

SB3684



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3684

Introduced 2/14/2020, by Sen. Laura M. Murphy

SYNOPSIS AS INTRODUCED:

705 ILCS 105/27.3b

from Ch. 25, par. 27.3b

Amends the Clerks of Courts Act. Allows the clerk of court to accept payment of fines, penalties, or costs by certified check.

LRB101 17471 LNS 70374 b

A BILL FOR

1 AN ACT concerning courts.

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

4 Section 5. The Clerks of Courts Act is amended by changing
5 Section 27.3b as follows:

6 (705 ILCS 105/27.3b) (from Ch. 25, par. 27.3b)

7 Sec. 27.3b. The clerk of court may accept payment of fines,
8 penalties, or costs by certified check, credit card or debit
9 card approved by the clerk from an offender who has been
10 convicted of or placed on court supervision for a traffic
11 offense, petty offense, ordinance offense, or misdemeanor or
12 who has been convicted of a felony offense. The clerk of the
13 circuit court may accept credit card payments over the Internet
14 for fines, penalties, or costs from offenders on voluntary
15 electronic pleas of guilty in minor traffic and conservation
16 offenses to satisfy the requirement of written pleas of guilty
17 as provided in Illinois Supreme Court Rule 529. The clerk of
18 the court may also accept payment of statutory fees by a credit
19 card or debit card. The clerk of the court may also accept the
20 credit card or debit card for the cash deposit of bail bond
21 fees.

22 The Clerk of the circuit court is authorized to enter into
23 contracts with credit card or debit card companies approved by

1 the clerk and to negotiate the payment of convenience and
2 administrative fees normally charged by those companies for
3 allowing the clerk of the circuit court to accept their credit
4 cards or debit cards in payment as authorized herein. The clerk
5 of the circuit court is authorized to enter into contracts with
6 third party fund guarantors, facilitators, and service
7 providers under which those entities may contract directly with
8 customers of the clerk of the circuit court and guarantee and
9 remit the payments to the clerk of the circuit court. Where the
10 offender pays fines, penalties, or costs by credit card or
11 debit card or through a third party fund guarantor,
12 facilitator, or service provider, or anyone paying statutory
13 fees of the circuit court clerk or the posting of cash bail,
14 the clerk shall collect a service fee of up to \$5 or the amount
15 charged to the clerk for use of its services by the credit card
16 or debit card issuer, third party fund guarantor, facilitator,
17 or service provider. This service fee shall be in addition to
18 any other fines, penalties, or costs. The clerk of the circuit
19 court is authorized to negotiate the assessment of convenience
20 and administrative fees by the third party fund guarantors,
21 facilitators, and service providers with the revenue earned by
22 the clerk of the circuit court to be remitted to the county
23 general revenue fund.

24 For the purposes of this Section, "certified check" has the
25 meaning provided in Section 3-409 of the Uniform Commercial
26 Code.

1 (Source: P.A. 95-331, eff. 8-21-07.)