

# HB0828



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB0828

Introduced 2/10/2021, by Rep. Andrew S. Chesney

#### SYNOPSIS AS INTRODUCED:

705 ILCS 105/27.1b  
705 ILCS 135/20-5

Amends the Criminal and Traffic Assessment Act. Repeals the Act on January 1, 2023 (rather than January 1, 2022). Amends the Clerks of Courts Act. Provides that a Section concerning circuit court clerk fees is repealed on January 1, 2023 (rather than January 1, 2022). Effective immediately.

LRB102 04118 LNS 14135 b

FISCAL NOTE ACT  
MAY APPLY

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 27.1b as follows:

6 (705 ILCS 105/27.1b)

7 (Section scheduled to be repealed on January 1, 2022)

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

1 of a fee shall be determined by ordinance or resolution of the  
2 county board and remitted to the county treasurer to be used  
3 for purposes related to the operation of the court system in  
4 the county. In a county with a population of over 3,000,000,  
5 any amount retained by the clerk of the circuit court or  
6 remitted to the county treasurer shall be subject to  
7 appropriation by the county board.

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

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

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

1 purposes.

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

6 (i) up to \$10, as specified by the Supreme  
7 Court in accordance with Part 10A of Article II of  
8 the Code of Civil Procedure, into the Mandatory  
9 Arbitration Fund;

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

11 (iii) \$9 into the Supreme Court Special  
12 Purposes Fund.

13 (C) The clerk shall remit a sum to the County  
14 Treasurer, in an amount not to exceed \$290 in a county  
15 with a population of 3,000,000 or more and in an amount  
16 not to exceed \$250 in any other county, as specified by  
17 ordinance or resolution passed by the county board,  
18 for purposes related to the operation of the court  
19 system in the county.

20 (2) SCHEDULE 2: not to exceed a total of \$357 in a  
21 county with a population of 3,000,000 or more and not to  
22 exceed \$266 in any other county, except as applied to  
23 units of local government and school districts in counties  
24 with more than 3,000,000 inhabitants an amount not to  
25 exceed \$190 through December 31, 2021 and \$184 on and  
26 after January 1, 2022. The fees collected under this

1 schedule shall be disbursed as follows:

2 (A) The clerk shall retain a sum, in an amount not  
3 to exceed \$55 in a county with a population of  
4 3,000,000 or more and in an amount not to exceed \$45 in  
5 any other county determined by the clerk with the  
6 approval of the Supreme Court, to be used for court  
7 automation, court document storage, and administrative  
8 purposes.

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

13 (i) up to \$10, as specified by the Supreme  
14 Court in accordance with Part 10A of Article II of  
15 the Code of Civil Procedure, into the Mandatory  
16 Arbitration Fund;

17 (ii) \$2 into the Access to Justice Fund: and

18 (iii) \$9 into the Supreme Court Special  
19 Purposes Fund.

20 (C) The clerk shall remit a sum to the County  
21 Treasurer, in an amount not to exceed \$281 in a county  
22 with a population of 3,000,000 or more and in an amount  
23 not to exceed \$200 in any other county, as specified by  
24 ordinance or resolution passed by the county board,  
25 for purposes related to the operation of the court  
26 system in the county.

1           (3) SCHEDULE 3: not to exceed a total of \$265 in a  
2 county with a population of 3,000,000 or more and not to  
3 exceed \$89 in any other county, except as applied to units  
4 of local government and school districts in counties with  
5 more than 3,000,000 inhabitants an amount not to exceed  
6 \$190 through December 31, 2021 and \$184 on and after  
7 January 1, 2022. The fees collected under this schedule  
8 shall be disbursed as follows:

9           (A) The clerk shall retain a sum, in an amount not  
10 to exceed \$55 in a county with a population of  
11 3,000,000 or more and in an amount not to exceed \$22 in  
12 any other county determined by the clerk with the  
13 approval of the Supreme Court, to be used for court  
14 automation, court document storage, and administrative  
15 purposes.

16           (B) The clerk shall remit \$11 to the State  
17 Treasurer. The State Treasurer shall deposit the  
18 appropriate amounts in accordance with the clerk's  
19 instructions, as follows:

20                   (i) \$2 into the Access to Justice Fund; and

21                   (ii) \$9 into the Supreme Court Special  
22 Purposes Fund.

23           (C) The clerk shall remit a sum to the County  
24 Treasurer, in an amount not to exceed \$199 in a county  
25 with a population of 3,000,000 or more and in an amount  
26 not to exceed \$56 in any other county, as specified by

1 ordinance or resolution passed by the county board,  
2 for purposes related to the operation of the court  
3 system in the county.

4 (4) SCHEDULE 4: \$0.

5 (b) Appearance. The fee for filing an appearance in a  
6 civil action, including a cannabis civil law action under the  
7 Cannabis Control Act, shall be as set forth in the applicable  
8 schedule under this subsection in accordance with case  
9 categories established by the Supreme Court in schedules.

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

17 (A) The clerk shall retain a sum, in an amount not  
18 to exceed \$50 in a county with a population of  
19 3,000,000 or more and in an amount not to exceed \$45 in  
20 any other county determined by the clerk with the  
21 approval of the Supreme Court, to be used for court  
22 automation, court document storage, and administrative  
23 purposes.

24 (B) The clerk shall remit up to \$21 to the State  
25 Treasurer. The State Treasurer shall deposit the  
26 appropriate amounts, in accordance with the clerk's

1 instructions, as follows:

2 (i) up to \$10, as specified by the Supreme  
3 Court in accordance with Part 10A of Article II of  
4 the Code of Civil Procedure, into the Mandatory  
5 Arbitration Fund;

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

7 (iii) \$9 into the Supreme Court Special  
8 Purposes Fund.

9 (C) The clerk shall remit a sum to the County  
10 Treasurer, in an amount not to exceed \$159 in a county  
11 with a population of 3,000,000 or more and in an amount  
12 not to exceed \$125 in any other county, as specified by  
13 ordinance or resolution passed by the county board,  
14 for purposes related to the operation of the court  
15 system in the county.

16 (2) SCHEDULE 2: not to exceed a total of \$130 in a  
17 county with a population of 3,000,000 or more and not to  
18 exceed \$109 in any other county, except as applied to  
19 units of local government and school districts in counties  
20 with more than 3,000,000 inhabitants an amount not to  
21 exceed \$75. The fees collected under this schedule shall  
22 be disbursed as follows:

23 (A) The clerk shall retain a sum, in an amount not  
24 to exceed \$50 in a county with a population of  
25 3,000,000 or more and in an amount not to exceed \$10 in  
26 any other county determined by the clerk with the



1 approval of the Supreme Court, to be used for court  
2 automation, court document storage, and administrative  
3 purposes.

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

7 (C) The clerk shall remit a sum to the County  
8 Treasurer, in an amount not to exceed \$71 in a county  
9 with a population of 3,000,000 or more and in an amount  
10 not to exceed \$90 in any other county, as specified by  
11 ordinance or resolution passed by the county board,  
12 for purposes related to the operation of the court  
13 system in the county.

14 (3) SCHEDULE 3: \$0.

15 (b-5) Kane County and Will County. In Kane County and Will  
16 County civil cases, there is an additional fee of up to \$30 as  
17 set by the county board under Section 5-1101.3 of the Counties  
18 Code to be paid by each party at the time of filing the first  
19 pleading, paper, or other appearance; provided that no  
20 additional fee shall be required if more than one party is  
21 represented in a single pleading, paper, or other appearance.  
22 Distribution of fees collected under this subsection (b-5)  
23 shall be as provided in Section 5-1101.3 of the Counties Code.

24 (c) Counterclaim or third party complaint. When any  
25 defendant files a counterclaim or third party complaint, as  
26 part of the defendant's answer or otherwise, the defendant

1 shall pay a filing fee for each counterclaim or third party  
2 complaint in an amount equal to the filing fee the defendant  
3 would have had to pay had the defendant brought a separate  
4 action for the relief sought in the counterclaim or third  
5 party complaint, less the amount of the appearance fee, if  
6 any, that the defendant has already paid in the action in which  
7 the counterclaim or third party complaint is filed.

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

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

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

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

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

7           (g) Petition to vacate or modify.

8           (1) In a proceeding involving a petition to vacate or  
9 modify any final judgment or order filed within 30 days  
10 after the judgment or order was entered, except for an  
11 eviction case, small claims case, petition to reopen an  
12 estate, petition to modify, terminate, or enforce a  
13 judgment or order for child or spousal support, or  
14 petition to modify, suspend, or terminate an order for  
15 withholding, the fee shall not exceed \$60 in a county with  
16 a population of 3,000,000 or more and shall not exceed \$50  
17 in any other county, except as applied to units of local  
18 government and school districts in counties with more than  
19 3,000,000 inhabitants an amount not to exceed \$50.

20           (2) In a proceeding involving a petition to vacate or  
21 modify any final judgment or order filed more than 30 days  
22 after the judgment or order was entered, except for a  
23 petition to modify, terminate, or enforce a judgment or  
24 order for child or spousal support, or petition to modify,  
25 suspend, or terminate an order for withholding, the fee  
26 shall not exceed \$75.

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

6           (h) Appeals preparation. The fee for preparation of a  
7           record on appeal shall be based on the number of pages, as  
8           follows:

9           (1) if the record contains no more than 100 pages, the  
10          fee shall not exceed \$70 in a county with a population of  
11          3,000,000 or more and shall not exceed \$50 in any other  
12          county;

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

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

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

1 after remand.

2 (j) Garnishment, wage deduction, and citation. In  
3 garnishment affidavit, wage deduction affidavit, and citation  
4 petition proceedings:

5 (1) if the amount in controversy in the proceeding is  
6 not more than \$1,000, the fee may not exceed \$35 in a  
7 county with a population of 3,000,000 or more and may not  
8 exceed \$15 in any other county, except as applied to units  
9 of local government and school districts in counties with  
10 more than 3,000,000 inhabitants an amount not to exceed  
11 \$15;

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

19 (3) if the amount in controversy in the proceeding is  
20 greater than \$5,000, the fee may not exceed \$65 in a county  
21 with a population of 3,000,000 or more and may not exceed  
22 \$50 in any other county, except as applied to units of  
23 local government and school districts in counties with  
24 more than 3,000,000 inhabitants an amount not to exceed  
25 \$50.

26 (j-5) Debt collection. In any proceeding to collect a debt

1 subject to the exception in item (ii) of subparagraph (A-5) of  
2 paragraph (1) of subsection (z) of this Section, the circuit  
3 court shall order and the clerk shall collect from each  
4 judgment debtor a fee of:

5 (1) \$35 if the amount in controversy in the proceeding  
6 is not more than \$1,000;

7 (2) \$45 if the amount in controversy in the proceeding  
8 is greater than \$1,000 and not more than \$5,000; and

9 (3) \$65 if the amount in controversy in the proceeding  
10 is greater than \$5,000.

11 (k) Collections.

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

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

1 maintain child support orders and record all payments  
2 issued by the State Disbursement Unit for the official  
3 record of the Court. The clerk may recover from the person  
4 making the maintenance or child support payment any  
5 additional cost incurred in the collection of this annual  
6 fee.

7 (3) The clerk may collect a fee of \$5 for  
8 certifications made to the Secretary of State as provided  
9 in Section 7-703 of the Illinois Vehicle Code, and this  
10 fee shall be deposited into the Separate Maintenance and  
11 Child Support Collection Fund.

12 (4) In proceedings to foreclose the lien of delinquent  
13 real estate taxes, State's Attorneys shall receive a fee  
14 of 10% of the total amount realized from the sale of real  
15 estate sold in the proceedings. The clerk shall collect  
16 the fee from the total amount realized from the sale of the  
17 real estate sold in the proceedings and remit to the  
18 County Treasurer to be credited to the earnings of the  
19 Office of the State's Attorney.

20 (l) Mailing. The fee for the clerk mailing documents shall  
21 not exceed \$10 plus the cost of postage.

22 (m) Certified copies. The fee for each certified copy of a  
23 judgment, after the first copy, shall not exceed \$10.

24 (n) Certification, authentication, and reproduction.

25 (1) The fee for each certification or authentication  
26 for taking the acknowledgment of a deed or other

1 instrument in writing with the seal of office shall not  
2 exceed \$6.

3 (2) The fee for reproduction of any document contained  
4 in the clerk's files shall not exceed:

5 (A) \$2 for the first page;

6 (B) 50 cents per page for the next 19 pages; and

7 (C) 25 cents per page for all additional pages.

8 (o) Record search. For each record search, within a  
9 division or municipal district, the clerk may collect a search  
10 fee not to exceed \$6 for each year searched.

11 (p) Hard copy. For each page of hard copy print output,  
12 when case records are maintained on an automated medium, the  
13 clerk may collect a fee not to exceed \$10 in a county with a  
14 population of 3,000,000 or more and not to exceed \$6 in any  
15 other county, except as applied to units of local government  
16 and school districts in counties with more than 3,000,000  
17 inhabitants an amount not to exceed \$6.

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



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

3           (s) Voluntary assignment. For filing each deed of  
4 voluntary assignment, the clerk shall collect a fee not to  
5 exceed \$20. For recording a deed of voluntary assignment, the  
6 clerk shall collect a fee not to exceed 50 cents for each 100  
7 words. Exceptions filed to claims presented to an assignee of  
8 a debtor who has made a voluntary assignment for the benefit of  
9 creditors shall be considered and treated, for the purpose of  
10 taxing costs therein, as actions in which the party or parties  
11 filing the exceptions shall be considered as party or parties  
12 plaintiff, and the claimant or claimants as party or parties  
13 defendant, and those parties respectively shall pay to the  
14 clerk the same fees as provided by this Section to be paid in  
15 other actions.

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

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

23           (v) Probate filings.

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

1           (2) For filing a claim in an estate when the amount  
2           claimed is greater than \$150 and not more than \$500, the  
3           fee shall not exceed \$40 in a county with a population of  
4           3,000,000 or more and shall not exceed \$25 in any other  
5           county; when the amount claimed is greater than \$500 and  
6           not more than \$10,000, the fee shall not exceed \$55 in a  
7           county with a population of 3,000,000 or more and shall  
8           not exceed \$40 in any other county; and when the amount  
9           claimed is more than \$10,000, the fee shall not exceed \$75  
10          in a county with a population of 3,000,000 or more and  
11          shall not exceed \$60 in any other county; except the court  
12          in allowing a claim may add to the amount allowed the  
13          filing fee paid by the claimant.

14          (3) For filing in an estate a claim, petition, or  
15          supplemental proceeding based upon an action seeking  
16          equitable relief including the construction or contest of  
17          a will, enforcement of a contract to make a will, and  
18          proceedings involving testamentary trusts or the  
19          appointment of testamentary trustees, the fee shall not  
20          exceed \$60.

21          (4) There shall be no fee for filing in an estate: (i)  
22          the appearance of any person for the purpose of consent;  
23          or (ii) the appearance of an executor, administrator,  
24          administrator to collect, guardian, guardian ad litem, or  
25          special administrator.

26          (5) For each jury demand, the fee shall not exceed

1           \$137.50.

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

5           (7) For each exemplification, the fee shall not exceed  
6 \$2, plus the fee for certification.

7           (8) The executor, administrator, guardian, petitioner,  
8 or other interested person or his or her attorney shall  
9 pay the cost of publication by the clerk directly to the  
10 newspaper.

11           (9) The person on whose behalf a charge is incurred  
12 for witness, court reporter, appraiser, or other  
13 miscellaneous fees shall pay the same directly to the  
14 person entitled thereto.

15           (10) The executor, administrator, guardian,  
16 petitioner, or other interested person or his or her  
17 attorney shall pay to the clerk all postage charges  
18 incurred by the clerk in mailing petitions, orders,  
19 notices, or other documents pursuant to the provisions of  
20 the Probate Act of 1975.

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

26           (x) Miscellaneous.

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

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

8           (y) Other fees. Any fees not covered in this Section shall  
9 be set by rule or administrative order of the circuit court  
10 with the approval of the Administrative Office of the Illinois  
11 Courts. The clerk of the circuit court may provide services in  
12 connection with the operation of the clerk's office, other  
13 than those services mentioned in this Section, as may be  
14 requested by the public and agreed to by the clerk and approved  
15 by the Chief Judge. Any charges for additional services shall  
16 be as agreed to between the clerk and the party making the  
17 request and approved by the Chief Judge. Nothing in this  
18 subsection shall be construed to require any clerk to provide  
19 any service not otherwise required by law.

20           (y-5) Unpaid fees. Unless a court ordered payment schedule  
21 is implemented or the fee requirements of this Section are  
22 waived under a court order, the clerk of the circuit court may  
23 add to any unpaid fees and costs under this Section a  
24 delinquency amount equal to 5% of the unpaid fees that remain  
25 unpaid after 30 days, 10% of the unpaid fees that remain unpaid  
26 after 60 days, and 15% of the unpaid fees that remain unpaid

1 after 90 days. Notice to those parties may be made by signage  
2 posting or publication. The additional delinquency amounts  
3 collected under this Section shall be deposited into the  
4 Circuit Court Clerk Operations and Administration Fund and  
5 used to defray additional administrative costs incurred by the  
6 clerk of the circuit court in collecting unpaid fees and  
7 costs.

8 (z) Exceptions.

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

10 (A) police departments or other law enforcement  
11 agencies. In this Section, "law enforcement agency"  
12 means: an agency of the State or agency of a unit of  
13 local government which is vested by law or ordinance  
14 with the duty to maintain public order and to enforce  
15 criminal laws or ordinances; the Attorney General; or  
16 any State's Attorney;

17 (A-5) any unit of local government or school  
18 district, except in counties having a population of  
19 500,000 or more the county board may by resolution set  
20 fees for units of local government or school districts  
21 no greater than the minimum fees applicable in  
22 counties with a population less than 3,000,000;  
23 provided however, no fee may be charged to any unit of  
24 local government or school district in connection with  
25 any action which, in whole or in part, is: (i) to  
26 enforce an ordinance; (ii) to collect a debt; or (iii)

1 under the Administrative Review Law;

2 (B) any action instituted by the corporate  
3 authority of a municipality with more than 1,000,000  
4 inhabitants under Section 11-31-1 of the Illinois  
5 Municipal Code and any action instituted under  
6 subsection (b) of Section 11-31-1 of the Illinois  
7 Municipal Code by a private owner or tenant of real  
8 property within 1,200 feet of a dangerous or unsafe  
9 building seeking an order compelling the owner or  
10 owners of the building to take any of the actions  
11 authorized under that subsection;

12 (C) any commitment petition or petition for an  
13 order authorizing the administration of psychotropic  
14 medication or electroconvulsive therapy under the  
15 Mental Health and Developmental Disabilities Code;

16 (D) a petitioner in any order of protection  
17 proceeding, including, but not limited to, fees for  
18 filing, modifying, withdrawing, certifying, or  
19 photocopying petitions for orders of protection,  
20 issuing alias summons, any related filing service, or  
21 certifying, modifying, vacating, or photocopying any  
22 orders of protection; or

23 (E) proceedings for the appointment of a  
24 confidential intermediary under the Adoption Act.

25 (2) No fee other than the filing fee contained in the  
26 applicable schedule in subsection (a) shall be charged to

1 any person in connection with an adoption proceeding.

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

6 (aa) This Section is repealed on January 1, 2023 ~~2022~~.

7 (Source: P.A. 100-987, eff. 7-1-19; 100-994, eff. 7-1-19;  
8 100-1161, eff. 7-1-19; 101-645, eff. 6-26-20; revised  
9 8-18-20.)

10 Section 10. The Criminal and Traffic Assessment Act is  
11 amended by changing Section 20-5 as follows:

12 (705 ILCS 135/20-5)

13 (Section scheduled to be repealed on January 1, 2022)

14 Sec. 20-5. Repeal. This Act is repealed on January 1, 2023  
15 ~~2022~~.

16 (Source: P.A. 100-987, eff. 7-1-19; 101-645, eff. 6-26-20.)

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