disbursed as provided in Section 16-104c of the
7 Illinois Vehicle Code. In addition to the fee of \$29, the
8 person shall also pay a fee of \$6, if not waived by the court.
9 If this \$6 fee is collected, \$5.50 of the fee shall be
10 deposited into the Circuit Court Clerk Operation and
11 Administrative Fund created by the Clerk of the Circuit Court
12 and 50 cents of the fee shall be deposited into the Prisoner
13 Review Board Vehicle and Equipment Fund in the State treasury.

14 (f) This Section does not apply to the additional child
15 pornography fines assessed and collected under Section
16 5-9-1.14 of the Unified Code of Corrections.

17 (g) (Blank).

18 (h) (Blank).

19 (i) Of the amounts collected as fines under subsection (b)
20 of Section 3-712 of the Illinois Vehicle Code, 99% shall be
21 deposited into the Illinois Military Family Relief Fund and 1%
22 shall be deposited into the Circuit Court Clerk Operation and
23 Administrative Fund created by the Clerk of the Circuit Court
24 to be used to offset the costs incurred by the Circuit Court
25 Clerk in performing the additional duties required to collect
26 and disburse funds to entities of State and local government as

1 provided by law.

2 (j) Any person convicted of, pleading guilty to, or placed
3 on supervision for a serious traffic violation, as defined in
4 Section 1-187.001 of the Illinois Vehicle Code, a violation of
5 Section 11-501 of the Illinois Vehicle Code, or a violation of
6 a similar provision of a local ordinance shall pay an
7 additional fee of \$35, to be disbursed as provided in Section
8 16-104d of that Code.

9 This subsection (j) becomes inoperative on January 1, 2020.

10 (k) For any conviction or disposition of court supervision
11 for a violation of Section 11-1429 of the Illinois Vehicle
12 Code, the circuit clerk shall distribute the fines paid by the
13 person as specified by subsection (h) of Section 11-1429 of the
14 Illinois Vehicle Code.

15 (l) Any person who receives a disposition of court
16 supervision for a violation of Section 11-501 of the Illinois
17 Vehicle Code or a similar provision of a local ordinance shall,
18 in addition to any other fines, fees, and court costs, pay an
19 additional fee of \$50, which shall be collected by the circuit
20 clerk and then remitted to the State Treasurer for deposit into
21 the Roadside Memorial Fund, a special fund in the State
22 treasury. However, the court may waive the fee if full
23 restitution is complied with. Subject to appropriation, all
24 moneys in the Roadside Memorial Fund shall be used by the
25 Department of Veterans' Affairs ~~Transportation~~ to pay for the
26 cartage and erection of veterans' headstones ~~fees imposed under~~

1 ~~subsection (f) of Section 20 of the Roadside Memorial Act.~~ The
2 fee shall be remitted by the circuit clerk within one month
3 after receipt to the State Treasurer for deposit into the
4 Roadside Memorial Fund.

5 (m) Of the amounts collected as fines under subsection (c)
6 of Section 411.4 of the Illinois Controlled Substances Act or
7 subsection (c) of Section 90 of the Methamphetamine Control and
8 Community Protection Act, 99% shall be deposited to the law
9 enforcement agency or fund specified and 1% shall be deposited
10 into the Circuit Court Clerk Operation and Administrative Fund
11 to be used to offset the costs incurred by the Circuit Court
12 Clerk in performing the additional duties required to collect
13 and disburse funds to entities of State and local government as
14 provided by law.

15 (n) In addition to any other fines and court costs assessed
16 by the courts, any person who is convicted of or pleads guilty
17 to a violation of the Criminal Code of 1961 or the Criminal
18 Code of 2012, or a similar provision of a local ordinance, or
19 who is convicted of, pleads guilty to, or receives a
20 disposition of court supervision for a violation of the
21 Illinois Vehicle Code, or a similar provision of a local
22 ordinance, shall pay an additional fee of \$15 to the clerk of
23 the circuit court. This additional fee of \$15 shall not be
24 considered a part of the fine for purposes of any reduction in
25 the fine for time served either before or after sentencing.
26 This amount, less 2.5% that shall be used to defray

1 administrative costs incurred by the clerk, shall be remitted
2 by the clerk to the State Treasurer within 60 days after
3 receipt for deposit into the State Police Merit Board Public
4 Safety Fund.

5 (o) The amounts collected as fines under Sections 10-9,
6 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall
7 be collected by the circuit clerk and distributed as provided
8 under Section 5-9-1.21 of the Unified Code of Corrections in
9 lieu of any disbursement under subsection (a) of this Section.

10 (p) In addition to any other fees and penalties imposed,
11 any person who is convicted of or pleads guilty to a violation
12 of Section 20-1 or Section 20-1.1 of the Criminal Code of 2012
13 shall pay an additional fee of \$250 to the clerk of the circuit
14 court. This additional fee of \$250 shall not be considered a
15 part of the fine for purposes of any reduction in the fine for
16 time served either before or after sentencing. This amount,
17 less 2.5% that shall be used to defray administrative costs
18 incurred by the clerk, shall be remitted by the clerk to the
19 Department of Insurance within 60 days after receipt for
20 deposit into the George Bailey Memorial Fund.

21 (Source: P.A. 98-658, eff. 6-23-14; 98-1013, eff. 1-1-15;
22 99-78, eff. 7-20-15; 99-455, eff. 1-1-16.)

23 (Section as amended by P.A. 96-576, 96-578, 96-625, 96-667,
24 96-735, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, 97-1150,
25 98-658, 98-1013, 99-78, and 99-455)

1 Sec. 27.6. (a) All fees, fines, costs, additional
2 penalties, bail balances assessed or forfeited, and any other
3 amount paid by a person to the circuit clerk equalling an
4 amount of \$55 or more, except the fine imposed by Section
5 5-9-1.15 of the Unified Code of Corrections, the additional fee
6 required by subsections (b) and (c), restitution under Section
7 5-5-6 of the Unified Code of Corrections, contributions to a
8 local anti-crime program ordered pursuant to Section
9 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of
10 Corrections, reimbursement for the costs of an emergency
11 response as provided under Section 11-501 of the Illinois
12 Vehicle Code, any fees collected for attending a traffic safety
13 program under paragraph (c) of Supreme Court Rule 529, any fee
14 collected on behalf of a State's Attorney under Section 4-2002
15 of the Counties Code or a sheriff under Section 4-5001 of the
16 Counties Code, or any cost imposed under Section 124A-5 of the
17 Code of Criminal Procedure of 1963, for convictions, orders of
18 supervision, or any other disposition for a violation of
19 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a
20 similar provision of a local ordinance, and any violation of
21 the Child Passenger Protection Act, or a similar provision of a
22 local ordinance, and except as otherwise provided in this
23 Section shall be disbursed within 60 days after receipt by the
24 circuit clerk as follows: 44.5% shall be disbursed to the
25 entity authorized by law to receive the fine imposed in the
26 case; 16.825% shall be disbursed to the State Treasurer; and

1 38.675% shall be disbursed to the county's general corporate
2 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
3 shall be deposited by the State Treasurer into the Violent
4 Crime Victims Assistance Fund, 5.052/17 shall be deposited into
5 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall
6 be deposited into the Drivers Education Fund, and 6.948/17
7 shall be deposited into the Trauma Center Fund. Of the 6.948/17
8 deposited into the Trauma Center Fund from the 16.825%
9 disbursed to the State Treasurer, 50% shall be disbursed to the
10 Department of Public Health and 50% shall be disbursed to the
11 Department of Healthcare and Family Services. For fiscal year
12 1993, amounts deposited into the Violent Crime Victims
13 Assistance Fund, the Traffic and Criminal Conviction Surcharge
14 Fund, or the Drivers Education Fund shall not exceed 110% of
15 the amounts deposited into those funds in fiscal year 1991. Any
16 amount that exceeds the 110% limit shall be distributed as
17 follows: 50% shall be disbursed to the county's general
18 corporate fund and 50% shall be disbursed to the entity
19 authorized by law to receive the fine imposed in the case. Not
20 later than March 1 of each year the circuit clerk shall submit
21 a report of the amount of funds remitted to the State Treasurer
22 under this Section during the preceding year based upon
23 independent verification of fines and fees. All counties shall
24 be subject to this Section, except that counties with a
25 population under 2,000,000 may, by ordinance, elect not to be
26 subject to this Section. For offenses subject to this Section,

1 judges shall impose one total sum of money payable for
2 violations. The circuit clerk may add on no additional amounts
3 except for amounts that are required by Sections 27.3a and
4 27.3c of this Act, Section 16-104c of the Illinois Vehicle
5 Code, and subsection (a) of Section 5-1101 of the Counties
6 Code, unless those amounts are specifically waived by the
7 judge. With respect to money collected by the circuit clerk as
8 a result of forfeiture of bail, ex parte judgment or guilty
9 plea pursuant to Supreme Court Rule 529, the circuit clerk
10 shall first deduct and pay amounts required by Sections 27.3a
11 and 27.3c of this Act. Unless a court ordered payment schedule
12 is implemented or fee requirements are waived pursuant to court
13 order, the clerk of the court may add to any unpaid fees and
14 costs a delinquency amount equal to 5% of the unpaid fees that
15 remain unpaid after 30 days, 10% of the unpaid fees that remain
16 unpaid after 60 days, and 15% of the unpaid fees that remain
17 unpaid after 90 days. Notice to those parties may be made by
18 signage posting or publication. The additional delinquency
19 amounts collected under this Section shall be deposited in the
20 Circuit Court Clerk Operation and Administrative Fund to be
21 used to defray administrative costs incurred by the circuit
22 clerk in performing the duties required to collect and disburse
23 funds. This Section is a denial and limitation of home rule
24 powers and functions under subsection (h) of Section 6 of
25 Article VII of the Illinois Constitution.

26 (b) In addition to any other fines and court costs assessed

1 by the courts, any person convicted or receiving an order of
2 supervision for driving under the influence of alcohol or drugs
3 shall pay an additional fee of \$100 to the clerk of the circuit
4 court. This amount, less 2 1/2% that shall be used to defray
5 administrative costs incurred by the clerk, shall be remitted
6 by the clerk to the Treasurer within 60 days after receipt for
7 deposit into the Trauma Center Fund. This additional fee of
8 \$100 shall not be considered a part of the fine for purposes of
9 any reduction in the fine for time served either before or
10 after sentencing. Not later than March 1 of each year the
11 Circuit Clerk shall submit a report of the amount of funds
12 remitted to the State Treasurer under this subsection during
13 the preceding calendar year.

14 (b-1) In addition to any other fines and court costs
15 assessed by the courts, any person convicted or receiving an
16 order of supervision for driving under the influence of alcohol
17 or drugs shall pay an additional fee of \$5 to the clerk of the
18 circuit court. This amount, less 2 1/2% that shall be used to
19 defray administrative costs incurred by the clerk, shall be
20 remitted by the clerk to the Treasurer within 60 days after
21 receipt for deposit into the Spinal Cord Injury Paralysis Cure
22 Research Trust Fund. This additional fee of \$5 shall not be
23 considered a part of the fine for purposes of any reduction in
24 the fine for time served either before or after sentencing. Not
25 later than March 1 of each year the Circuit Clerk shall submit
26 a report of the amount of funds remitted to the State Treasurer

1 under this subsection during the preceding calendar year.

2 (c) In addition to any other fines and court costs assessed
3 by the courts, any person convicted for a violation of Sections
4 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the
5 Criminal Code of 2012 or a person sentenced for a violation of
6 the Cannabis Control Act, the Illinois Controlled Substances
7 Act, or the Methamphetamine Control and Community Protection
8 Act shall pay an additional fee of \$100 to the clerk of the
9 circuit court. This amount, less 2 1/2% that shall be used to
10 defray administrative costs incurred by the clerk, shall be
11 remitted by the clerk to the Treasurer within 60 days after
12 receipt for deposit into the Trauma Center Fund. This
13 additional fee of \$100 shall not be considered a part of the
14 fine for purposes of any reduction in the fine for time served
15 either before or after sentencing. Not later than March 1 of
16 each year the Circuit Clerk shall submit a report of the amount
17 of funds remitted to the State Treasurer under this subsection
18 during the preceding calendar year.

19 (c-1) In addition to any other fines and court costs
20 assessed by the courts, any person sentenced for a violation of
21 the Cannabis Control Act, the Illinois Controlled Substances
22 Act, or the Methamphetamine Control and Community Protection
23 Act shall pay an additional fee of \$5 to the clerk of the
24 circuit court. This amount, less 2 1/2% that shall be used to
25 defray administrative costs incurred by the clerk, shall be
26 remitted by the clerk to the Treasurer within 60 days after

1 receipt for deposit into the Spinal Cord Injury Paralysis Cure
2 Research Trust Fund. This additional fee of \$5 shall not be
3 considered a part of the fine for purposes of any reduction in
4 the fine for time served either before or after sentencing. Not
5 later than March 1 of each year the Circuit Clerk shall submit
6 a report of the amount of funds remitted to the State Treasurer
7 under this subsection during the preceding calendar year.

8 (d) The following amounts must be remitted to the State
9 Treasurer for deposit into the Illinois Animal Abuse Fund:

10 (1) 50% of the amounts collected for felony offenses
11 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
12 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
13 Animals Act and Section 26-5 or 48-1 of the Criminal Code
14 of 1961 or the Criminal Code of 2012;

15 (2) 20% of the amounts collected for Class A and Class
16 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
17 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
18 for Animals Act and Section 26-5 or 48-1 of the Criminal
19 Code of 1961 or the Criminal Code of 2012; and

20 (3) 50% of the amounts collected for Class C
21 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
22 for Animals Act and Section 26-5 or 48-1 of the Criminal
23 Code of 1961 or the Criminal Code of 2012.

24 (e) Any person who receives a disposition of court
25 supervision for a violation of the Illinois Vehicle Code or a
26 similar provision of a local ordinance shall, in addition to

1 any other fines, fees, and court costs, pay an additional fee
2 of \$29, to be disbursed as provided in Section 16-104c of the
3 Illinois Vehicle Code. In addition to the fee of \$29, the
4 person shall also pay a fee of \$6, if not waived by the court.
5 If this \$6 fee is collected, \$5.50 of the fee shall be
6 deposited into the Circuit Court Clerk Operation and
7 Administrative Fund created by the Clerk of the Circuit Court
8 and 50 cents of the fee shall be deposited into the Prisoner
9 Review Board Vehicle and Equipment Fund in the State treasury.

10 (f) This Section does not apply to the additional child
11 pornography fines assessed and collected under Section
12 5-9-1.14 of the Unified Code of Corrections.

13 (g) Any person convicted of or pleading guilty to a serious
14 traffic violation, as defined in Section 1-187.001 of the
15 Illinois Vehicle Code, shall pay an additional fee of \$35, to
16 be disbursed as provided in Section 16-104d of that Code. This
17 subsection (g) becomes inoperative on January 1, 2020.

18 (h) In all counties having a population of 3,000,000 or
19 more inhabitants,

20 (1) A person who is found guilty of or pleads guilty to
21 violating subsection (a) of Section 11-501 of the Illinois
22 Vehicle Code, including any person placed on court
23 supervision for violating subsection (a), shall be fined
24 \$750 as provided for by subsection (f) of Section 11-501.01
25 of the Illinois Vehicle Code, payable to the circuit clerk,
26 who shall distribute the money pursuant to subsection (f)

1 of Section 11-501.01 of the Illinois Vehicle Code.

2 (2) When a crime laboratory DUI analysis fee of \$150,
3 provided for by Section 5-9-1.9 of the Unified Code of
4 Corrections is assessed, it shall be disbursed by the
5 circuit clerk as provided by subsection (f) of Section
6 5-9-1.9 of the Unified Code of Corrections.

7 (3) When a fine for a violation of Section 11-605.1 of
8 the Illinois Vehicle Code is \$250 or greater, the person
9 who violated that Section shall be charged an additional
10 \$125 as provided for by subsection (e) of Section 11-605.1
11 of the Illinois Vehicle Code, which shall be disbursed by
12 the circuit clerk to a State or county Transportation
13 Safety Highway Hire-back Fund as provided by subsection (e)
14 of Section 11-605.1 of the Illinois Vehicle Code.

15 (4) When a fine for a violation of subsection (a) of
16 Section 11-605 of the Illinois Vehicle Code is \$150 or
17 greater, the additional \$50 which is charged as provided
18 for by subsection (f) of Section 11-605 of the Illinois
19 Vehicle Code shall be disbursed by the circuit clerk to a
20 school district or districts for school safety purposes as
21 provided by subsection (f) of Section 11-605.

22 (5) When a fine for a violation of subsection (a) of
23 Section 11-1002.5 of the Illinois Vehicle Code is \$150 or
24 greater, the additional \$50 which is charged as provided
25 for by subsection (c) of Section 11-1002.5 of the Illinois
26 Vehicle Code shall be disbursed by the circuit clerk to a

1 school district or districts for school safety purposes as
2 provided by subsection (c) of Section 11-1002.5 of the
3 Illinois Vehicle Code.

4 (6) When a mandatory drug court fee of up to \$5 is
5 assessed as provided in subsection (f) of Section 5-1101 of
6 the Counties Code, it shall be disbursed by the circuit
7 clerk as provided in subsection (f) of Section 5-1101 of
8 the Counties Code.

9 (7) When a mandatory teen court, peer jury, youth
10 court, or other youth diversion program fee is assessed as
11 provided in subsection (e) of Section 5-1101 of the
12 Counties Code, it shall be disbursed by the circuit clerk
13 as provided in subsection (e) of Section 5-1101 of the
14 Counties Code.

15 (8) When a Children's Advocacy Center fee is assessed
16 pursuant to subsection (f-5) of Section 5-1101 of the
17 Counties Code, it shall be disbursed by the circuit clerk
18 as provided in subsection (f-5) of Section 5-1101 of the
19 Counties Code.

20 (9) When a victim impact panel fee is assessed pursuant
21 to subsection (b) of Section 11-501.01 of the Vehicle Code,
22 it shall be disbursed by the circuit clerk to the victim
23 impact panel to be attended by the defendant.

24 (10) When a new fee collected in traffic cases is
25 enacted after the effective date of this subsection (h), it
26 shall be excluded from the percentage disbursement

1 provisions of this Section unless otherwise indicated by
2 law.

3 (i) Of the amounts collected as fines under subsection (b)
4 of Section 3-712 of the Illinois Vehicle Code, 99% shall be
5 deposited into the Illinois Military Family Relief Fund and 1%
6 shall be deposited into the Circuit Court Clerk Operation and
7 Administrative Fund created by the Clerk of the Circuit Court
8 to be used to offset the costs incurred by the Circuit Court
9 Clerk in performing the additional duties required to collect
10 and disburse funds to entities of State and local government as
11 provided by law.

12 (j) (Blank).

13 (k) For any conviction or disposition of court supervision
14 for a violation of Section 11-1429 of the Illinois Vehicle
15 Code, the circuit clerk shall distribute the fines paid by the
16 person as specified by subsection (h) of Section 11-1429 of the
17 Illinois Vehicle Code.

18 (l) Any person who receives a disposition of court
19 supervision for a violation of Section 11-501 of the Illinois
20 Vehicle Code or a similar provision of a local ordinance shall,
21 in addition to any other fines, fees, and court costs, pay an
22 additional fee of \$50, which shall be collected by the circuit
23 clerk and then remitted to the State Treasurer for deposit into
24 the Roadside Memorial Fund, a special fund in the State
25 treasury. However, the court may waive the fee if full
26 restitution is complied with. Subject to appropriation, all

1 moneys in the Roadside Memorial Fund shall be used by the
2 Department of Veterans' Affairs ~~Transportation~~ to pay for the
3 cartage and erection of veterans' headstones ~~fees imposed under~~
4 ~~subsection (f) of Section 20 of the Roadside Memorial Act.~~ The
5 fee shall be remitted by the circuit clerk within one month
6 after receipt to the State Treasurer for deposit into the
7 Roadside Memorial Fund.

8 (m) Of the amounts collected as fines under subsection (c)
9 of Section 411.4 of the Illinois Controlled Substances Act or
10 subsection (c) of Section 90 of the Methamphetamine Control and
11 Community Protection Act, 99% shall be deposited to the law
12 enforcement agency or fund specified and 1% shall be deposited
13 into the Circuit Court Clerk Operation and Administrative Fund
14 to be used to offset the costs incurred by the Circuit Court
15 Clerk in performing the additional duties required to collect
16 and disburse funds to entities of State and local government as
17 provided by law.

18 (n) In addition to any other fines and court costs assessed
19 by the courts, any person who is convicted of or pleads guilty
20 to a violation of the Criminal Code of 1961 or the Criminal
21 Code of 2012, or a similar provision of a local ordinance, or
22 who is convicted of, pleads guilty to, or receives a
23 disposition of court supervision for a violation of the
24 Illinois Vehicle Code, or a similar provision of a local
25 ordinance, shall pay an additional fee of \$15 to the clerk of
26 the circuit court. This additional fee of \$15 shall not be

1 considered a part of the fine for purposes of any reduction in
2 the fine for time served either before or after sentencing.
3 This amount, less 2.5% that shall be used to defray
4 administrative costs incurred by the clerk, shall be remitted
5 by the clerk to the State Treasurer within 60 days after
6 receipt for deposit into the State Police Merit Board Public
7 Safety Fund.

8 (o) The amounts collected as fines under Sections 10-9,
9 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall
10 be collected by the circuit clerk and distributed as provided
11 under Section 5-9-1.21 of the Unified Code of Corrections in
12 lieu of any disbursement under subsection (a) of this Section.

13 (p) In addition to any other fees and penalties imposed,
14 any person who is convicted of or pleads guilty to a violation
15 of Section 20-1 or Section 20-1.1 of the Criminal Code of 2012
16 shall pay an additional fee of \$250 to the clerk of the circuit
17 court. This additional fee of \$250 shall not be considered a
18 part of the fine for purposes of any reduction in the fine for
19 time served either before or after sentencing. This amount,
20 less 2.5% that shall be used to defray administrative costs
21 incurred by the clerk, shall be remitted by the clerk to the
22 Department of Insurance within 60 days after receipt for
23 deposit into the George Bailey Memorial Fund.

24 (Source: P.A. 98-658, eff. 6-23-14; 98-1013, eff. 1-1-15;
25 99-78, eff. 7-20-15; 99-455, eff. 1-1-16.)

1 Section 35. The Unified Code of Corrections is amended by
2 changing Section 5-9-1.18 as follows:

3 (730 ILCS 5/5-9-1.18)

4 Sec. 5-9-1.18. Fee; Roadside Memorial Fund. A person who is
5 convicted or receives a disposition of court supervision for a
6 violation of Section 11-501 of the Illinois Vehicle Code shall,
7 in addition to any other disposition, penalty, or fine imposed,
8 pay a fee of \$50 which shall be collected by the clerk of the
9 court and then remitted to the State Treasurer for deposit into
10 the Roadside Memorial Fund, a special fund that is created in
11 the State treasury. However, the court may waive the fee if
12 full restitution is complied with. Subject to appropriation,
13 all moneys in the Roadside Memorial Fund shall be used by the
14 Department of Veterans' Affairs ~~Transportation~~ to pay for the
15 cartage and erection of veterans' headstones ~~fees imposed under~~
16 ~~subsection (f) of Section 20 of the Roadside Memorial Act.~~

17 (Source: P.A. 96-667, eff. 8-25-09; 96-1000, eff. 7-2-10.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 30 ILCS 105/6z-68

4 30 ILCS 330/13 from Ch. 127, par. 663

5 30 ILCS 740/2-2.04 from Ch. 111 2/3, par. 662.04

6 30 ILCS 740/2-15 from Ch. 111 2/3, par. 675.1

7 35 ILCS 505/8 from Ch. 120, par. 424

8 70 ILCS 3615/4.09 from Ch. 111 2/3, par. 704.09

9 705 ILCS 105/27.5 from Ch. 25, par. 27.5

10 705 ILCS 105/27.6

11 730 ILCS 5/5-9-1.18