

SB0642



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0642

Introduced 2/24/2021, 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.

LRB102 11506 LNS 16840 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
8 fines, penalties, or costs by certified check, credit card or
9 debit 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
14 Internet for fines, penalties, or costs from offenders on
15 voluntary electronic pleas of guilty in minor traffic and
16 conservation offenses to satisfy the requirement of written
17 pleas of guilty as provided in Illinois Supreme Court Rule
18 529. The clerk of the court may also accept payment of
19 statutory fees by a credit card or debit card. The clerk of the
20 court may also accept the credit card or debit card for the
21 cash deposit of bail bond 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
5 clerk of the circuit court is authorized to enter into
6 contracts with third party fund guarantors, facilitators, and
7 service providers under which those entities may contract
8 directly with customers of the clerk of the circuit court and
9 guarantee and remit the payments to the clerk of the circuit
10 court. Where the offender pays fines, penalties, or costs by
11 credit card or debit card or through a third party fund
12 guarantor, facilitator, or service provider, or anyone paying
13 statutory fees of the circuit court clerk or the posting of
14 cash bail, the clerk shall collect a service fee of up to \$5 or
15 the amount charged to the clerk for use of its services by the
16 credit card or debit card issuer, third party fund guarantor,
17 facilitator, or service provider. This service fee shall be in
18 addition to any other fines, penalties, or costs. The clerk of
19 the circuit court is authorized to negotiate the assessment of
20 convenience and administrative fees by the third party fund
21 guarantors, facilitators, and service providers with the
22 revenue earned by the clerk of the circuit court to be remitted
23 to the county general revenue fund.

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

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