



Rep. Kelly M. Burke

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10200SB0583ham002

LRB102 16305 LNS 26355 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, and school districts,
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 95. No acceleration or delay. Where this Act makes
4 changes in a statute that is represented in this Act by text
5 that is not yet or no longer in effect (for example, a Section
6 represented by multiple versions), the use of that text does
7 not accelerate or delay the taking effect of (i) the changes
8 made by this Act or (ii) provisions derived from any other
9 Public Act."