



Rep. La Shawn K. Ford

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1 AMENDMENT TO HOUSE BILL 3905

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3905 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by adding  
5 Section 5.930 as follows:

6 (30 ILCS 105/5.930 new)

7 Sec. 5.930. The Service Animal Training Fund.

8 Section 10. The Criminal Code of 2012 is amended by adding  
9 Section 48-8.5 as follows:

10 (720 ILCS 5/48-8.5 new)

11 Sec. 48-8.5. Misrepresentation of service animal.

12 (a) A person commits misrepresentation of an animal as a  
13 service animal when:

14 (1) the person intentionally misrepresents an animal

1 in his or her possession as his or her service animal, or a  
2 person with a disability's service animal whom the person  
3 is assisting by controlling, for the purpose of obtaining  
4 any of the rights or privileges set forth in State or  
5 federal law;

6 (2) the person was previously given a written or verbal  
7 warning regarding the fact that it is illegal to  
8 misrepresent an animal as a service animal; and

9 (3) the person knows that the animal is not a service  
10 animal.

11 (b) A person who violates this Section commits a petty  
12 offense.

13 (c) For purposes of this Section, "service animal" has the  
14 same meaning as in Section 2.01c of the Humane Care for Animals  
15 Act.

16 Section 15. The Criminal and Traffic Assessment Act is  
17 amended by changing Sections 10-5 and 15-70 as follows:

18 (705 ILCS 135/10-5)

19 (Section scheduled to be repealed on January 1, 2021)

20 Sec. 10-5. Funds.

21 (a) All money collected by the Clerk of the Circuit Court  
22 under Article 15 of this Act shall be remitted as directed in  
23 Article 15 of this Act to the county treasurer, to the State  
24 Treasurer, and to the treasurers of the units of local

1 government. If an amount payable to any of the treasurers is  
2 less than \$10, the clerk may postpone remitting the money until  
3 \$10 has accrued or by the end of fiscal year. The treasurers  
4 shall deposit the money as indicated in the schedules, except,  
5 in a county with a population of over 3,000,000, money remitted  
6 to the county treasurer shall be subject to appropriation by  
7 the county board. Any amount retained by the Clerk of the  
8 Circuit Court in a county with population of over 3,000,000  
9 shall be subject to appropriation by the county board.

10 (b) The county treasurer or the treasurer of the unit of  
11 local government may create the funds indicated in paragraphs  
12 (1) through (5), (9), and (16) of subsection (d) of this  
13 Section, if not already in existence. If a county or unit of  
14 local government has not instituted, and does not plan to  
15 institute a program that uses a particular fund, the treasurer  
16 need not create the fund and may instead deposit the money  
17 intended for the fund into the general fund of the county or  
18 unit of local government for use in financing the court system.

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

23 (1) if the arresting agency is the Department of State  
24 Police, into the State Police Law Enforcement  
25 Administration Fund;

26 (2) if the arresting agency is the Department of

1 Natural Resources, into the Conservation Police Operations  
2 Assistance Fund;

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

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

7 (d) Fund descriptions and provisions:

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

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

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

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

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

24 (5) The Public Defender Records Automation Fund is to  
25 defray the expense of establishing and maintaining  
26 automated record keeping systems in the offices of the

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

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

25 (7) The Trauma Center Fund shall be distributed as  
26 provided under Section 3.225 of the Emergency Medical

1 Services (EMS) Systems Act.

2 (8) The Probation and Court Services Fund is to be  
3 expended as described in Section 15.1 of the Probation and  
4 Probation Officers Act.

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

11 (10) The Drug Treatment Fund is a special fund in the  
12 State treasury. Moneys in the Fund shall be expended as  
13 provided in Section 411.2 of the Illinois Controlled  
14 Substances Act.

15 (11) The Violent Crime Victims Assistance Fund is a  
16 special fund in the State treasury to provide moneys for  
17 the grants to be awarded under the Violent Crime Victims  
18 Assistance Act.

19 (12) The Criminal Justice Information Projects Fund  
20 shall be appropriated to and administered by the Illinois  
21 Criminal Justice Information Authority for distribution to  
22 fund Department of State Police drug task forces and  
23 Metropolitan Enforcement Groups, for the costs associated  
24 with making grants from the Prescription Pill and Drug  
25 Disposal Fund, for undertaking criminal justice  
26 information projects, and for the operating and other

1 expenses of the Authority incidental to those criminal  
2 justice information projects. The moneys deposited into  
3 the Criminal Justice Information Projects Fund under  
4 Sections 15-15 and 15-35 of this Act shall be appropriated  
5 to and administered by the Illinois Criminal Justice  
6 Information Authority for distribution to fund Department  
7 of State Police drug task forces and Metropolitan  
8 Enforcement Groups by dividing the funds equally by the  
9 total number of Department of State Police drug task forces  
10 and Illinois Metropolitan Enforcement Groups.

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

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

25 (15) The Prisoner Review Board Vehicle and Equipment  
26 Fund is a special fund in the State treasury. The Prisoner



1 Review Board shall, subject to appropriation by the General  
2 Assembly and approval by the Secretary, use all moneys in  
3 the Prisoner Review Board Vehicle and Equipment Fund for  
4 the purchase and operation of vehicles and equipment.

5 (16) In each county in which a Children's Advocacy  
6 Center provides services, a Child Advocacy Center Fund is  
7 specifically for the operation and administration of the  
8 Children's Advocacy Center, from which the county board  
9 shall make grants to support the activities and services of  
10 the Children's Advocacy Center within that county.

11 (17) There is created in the State treasury the Service  
12 Animal Training Fund to be used by the Secretary of Human  
13 Services to provide grants to companies and nonprofit  
14 organizations approved by the Secretary that provide, on a  
15 needs basis as determined by the Secretary, discounted or  
16 free training of adopted service animals. In this paragraph  
17 (17):

18 (A) "Adopted service animal" means a service  
19 animal that is given to or purchased by a person with a  
20 disability for the person's safety, guidance, mental,  
21 or physical well-being.

22 (B) "Company" has the meaning ascribed to it in  
23 paragraph (2.5) of subsection (a) of Section 10-9 of  
24 the Criminal Code of 2012.

25 (C) "Nonprofit organization" means a 501(c)(3)  
26 organization under the federal Internal Revenue Code.

1 (Source: P.A. 100-987, eff. 7-1-19; 100-1161, eff. 7-1-19.)

2 (705 ILCS 135/15-70)

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

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

11 (1) arson, residential arson, or aggravated arson,  
12 \$500 per conviction to the State Treasurer for deposit into  
13 the Fire Prevention Fund;

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

19 (A) if the arresting agency is an agency of a unit  
20 of local government, \$500 to the treasurer of the unit  
21 of local government for deposit into the unit of local  
22 government's General Fund, except that if the  
23 Department of State Police provides digital or  
24 electronic forensic examination assistance, or both,  
25 to the arresting agency then \$100 to the State

1           Treasurer for deposit into the State Crime Laboratory  
2           Fund; or

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

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

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

18          (5) DUI analysis, \$150 on each sentenced violation in  
19          which it was used as set forth in subsection (f) of Section  
20          5-9-1.9 of the Unified Code of Corrections;

21          (6) drug-related offense involving possession or  
22          delivery of cannabis or possession or delivery of a  
23          controlled substance, other than methamphetamine, as  
24          defined in the Cannabis Control Act or the Illinois  
25          Controlled Substances Act, an amount not less than the full  
26          street value of the cannabis or controlled substance seized

1 for each conviction to be disbursed as follows:

2 (A) 12.5% of the street value assessment shall be  
3 paid into the Youth Drug Abuse Prevention Fund, to be  
4 used by the Department of Human Services for the  
5 funding of programs and services for drug-abuse  
6 treatment, and prevention and education services;

7 (B) 37.5% to the county in which the charge was  
8 prosecuted, to be deposited into the county General  
9 Fund;

10 (C) 50% to the treasurer of the arresting law  
11 enforcement agency of the municipality or county, or to  
12 the State Treasurer if the arresting agency was a state  
13 agency;

14 (D) if the arrest was made in combination with  
15 multiple law enforcement agencies, the clerk shall  
16 equitably allocate the portion in subparagraph (C) of  
17 this paragraph (6) among the law enforcement agencies  
18 involved in the arrest;

19 (6.5) Kane County or Will County, in felony,  
20 misdemeanor, local or county ordinance, traffic, or  
21 conservation cases, up to \$30 as set by the county board  
22 under Section 5-1101.3 of the Counties Code upon the entry  
23 of a judgment of conviction, an order of supervision, or a  
24 sentence of probation without entry of judgment under  
25 Section 10 of the Cannabis Control Act, Section 410 of the  
26 Illinois Controlled Substances Act, Section 70 of the

1 Methamphetamine Control and Community Protection Act,  
2 Section 12-4.3 or subdivision (b) (1) of Section 12-3.05 of  
3 the Criminal Code of 1961 or the Criminal Code of 2012,  
4 Section 10-102 of the Illinois Alcoholism and Other Drug  
5 Dependency Act, or Section 10 of the Steroid Control Act;  
6 except in local or county ordinance, traffic, and  
7 conservation cases, if fines are paid in full without a  
8 court appearance, then the assessment shall not be imposed  
9 or collected. Distribution of assessments collected under  
10 this paragraph (6.5) shall be as provided in Section  
11 5-1101.3 of the Counties Code;

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

24 (A) 12.5% of the street value assessment shall be  
25 paid into the Youth Drug Abuse Prevention Fund, to be  
26 used by the Department of Human Services for the

1 funding of programs and services for drug-abuse  
2 treatment, and prevention and education services;

3 (B) 37.5% to the county in which the charge was  
4 prosecuted, to be deposited into the county General  
5 Fund;

6 (C) 50% to the treasurer of the arresting law  
7 enforcement agency of the municipality or county, or to  
8 the State Treasurer if the arresting agency was a state  
9 agency;

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

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

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

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

26 (A) petty or business offense, \$4 to the county

1           treasurer of which \$2 deposited into the State's  
2           Attorney Records Automation Fund and \$2 into the Public  
3           Defender Records Automation Fund;

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

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

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

19          (13) victim and offender are family or household  
20          members as defined in Section 103 of the Illinois Domestic  
21          Violence Act of 1986 and offender pleads guilty or no  
22          contest to or is convicted of murder, voluntary  
23          manslaughter, involuntary manslaughter, burglary,  
24          residential burglary, criminal trespass to residence,  
25          criminal trespass to vehicle, criminal trespass to land,  
26          criminal damage to property, telephone harassment,

1 kidnapping, aggravated kidnaping, unlawful restraint,  
2 forcible detention, child abduction, indecent solicitation  
3 of a child, sexual relations between siblings,  
4 exploitation of a child, child pornography, assault,  
5 aggravated assault, battery, aggravated battery, heinous  
6 battery, aggravated battery of a child, domestic battery,  
7 reckless conduct, intimidation, criminal sexual assault,  
8 predatory criminal sexual assault of a child, aggravated  
9 criminal sexual assault, criminal sexual abuse, aggravated  
10 criminal sexual abuse, violation of an order of protection,  
11 disorderly conduct, endangering the life or health of a  
12 child, child abandonment, contributing to dependency or  
13 neglect of child, or cruelty to children and others, \$200  
14 for each sentenced violation to the State Treasurer for  
15 deposit as follows: (i) for sexual assault, as defined in  
16 Section 5-9-1.7 of the Unified Code of Corrections, when  
17 the offender and victim are family members, one-half to the  
18 Domestic Violence Shelter and Service Fund, and one-half to  
19 the Sexual Assault Services Fund; (ii) for the remaining  
20 offenses to the Domestic Violence Shelter and Service Fund;  
21 (14) violation of Section 11-501 of the Illinois  
22 Vehicle Code, Section 5-7 of the Snowmobile Registration  
23 and Safety Act, Section 5-16 of the Boat Registration and  
24 Safety Act, or a similar provision, whose operation of a  
25 motor vehicle, snowmobile, or watercraft while in  
26 violation of Section 11-501, Section 5-7 of the Snowmobile



1 Registration and Safety Act, Section 5-16 of the Boat  
2 Registration and Safety Act, or a similar provision  
3 proximately caused an incident resulting in an appropriate  
4 emergency response, \$1,000 maximum to the public agency  
5 that provided an emergency response related to the person's  
6 violation, and if more than one agency responded, the  
7 amount payable to public agencies shall be shared equally;

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

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

25 (17) violation based upon each plea of guilty,  
26 stipulation of facts, or finding of guilt resulting in a

1 judgment of conviction or order of supervision for an  
2 offense under Section 10-9, 11-14.1, 11-14.3, or 11-18 of  
3 the Criminal Code of 2012 that results in the imposition of  
4 a fine, to be distributed as follows:

5 (A) \$50 to the county treasurer for deposit into  
6 the Circuit Court Clerk Operation and Administrative  
7 Fund to cover the costs in administering this paragraph  
8 (17);

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

11 (i) if the arresting or investigating agency  
12 is the Department of State Police, into the State  
13 Police Law Enforcement Administration Fund;

14 (ii) if the arresting or investigating agency  
15 is the Department of Natural Resources, into the  
16 Conservation Police Operations Assistance Fund;

17 (iii) if the arresting or investigating agency  
18 is the Secretary of State, into the Secretary of  
19 State Police Services Fund;

20 (iv) if the arresting or investigating agency  
21 is the Illinois Commerce Commission, into the  
22 Public Utility Fund; or

23 (v) if more than one of the State agencies in  
24 this subparagraph (B) is the arresting or  
25 investigating agency, then equal shares with the  
26 shares deposited as provided in the applicable

1 items (i) through (iv) of this subparagraph (B);

2 and

3 (C) the remainder for deposit into the Specialized  
4 Services for Survivors of Human Trafficking Fund;

5 (18) weapons violation under Section 24-1.1, 24-1.2,  
6 or 24-1.5 of the Criminal Code of 1961 or the Criminal Code  
7 of 2012, \$100 for each conviction to the State Treasurer  
8 for deposit into the Trauma Center Fund; ~~and~~

9 (19) violation of subsection (c) of Section 11-907 of  
10 the Illinois Vehicle Code, \$250 to the State Treasurer for  
11 deposit into the Scott's Law Fund, unless a county or  
12 municipal police officer wrote the ticket for the  
13 violation, in which case to the county treasurer for  
14 deposit into that county's or municipality's  
15 Transportation Safety Highway Hire-back Fund to be used as  
16 provided in subsection (j) of Section 11-907 of the  
17 Illinois Vehicle Code; and -

18 (20) violation of Section 48-8.5 of the Criminal Code  
19 of 2012, \$500 for each violation to the State Treasurer for  
20 deposit into the Service Animal Training Fund.

21 (Source: P.A. 100-987, eff. 7-1-19; 100-1161, eff. 7-1-19;  
22 101-173, eff. 1-1-20.)

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law."