



Sen. Christopher Belt

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10100HB2497sam003

LRB101 09978 LNS 61474 a

1 AMENDMENT TO HOUSE BILL 2497

2 AMENDMENT NO. _____. Amend House Bill 2497, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment No.
4 2, on page 1, by replacing line 6 with the following:

5 "15-25, 15-30, 15-35, 15-40, 15-45, 15-65, and 15-70 as
6 follows:"; and

7 on page 27, immediately below line 9, by inserting the
8 following:

9 "(705 ILCS 135/15-70)

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

12 (Section scheduled to be repealed on January 1, 2021)

13 Sec. 15-70. Conditional assessments. In addition to
14 payments under one of the Schedule of Assessments 1 through 13
15 of this Act, the court shall also order payment of any of the

1 following conditional assessment amounts for each sentenced
2 violation in the case to which a conditional assessment is
3 applicable, which shall be collected and remitted by the Clerk
4 of the Circuit Court as provided in this Section:

5 (1) arson, residential arson, or aggravated arson,
6 \$500 per conviction to the State Treasurer for deposit into
7 the Fire Prevention Fund;

8 (2) child pornography under Section 11-20.1 of the
9 Criminal Code of 1961 or the Criminal Code of 2012, \$500
10 per conviction, unless more than one agency is responsible
11 for the arrest in which case the amount shall be remitted
12 to each unit of government equally:

13 (A) if the arresting agency is an agency of a unit
14 of local government, \$500 to the treasurer of the unit
15 of local government for deposit into the unit of local
16 government's General Fund, except that if the
17 Department of State Police provides digital or
18 electronic forensic examination assistance, or both,
19 to the arresting agency then \$100 to the State
20 Treasurer for deposit into the State Crime Laboratory
21 Fund; or

22 (B) if the arresting agency is the Department of
23 State Police, \$500 to the State Treasurer for deposit
24 into the State Crime Laboratory Fund;

25 (3) crime laboratory drug analysis for a drug-related
26 offense involving possession or delivery of cannabis or

1 possession or delivery of a controlled substance as defined
2 in the Cannabis Control Act, the Illinois Controlled
3 Substances Act, or the Methamphetamine Control and
4 Community Protection Act, \$100 reimbursement for
5 laboratory analysis, as set forth in subsection (f) of
6 Section 5-9-1.4 of the Unified Code of Corrections;

7 (4) DNA analysis, \$250 on each conviction in which it
8 was used to the State Treasurer for deposit into the State
9 Offender DNA Identification System Fund as set forth in
10 Section 5-4-3 of the Unified Code of Corrections;

11 (5) DUI analysis, \$150 on each sentenced violation in
12 which it was used as set forth in subsection (f) of Section
13 5-9-1.9 of the Unified Code of Corrections;

14 (6) drug-related offense involving possession or
15 delivery of cannabis or possession or delivery of a
16 controlled substance, other than methamphetamine, as
17 defined in the Cannabis Control Act or the Illinois
18 Controlled Substances Act, an amount not less than the full
19 street value of the cannabis or controlled substance seized
20 for each conviction to be disbursed as follows:

21 (A) 12.5% of the street value assessment shall be
22 paid into the Youth Drug Abuse Prevention Fund, to be
23 used by the Department of Human Services for the
24 funding of programs and services for drug-abuse
25 treatment, and prevention and education services;

26 (B) 37.5% to the county in which the charge was

1 prosecuted, to be deposited into the county General
2 Fund;

3 (C) 50% to the treasurer of the arresting law
4 enforcement agency of the municipality or county, or to
5 the State Treasurer if the arresting agency was a state
6 agency, to be deposited as provided for in subsection
7 (c) of Section 10-5;

8 (D) if the arrest was made in combination with
9 multiple law enforcement agencies, the clerk shall
10 equitably allocate the portion in subparagraph (C) of
11 this paragraph (6) among the law enforcement agencies
12 involved in the arrest;

13 (6.5) Kane County or Will County, in felony,
14 misdemeanor, local or county ordinance, traffic, or
15 conservation cases, up to \$30 as set by the county board
16 under Section 5-1101.3 of the Counties Code upon the entry
17 of a judgment of conviction, an order of supervision, or a
18 sentence of probation without entry of judgment under
19 Section 10 of the Cannabis Control Act, Section 410 of the
20 Illinois Controlled Substances Act, Section 70 of the
21 Methamphetamine Control and Community Protection Act,
22 Section 12-4.3 or subdivision (b) (1) of Section 12-3.05 of
23 the Criminal Code of 1961 or the Criminal Code of 2012,
24 Section 10-102 of the Illinois Alcoholism and Other Drug
25 Dependency Act, or Section 10 of the Steroid Control Act;
26 except in local or county ordinance, traffic, and

1 conservation cases, if fines are paid in full without a
2 court appearance, then the assessment shall not be imposed
3 or collected. Distribution of assessments collected under
4 this paragraph (6.5) shall be as provided in Section
5 5-1101.3 of the Counties Code;

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

18 (A) 12.5% of the street value assessment shall be
19 paid into the Youth Drug Abuse Prevention Fund, to be
20 used by the Department of Human Services for the
21 funding of programs and services for drug-abuse
22 treatment, and prevention and education services;

23 (B) 37.5% to the county in which the charge was
24 prosecuted, to be deposited into the county General
25 Fund;

26 (C) 50% to the treasurer of the arresting law

1 enforcement agency of the municipality or county, or to
2 the State Treasurer if the arresting agency was a state
3 agency;

4 (D) if the arrest was made in combination with
5 multiple law enforcement agencies, the clerk shall
6 equitably allocate the portion in subparagraph (C) of
7 this paragraph (6) among the law enforcement agencies
8 involved in the arrest;

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

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

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

20 (A) petty or business offense, \$4 to the county
21 treasurer of which \$2 deposited into the State's
22 Attorney Records Automation Fund and \$2 into the Public
23 Defender Records Automation Fund;

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

1 (11) speeding in a construction zone violation, \$250 to
2 the State Treasurer for deposit into the Transportation
3 Safety Highway Hire-back Fund, unless (i) the violation
4 occurred on a highway other than an interstate highway and
5 (ii) a county police officer wrote the ticket for the
6 violation, in which case to the county treasurer for
7 deposit into that county's Transportation Safety Highway
8 Hire-back Fund;

9 (12) supervision disposition on an offense under the
10 Illinois Vehicle Code or similar provision of a local
11 ordinance, 50 cents, unless waived by the court, into the
12 Prisoner Review Board Vehicle and Equipment Fund;

13 (13) victim and offender are family or household
14 members as defined in Section 103 of the Illinois Domestic
15 Violence Act of 1986 and offender pleads guilty or no
16 contest to or is convicted of murder, voluntary
17 manslaughter, involuntary manslaughter, burglary,
18 residential burglary, criminal trespass to residence,
19 criminal trespass to vehicle, criminal trespass to land,
20 criminal damage to property, telephone harassment,
21 kidnapping, aggravated kidnaping, unlawful restraint,
22 forcible detention, child abduction, indecent solicitation
23 of a child, sexual relations between siblings,
24 exploitation of a child, child pornography, assault,
25 aggravated assault, battery, aggravated battery, heinous
26 battery, aggravated battery of a child, domestic battery,

1 reckless conduct, intimidation, criminal sexual assault,
2 predatory criminal sexual assault of a child, aggravated
3 criminal sexual assault, criminal sexual abuse, aggravated
4 criminal sexual abuse, violation of an order of protection,
5 disorderly conduct, endangering the life or health of a
6 child, child abandonment, contributing to dependency or
7 neglect of child, or cruelty to children and others, \$200
8 for each sentenced violation to the State Treasurer for
9 deposit as follows: (i) for sexual assault, as defined in
10 Section 5-9-1.7 of the Unified Code of Corrections, when
11 the offender and victim are family members, one-half to the
12 Domestic Violence Shelter and Service Fund, and one-half to
13 the Sexual Assault Services Fund; (ii) for the remaining
14 offenses to the Domestic Violence Shelter and Service Fund;

15 (14) violation of Section 11-501 of the Illinois
16 Vehicle Code, Section 5-7 of the Snowmobile Registration
17 and Safety Act, Section 5-16 of the Boat Registration and
18 Safety Act, or a similar provision, whose operation of a
19 motor vehicle, snowmobile, or watercraft while in
20 violation of Section 11-501, Section 5-7 of the Snowmobile
21 Registration and Safety Act, Section 5-16 of the Boat
22 Registration and Safety Act, or a similar provision
23 proximately caused an incident resulting in an appropriate
24 emergency response, \$1,000 maximum to the public agency
25 that provided an emergency response related to the person's
26 violation, and if more than one agency responded, the

1 amount payable to public agencies shall be shared equally;

2 (15) violation of Section 401, 407, or 407.2 of the
3 Illinois Controlled Substances Act that proximately caused
4 any incident resulting in an appropriate drug-related
5 emergency response, \$1,000 as reimbursement for the
6 emergency response to the law enforcement agency that made
7 the arrest, and if more than one agency is responsible for
8 the arrest, the amount payable to law enforcement agencies
9 shall be shared equally;

10 (16) violation of reckless driving, aggravated
11 reckless driving, or driving 26 miles per hour or more in
12 excess of the speed limit that triggered an emergency
13 response, \$1,000 maximum reimbursement for the emergency
14 response to be distributed in its entirety to a public
15 agency that provided an emergency response related to the
16 person's violation, and if more than one agency responded,
17 the amount payable to public agencies shall be shared
18 equally;

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

25 (A) \$50 to the county treasurer for deposit into
26 the Circuit Court Clerk Operation and Administrative

1 Fund to cover the costs in administering this paragraph
2 (17);

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

5 (i) if the arresting or investigating agency
6 is the Department of State Police, into the State
7 Police Law Enforcement Administration Fund;

8 (ii) if the arresting or investigating agency
9 is the Department of Natural Resources, into the
10 Conservation Police Operations Assistance Fund;

11 (iii) if the arresting or investigating agency
12 is the Secretary of State, into the Secretary of
13 State Police Services Fund;

14 (iv) if the arresting or investigating agency
15 is the Illinois Commerce Commission, into the
16 Public Utility Fund; or

17 (v) if more than one of the State agencies in
18 this subparagraph (B) is the arresting or
19 investigating agency, then equal shares with the
20 shares deposited as provided in the applicable
21 items (i) through (iv) of this subparagraph (B);
22 and

23 (C) the remainder for deposit into the Specialized
24 Services for Survivors of Human Trafficking Fund; and

25 (18) weapons violation under Section 24-1.1, 24-1.2,
26 or 24-1.5 of the Criminal Code of 1961 or the Criminal Code

1 of 2012, \$100 for each conviction to the State Treasurer
2 for deposit into the Trauma Center Fund.
3 (Source: P.A. 100-987, eff. 7-1-19; 100-1161, eff. 7-1-19.)".