

SB3737



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3737

Introduced 1/21/2022, by Sen. Linda Holmes

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1101.3

Amends the Counties Code. Provides that the county boards of Kane County, Kendall County, and Will County (currently, Kane County and Will County) may by ordinance impose a judicial facilities fee to be used for the building of new judicial facilities. Provides that in setting a judicial facilities fee and in the design and construction of the facilities, the county board shall set the fee and design and construct the facilities with the concurrence of the Chief Judge of the applicable judicial circuit or the presiding judge of the county in a multi-county judicial circuit (currently, the concurrence of the Chief Judge of the applicable judicial circuit). Effective July 1, 2022.

LRB102 23294 AWJ 32460 b

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by changing
5 Section 5-1101.3 as follows:

6 (55 ILCS 5/5-1101.3)

7 Sec. 5-1101.3. Additional fees to finance new judicial
8 facilities. The county boards of Kane County, Kendall County,
9 and Will County may by ordinance impose a judicial facilities
10 fee to be used for the building of new judicial facilities.

11 (a) In setting such fee, the county board, with the
12 concurrence of the Chief Judge of the applicable judicial
13 circuit or the presiding judge of the county in a multi-county
14 judicial circuit, may impose different rates for the various
15 types or categories of civil and criminal cases, not to exceed
16 \$30. The fees are to be paid as follows:

17 (1) In civil cases, the fee shall be paid by each party
18 at the time of filing the first pleading, paper, or other
19 appearance; provided that no additional fee shall be
20 required if more than one party is represented in a single
21 pleading, paper, or other appearance.

22 (2) In felony, misdemeanor, local or county ordinance,
23 traffic, and conservation cases, the fee shall be assessed

1 against the defendant upon the entry of a judgment of
2 conviction, an order of supervision, or a sentence of
3 probation without entry of judgment pursuant to Section 10
4 of the Cannabis Control Act, Section 410 of the Illinois
5 Controlled Substances Act, Section 70 of the
6 Methamphetamine Control and Community Protection Act,
7 Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of
8 the Criminal Code of 1961 or the Criminal Code of 2012,
9 Section 10-102 of the Illinois Alcoholism and Other Drug
10 Dependency Act, or Section 10 of the Steroid Control Act.

11 (3) In local or county ordinance, traffic, and
12 conservation cases, if fines are paid in full without a
13 court appearance, then the fee shall not be imposed or
14 collected.

15 (b) The proceeds of all fees enacted under this Section
16 must be deposited into the county's Judicial Department
17 Facilities Construction Fund and used for the sole purpose of
18 funding in whole or in part the costs associated with building
19 new judicial facilities within the county, which shall be
20 designed and constructed by the county board with the
21 concurrence of the Chief Judge of the applicable judicial
22 circuit or the presiding judge of the county in a multi-county
23 judicial circuit.

24 (Source: P.A. 98-1085, eff. 1-1-15; 99-269, eff. 8-4-15.)

25 Section 99. Effective date. This Act takes effect July 1,
26 2022.