



Rep. Kelly M. Burke

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10200SB0583ham001

LRB102 16305 LNS 26231 a

1 AMENDMENT TO SENATE BILL 583

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 583 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Local Records Act is amended by changing  
5 Section 3a as follows:

6 (50 ILCS 205/3a) (from Ch. 116, par. 43.103a)

7 Sec. 3a. Reports and records of the obligation, receipt,  
8 and use of public funds of the Clerk of the Circuit Court of  
9 Cook County, units of local government,  
10 including certified audits, management letters and other audit  
11 reports made by the Auditor General, County Auditors, other  
12 officers or by licensed Certified Public Accountants permitted  
13 to perform audits under the Illinois Public Accounting Act and  
14 presented to the corporate authorities or boards of the units  
15 of local government, are public records available for  
16 inspection by the public. These records shall be kept at the

1 official place of business of the Clerk of the Circuit Court of  
2 Cook County and each unit of local government and school  
3 district or at a designated place of business of the unit or  
4 district. These records shall be available for public  
5 inspection during regular office hours except when in  
6 immediate use by persons exercising official duties which  
7 require the use of those records. The person in charge of such  
8 records may require a notice in writing to be submitted 24  
9 hours prior to inspection and may require that such notice  
10 specify which records are to be inspected. Nothing in this  
11 Section shall require units of local government and school  
12 districts to invade or assist in the invasion of any person's  
13 right to privacy.

14 (Source: P.A. 94-465, eff. 8-4-05.)

15 Section 10. The Clerks of Courts Act is amended by  
16 changing Section 27.3b as follows:

17 (705 ILCS 105/27.3b) (from Ch. 25, par. 27.3b)

18 (Text of Section before amendment by P.A. 101-652)

19 Sec. 27.3b. The clerk of court may accept payment of  
20 fines, penalties, or costs by certified check, credit card, or  
21 debit card approved by the clerk from an offender who has been  
22 convicted of or placed on court supervision for a traffic  
23 offense, petty offense, ordinance offense, or misdemeanor or  
24 who has been convicted of a felony offense. The clerk of the

1 circuit court shall ~~may~~ accept credit card payments over the  
2 Internet for fines, penalties, court costs, or costs from  
3 offenders on voluntary electronic pleas of guilty in minor  
4 traffic and conservation offenses to satisfy the requirement  
5 of written pleas of guilty as provided in Illinois Supreme  
6 Court Rule 529. The clerk of the court may also accept payment  
7 of statutory fees by a credit card or debit card. The clerk of  
8 the court may also accept the credit card or debit card for the  
9 cash deposit of bail bond fees.

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

1 credit card or debit card issuer, third party fund guarantor,  
2 facilitator, or service provider. This service fee shall be in  
3 addition to any other fines, penalties, or costs. The clerk of  
4 the circuit court is authorized to negotiate the assessment of  
5 convenience and administrative fees by the third party fund  
6 guarantors, facilitators, and service providers with the  
7 revenue earned by the clerk of the circuit court to be remitted  
8 to the county general revenue fund.

9 As used in this Section, "certified check" has the meaning  
10 provided in Section 3-409 of the Uniform Commercial Code.

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

12 (Text of Section after amendment by P.A. 101-652)

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

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

26           As used in this Section, "certified check" has the meaning

1 provided in Section 3-409 of the Uniform Commercial Code.

2 (Source: P.A. 101-652, eff. 1-1-23.)

3 Section 15. The Criminal and Traffic Assessment Act is  
4 amended by changing Section 5-20 as follows:

5 (705 ILCS 135/5-20)

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

7 Sec. 5-20. Credit; time served; community service.

8 (a) Any credit for time served prior to sentencing that  
9 reduces the amount a defendant is required to pay shall be  
10 deducted from the fine, if any, ordered by the court.

11 (b) Excluding any ordered conditional assessment, a  
12 defendant who has been ordered to pay an assessment may  
13 petition the court to convert all or part of the assessment  
14 into court-approved public or community service. One hour of  
15 public or community service shall be equivalent to \$10 ~~\$4~~ of  
16 assessment. The performance of this public or community  
17 service shall be a condition of probation, conditional  
18 discharge, or supervision and shall be in addition to the  
19 performance of any other period of public or community service  
20 ordered by the court or required by law.

21 (Source: P.A. 100-987, eff. 7-1-19; 101-408, eff. 1-1-20.)

22 Section 95. No acceleration or delay. Where this Act makes  
23 changes in a statute that is represented in this Act by text

1 that is not yet or no longer in effect (for example, a Section  
2 represented by multiple versions), the use of that text does  
3 not accelerate or delay the taking effect of (i) the changes  
4 made by this Act or (ii) provisions derived from any other  
5 Public Act."