

1 AN ACT concerning regulation.

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

4 Section 3. The Energy Efficient Building Act is amended by
5 changing Section 55 as follows:

6 (20 ILCS 3125/55)

7 Sec. 55. Illinois Stretch Energy Code.

8 (a) The Board, in consultation with the Agency ~~Department~~,
9 shall create and adopt the Illinois Stretch Energy Code, to
10 allow municipalities and projects authorized or funded by the
11 Board to achieve more energy efficiency in buildings than the
12 Illinois Energy Conservation Code through a consistent pathway
13 across the State. The Illinois Stretch Energy Code shall be
14 available for adoption by any municipality and shall set
15 minimum energy efficiency requirements, taking the place of
16 the Illinois Energy Conservation Code within any municipality
17 that adopts the Illinois Stretch Energy Code.

18 (b) The Illinois Stretch Energy Code shall have separate
19 components for commercial and residential buildings, which may
20 be adopted by the municipality jointly or separately.

21 (c) The Illinois Stretch Energy Code shall apply to all
22 projects to which an energy conservation code is applicable
23 that are authorized or funded in any part by the Board after

1 July 1, 2024 ~~January 1, 2024~~.

2 (d) Development of the Illinois Stretch Energy Code shall
3 be completed and available for adoption by municipalities by
4 June 30, 2024 ~~December 31, 2023~~.

5 (e) Consistent with the requirements under paragraph (2.5)
6 of subsection (g) of Section 8-103B of the Public Utilities
7 Act and under paragraph (2) of subsection (j) of Section 8-104
8 of the Public Utilities Act, municipalities may adopt the
9 Illinois Stretch Energy Code and may use utility programs to
10 support compliance with the Illinois Stretch Energy Code. The
11 amount of savings from such utility efforts that may be
12 counted toward achievement of their annual savings goals shall
13 be based on reasonable estimates of the increase in savings
14 resulting from the utility efforts, relative to reasonable
15 approximations of what would have occurred absent the utility
16 involvement.

17 (f) The Illinois Stretch Energy Code's residential
18 components shall:

19 (1) apply to residential buildings as defined under
20 Section 10;

21 (2) set performance targets using a site energy index
22 with reductions relative to the 2006 International Energy
23 Conservation Code; and

24 (3) include stretch energy codes with site energy
25 index standards and adoption dates as follows: by no later
26 than June 30, 2024 ~~December 31, 2023~~, the Board shall

1 create and adopt a stretch energy code with a site energy
2 index no greater than 0.50 of the 2006 International
3 Energy Conservation Code; by no later than December 31,
4 2025, the Board shall create and adopt a stretch energy
5 code with a site energy index no greater than 0.40 of the
6 2006 International Energy Conservation Code, unless the
7 Board identifies unanticipated burdens associated with the
8 stretch energy code adopted in 2023 or 2024, in which case
9 the Board may adopt a stretch energy code with a site
10 energy index no greater than 0.42 of the 2006
11 International Energy Conservation Code, provided that the
12 more relaxed standard has a site energy index that is at
13 least 0.05 more restrictive than the 2024 International
14 Energy Conservation Code; by no later than December 31,
15 2028, the Board shall create and adopt a stretch energy
16 code with a site energy index no greater than 0.33 of the
17 2006 International Energy Conservation Code, unless the
18 Board identifies unanticipated burdens associated with the
19 stretch energy code adopted in 2025, in which case the
20 Board may adopt a stretch energy code with a site energy
21 index no greater than 0.35 of the 2006 International
22 Energy Conservation Code, but only if that more relaxed
23 standard has a site energy index that is at least 0.05 more
24 restrictive than the 2027 International Energy
25 Conservation Code; and by no later than December 31, 2031,
26 the Board shall create and adopt a stretch energy code

1 with a site energy index no greater than 0.25 of the 2006
2 International Energy Conservation Code.

3 (g) The Illinois Stretch Energy Code's commercial
4 components shall:

5 (1) apply to commercial buildings as defined under
6 Section 10;

7 (2) set performance targets using a site energy index
8 with reductions relative to the 2006 International Energy
9 Conservation Code; and

10 (3) include stretch energy codes with site energy
11 index standards and adoption dates as follows: by no later
12 than June 30, 2024 ~~December 31, 2023~~, the Board shall
13 create and adopt a stretch energy code with a site energy
14 index no greater than 0.60 of the 2006 International
15 Energy Conservation Code; by no later than December 31,
16 2025, the Board shall create and adopt a stretch energy
17 code with a site energy index no greater than 0.50 of the
18 2006 International Energy Conservation Code; by no later
19 than December 31, 2028, the Board shall create and adopt a
20 stretch energy code with a site energy index no greater
21 than 0.44 of the 2006 International Energy Conservation
22 Code; and by no later than December 31, 2031, the Board
23 shall create and adopt a stretch energy code with a site
24 energy index no greater than 0.39 of the 2006
25 International Energy Conservation Code.

26 (h) The process for the creation of the Illinois Stretch

1 Energy Code includes:

2 (1) within 60 days after the effective date of this
3 amendatory Act of the 102nd General Assembly, the Capital
4 Development Board shall meet with the Illinois Energy Code
5 Advisory Council to advise and provide technical
6 assistance and recommendations to the Capital Development
7 Board for the Illinois Stretch Energy Code, which shall:

8 (A) advise the Capital Development Board on
9 creation of interim performance targets, code
10 requirements, and an implementation plan for the
11 Illinois Stretch Energy Code;

12 (B) recommend amendments to proposed rules issued
13 by the Capital Development Board;

14 (C) recommend complementary programs or policies;

15 (D) complete recommendations and development for
16 the Illinois Stretch Energy Code elements and
17 requirements by December 31, 2023 ~~July 31, 2023~~;

18 (2) As part of its deliberations, the Illinois Energy
19 Code Advisory Council shall actively solicit input from
20 other energy code stakeholders and interested parties.

21 (Source: P.A. 102-662, eff. 9-15-21.)

22 Section 5. The Public Building Commission Act is amended
23 by changing Sections 2.5, 20.3, 20.4, 20.5, 20.10, 20.15,
24 20.20, and 20.25 as follows:

1 (50 ILCS 20/2.5)

2 (Section scheduled to be repealed on June 1, 2023)

3 Sec. 2.5. Legislative policy; conditions for use of
4 design-build. It is the intent of the General Assembly that a
5 commission be allowed to use the design-build delivery method
6 for public projects if it is shown to be in the commission's
7 best interest for that particular project.

8 It shall be the policy of the commission in the
9 procurement of design-build services to publicly announce all
10 requirements for design-build services and to procure these
11 services on the basis of demonstrated competence and
12 qualifications and with due regard for the principles of
13 competitive selection.

14 The commission shall, prior to issuing requests for
15 proposals, promulgate and publish procedures for the
16 solicitation and award of contracts pursuant to this Act.

17 The commission shall, for each public project or projects
18 permitted under this Act, make a written determination,
19 including a description as to the particular advantages of the
20 design-build procurement method, that it is in the best
21 interests of the commission to enter into a design-build
22 contract for the project or projects.

23 In making that determination, the following factors shall
24 be considered:

25 (1) The probability that the design-build procurement
26 method will be in the best interests of the commission by

1 providing a material savings of time or cost over the
2 design-bid-build or other delivery system.

3 (2) The type and size of the project and its
4 suitability to the design-build procurement method.

5 (3) The ability of the design-build entity to define
6 and provide comprehensive scope and performance criteria
7 for the project.

8 The commission shall require the design-build entity to
9 comply with the utilization goals established by the corporate
10 authorities of the commission for minority and women business
11 enterprises and to comply with Section 2-105 of the Illinois
12 Human Rights Act.

13 This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
14 provided that any design-build contracts entered into before
15 such date or any procurement of a project under this Act
16 commenced before such date, and the contracts resulting from
17 those procurements, shall remain effective.

18 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,
19 eff. 8-23-19.)

20 (50 ILCS 20/20.3)

21 (Section scheduled to be repealed on June 1, 2023)

22 Sec. 20.3. Solicitation of design-build proposals.

23 (a) When the Commission elects to use the design-build
24 delivery method, it must issue a notice of intent to receive
25 proposals for the project at least 14 days before issuing the

1 request for the proposal. The Commission must publish the
2 advance notice in a daily newspaper of general circulation in
3 the county where the Commission is located. The Commission is
4 encouraged to use publication of the notice in related
5 construction industry service publications. A brief
6 description of the proposed procurement must be included in
7 the notice. The Commission must provide a copy of the request
8 for proposal to any party requesting a copy.

9 (b) The request for proposal shall be prepared for each
10 project and must contain, without limitation, the following
11 information:

12 (1) The name of the Commission.

13 (2) A preliminary schedule for the completion of the
14 contract.

15 (3) The proposed budget for the project, the source of
16 funds, and the currently available funds at the time the
17 request for proposal is submitted.

18 (4) Prequalification criteria for design-build
19 entities wishing to submit proposals. The Commission shall
20 include, at a minimum, its normal prequalification,
21 licensing, registration, and other requirements, but
22 nothing contained herein precludes the use of additional
23 prequalification criteria by the Commission.

24 (5) Material requirements of the contract, including
25 but not limited to, the proposed terms and conditions,
26 required performance and payment bonds, insurance, and the

1 entity's plan to comply with the utilization goals
2 established by the corporate authorities of the Commission
3 for minority and women business enterprises and to comply
4 with Section 2-105 of the Illinois Human Rights Act.

5 (6) The performance criteria.

6 (7) The evaluation criteria for each phase of the
7 solicitation.

8 (8) The number of entities that will be considered for
9 the technical and cost evaluation phase.

10 (c) The Commission may include any other relevant
11 information that it chooses to supply. The design-build entity
12 shall be entitled to rely upon the accuracy of this
13 documentation in the development of its proposal.

14 (d) The date that proposals are due must be at least 21
15 calendar days after the date of the issuance of the request for
16 proposal. In the event the cost of the project is estimated to
17 exceed \$12,000,000, then the proposal due date must be at
18 least 28 calendar days after the date of the issuance of the
19 request for proposal. The Commission shall include in the
20 request for proposal a minimum of 30 days to develop the Phase
21 II submissions after the selection of entities from the Phase
22 I evaluation is completed.

23 (e) This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
24 provided that any design-build contracts entered into before
25 such date or any procurement of a project under this Act
26 commenced before such date, and the contracts resulting from

1 those procurements, shall remain effective.

2 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,
3 eff. 8-23-19.)

4 (50 ILCS 20/20.4)

5 (Section scheduled to be repealed on June 1, 2023)

6 Sec. 20.4. Development of design-build scope and
7 performance criteria.

8 (a) The Commission shall develop, with the assistance of a
9 licensed design professional, a request for proposal, which
10 shall include scope and performance criteria. The scope and
11 performance criteria must be in sufficient detail and contain
12 adequate information to reasonably apprise the qualified
13 design-build entities of the Commission's overall programmatic
14 needs and goals, including criteria and preliminary design
15 plans, general budget parameters, schedule, and delivery
16 requirements.

17 (b) Each request for proposal shall also include a
18 description of the level of design to be provided in the
19 proposals. This description must include the scope and type of
20 renderings, drawings, and specifications that, at a minimum,
21 will be required by the Commission to be produced by the
22 design-build entities.

23 (c) The scope and performance criteria shall be prepared
24 by a design professional who is an employee of the Commission,
25 or the Commission may contract with an independent design

1 professional selected under the Local Government Professional
2 Services Selection Act (50 ILCS 510/) to provide these
3 services.

4 (d) The design professional that prepares the scope and
5 performance criteria is prohibited from participating in any
6 design-build entity proposal for the project.

7 (e) This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
8 provided that any design-build contracts entered into before
9 such date or any procurement of a project under this Act
10 commenced before such date, and the contracts resulting from
11 those procurements, shall remain effective.

12 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,
13 eff. 8-23-19.)

14 (50 ILCS 20/20.5)

15 (Section scheduled to be repealed on June 1, 2023)

16 Sec. 20.5. Procedures for design-build selection.

17 (a) The Commission must use a two-phase procedure for the
18 selection of the successful design-build entity. Phase I of
19 the procedure will evaluate and shortlist the design-build
20 entities based on qualifications, and Phase II will evaluate
21 the technical and cost proposals.

22 (b) The Commission shall include in the request for
23 proposal the evaluating factors to be used in Phase I. These
24 factors are in addition to any prequalification requirements
25 of design-build entities that the Commission has set forth.

1 Each request for proposal shall establish the relative
2 importance assigned to each evaluation factor and subfactor,
3 including any weighting of criteria to be employed by the
4 Commission. The Commission must maintain a record of the
5 evaluation scoring to be disclosed in event of a protest
6 regarding the solicitation.

7 The Commission shall include the following criteria in
8 every Phase I evaluation of design-build entities: (1)
9 experience of personnel; (2) successful experience with
10 similar project types; (3) financial capability; (4)
11 timeliness of past performance; (5) experience with similarly
12 sized projects; (6) successful reference checks of the firm;
13 (7) commitment to assign personnel for the duration of the
14 project and qualifications of the entity's consultants; and
15 (8) ability or past performance in meeting or exhausting good
16 faith efforts to meet the utilization goals for minority and
17 women business enterprises established by the corporate
18 authorities of the Commission and in complying with Section
19 2-105 of the Illinois Human Rights Act. The Commission may
20 include any additional relevant criteria in Phase I that it
21 deems necessary for a proper qualification review.

22 The Commission may not consider any design-build entity
23 for evaluation or award if the entity has any pecuniary
24 interest in the project or has other relationships or
25 circumstances, including but not limited to, long-term
26 leasehold, mutual performance, or development contracts with

1 the Commission, that may give the design-build entity a
2 financial or tangible advantage over other design-build
3 entities in the preparation, evaluation, or performance of the
4 design-build contract or that create the appearance of
5 impropriety. No design-build proposal shall be considered that
6 does not include an entity's plan to comply with the
7 requirements established in the minority and women business
8 enterprises and economically disadvantaged firms established
9 by the corporate authorities of the Commission and with
10 Section 2-105 of the Illinois Human Rights Act.

11 Upon completion of the qualifications evaluation, the
12 Commission shall create a shortlist of the most highly
13 qualified design-build entities. The Commission, in its
14 discretion, is not required to shortlist the maximum number of
15 entities as identified for Phase II evaluation, provided
16 however, no less than 2 design-build entities nor more than 6
17 are selected to submit Phase II proposals.

18 The Commission shall notify the entities selected for the
19 shortlist in writing. This notification shall commence the
20 period for the preparation of the Phase II technical and cost
21 evaluations. The Commission must allow sufficient time for the
22 shortlist entities to prepare their Phase II submittals
23 considering the scope and detail requested by the Commission.

24 (c) The Commission shall include in the request for
25 proposal the evaluating factors to be used in the technical
26 and cost submission components of Phase II. Each request for

1 proposal shall establish, for both the technical and cost
2 submission components of Phase II, the relative importance
3 assigned to each evaluation factor and subfactor, including
4 any weighting of criteria to be employed by the Commission.
5 The Commission must maintain a record of the evaluation
6 scoring to be disclosed in event of a protest regarding the
7 solicitation.

8 The Commission shall include the following criteria in
9 every Phase II technical evaluation of design-build entities:

10 (1) compliance with objectives of the project; (2) compliance
11 of proposed services to the request for proposal requirements;
12 (3) quality of products or materials proposed; (4) quality of
13 design parameters; (5) design concepts; (6) innovation in
14 meeting the scope and performance criteria; and (7)
15 constructability of the proposed project. The Commission may
16 include any additional relevant technical evaluation factors
17 it deems necessary for proper selection.

18 The Commission shall include the following criteria in
19 every Phase II cost evaluation: the guaranteed maximum project
20 cost and the time of completion. The Commission may include
21 any additional relevant technical evaluation factors it deems
22 necessary for proper selection. The guaranteed maximum project
23 cost criteria weighing factor shall not exceed 30%.

24 The Commission shall directly employ or retain a licensed
25 design professional to evaluate the technical and cost
26 submissions to determine if the technical submissions are in

1 accordance with generally accepted industry standards.

2 Upon completion of the technical submissions and cost
3 submissions evaluation, the Commission may award the
4 design-build contract to the highest overall ranked entity.

5 (d) This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
6 provided that any design-build contracts entered into before
7 such date or any procurement of a project under this Act
8 commenced before such date, and the contracts resulting from
9 those procurements, shall remain effective.

10 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,
11 eff. 8-23-19.)

12 (50 ILCS 20/20.10)

13 (Section scheduled to be repealed on June 1, 2023)

14 Sec. 20.10. Small design-build projects. In any case
15 where the total overall cost of the project is estimated to be
16 less than \$12,000,000, the Commission may combine the
17 two-phase procedure for design-build selection described in
18 Section 20.5 into one combined step, provided that all the
19 requirements of evaluation are performed in accordance with
20 Section 20.5.

21 This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
22 provided that any design-build contracts entered into before
23 such date or any procurement of a project under this Act
24 commenced before such date, and the contracts resulting from
25 those procurements, shall remain effective.

1 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,
2 eff. 8-23-19.)

3 (50 ILCS 20/20.15)

4 (Section scheduled to be repealed on June 1, 2023)

5 Sec. 20.15. Submission of design-build proposals.

6 Design-build proposals must be properly identified and sealed.

7 Proposals may not be reviewed until after the deadline for

8 submission has passed as set forth in the request for

9 proposals. All design-build entities submitting proposals

10 shall be disclosed after the deadline for submission, and all

11 design-build entities who are selected for Phase II evaluation

12 shall also be disclosed at the time of that determination.

13 Phase II design-build proposals shall include a bid bond

14 in the form and security as designated in the request for

15 proposals. Proposals shall also contain a separate sealed

16 envelope with the cost information within the overall proposal

17 submission. Proposals shall include a list of all design

18 professionals and other entities to which any work identified

19 in Section 30-30 of the Illinois Procurement Code as a

20 subdivision of construction work may be subcontracted during

21 the performance of the contract.

22 Proposals must meet all material requirements of the

23 request for proposal or they may be rejected as

24 non-responsive. The Commission shall have the right to reject

25 any and all proposals.

1 The drawings and specifications of any unsuccessful
2 design-build proposal shall remain the property of the
3 design-build entity.

4 The Commission shall review the proposals for compliance
5 with the performance criteria and evaluation factors.

6 Proposals may be withdrawn prior to the due date and time
7 for submissions for any cause. After evaluation begins by the
8 Commission, clear and convincing evidence of error is required
9 for withdrawal.

10 This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
11 provided that any design-build contracts entered into before
12 such date or any procurement of a project under this Act
13 commenced before such date, and the contracts resulting from
14 those procurements, shall remain effective.

15 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,
16 eff. 8-23-19.)

17 (50 ILCS 20/20.20)

18 (Section scheduled to be repealed on June 1, 2023)

19 Sec. 20.20. Design-build award. The Commission may award a
20 design-build contract to the highest overall ranked entity.
21 Notice of award shall be made in writing. Unsuccessful
22 entities shall also be notified in writing. The Commission may
23 not request a best and final offer after the receipt of
24 proposals. The Commission may negotiate with the selected
25 design-build entity after award but prior to contract

1 execution for the purpose of securing better terms than
2 originally proposed, provided that the salient features of the
3 request for proposal are not diminished.

4 This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
5 provided that any design-build contracts entered into before
6 such date or any procurement of a project under this Act
7 commenced before such date, and the contracts resulting from
8 those procurements, shall remain effective.

9 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,
10 eff. 8-23-19.)

11 (50 ILCS 20/20.25)

12 (Section scheduled to be repealed on June 1, 2023)

13 Sec. 20.25. Minority and female owned enterprises; total
14 construction budget.

15 (a) Each year, within 60 days following the end of a
16 commission's fiscal year, the commission shall provide a
17 report to the General Assembly addressing the utilization of
18 minority and female owned business enterprises on design-build
19 projects.

20 (b) The payments for design-build projects by any
21 commission in one fiscal year shall not exceed 50% of the
22 moneys spent on construction projects during the same fiscal
23 year.

24 (c) This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
25 provided that any design-build contracts entered into before

1 such date or any procurement of a project under this Act
2 commenced before such date, and the contracts resulting from
3 those procurements, shall remain effective.

4 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,
5 eff. 8-23-19.)

6 Section 7. The University of Illinois Act is amended by
7 changing Section 115 as follows:

8 (110 ILCS 305/115)

9 (Section scheduled to be repealed on January 1, 2024)

10 Sec. 115. Water rates report.

11 (a) Subject to appropriation, no later than June 30, 2023
12 ~~December 1, 2022~~, the Government Finance Research Center at
13 the University of Illinois at Chicago, in coordination with an
14 intergovernmental advisory committee, must issue a report
15 evaluating the setting of water rates throughout the Lake
16 Michigan service area of northeastern Illinois and, no later
17 than December 31 ~~1~~, 2024 ~~2023~~, for the remainder of Illinois.
18 The report must provide recommendations for policy and
19 regulatory needs at the State and local level based on its
20 findings. The report shall, at a minimum, address all of the
21 following areas:

22 (1) The components of a water bill.

23 (2) Reasons for increases in water rates.

24 (3) The definition of affordability throughout the

1 State and any variances to that definition.

2 (4) Evidence of rate-setting that utilizes
3 inappropriate practices.

4 (5) The extent to which State or local policies drive
5 cost increases or variations in rate-settings.

6 (6) Challenges within economically disadvantaged
7 communities in setting water rates.

8 (7) Opportunities for increased intergovernmental
9 coordination for setting equitable water rates.

10 (b) In developing the report under this Section, the
11 Government Finance Research Center shall form an advisory
12 committee, which shall be composed of all of the following
13 members:

14 (1) The Director of the Environmental Protection
15 Agency, or his or her designee.

16 (2) The Director of Natural Resources, or his or her
17 designee.

18 (3) The Director of Commerce and Economic Opportunity,
19 or his or her designee.

20 (4) The Attorney General, or his or her designee.

21 (5) At least 2 members who are representatives of
22 private water utilities operating in Illinois, appointed
23 by the Director of the Government Finance Research Center.

24 (6) At least 4 members who are representatives of
25 municipal water utilities, appointed by the Director of
26 the Government Finance Research Center.

1 (7) One member who is a representative of an
2 environmental justice advocacy organization, appointed by
3 the Director of the Government Finance Research Center.

4 (8) One member who is a representative of a consumer
5 advocacy organization, appointed by the Director of the
6 Government Finance Research Center.

7 (9) One member who is a representative of an
8 environmental planning organization that serves
9 northeastern Illinois, appointed by the Director of the
10 Government Finance Research Center.

11 (10) The Director of the Illinois State Water Survey,
12 or his or her designee.

13 (11) The Chairperson of the Illinois Commerce
14 Commission, or his or her designee.

15 (c) After all members are appointed, the committee shall
16 hold its first meeting at the call of the Director of the
17 Government Finance Research Center, at which meeting the
18 members shall select a chairperson from among themselves.
19 After its first meeting, the committee shall meet at the call
20 of the chairperson. Members of the committee shall serve
21 without compensation but may be reimbursed for their
22 reasonable and necessary expenses incurred in performing their
23 duties. The Government Finance Research Center shall provide
24 administrative and other support to the committee.

25 (d) (Blank.) ~~No later than 60 days after August 23, 2019~~
26 ~~(the effective date of Public Act 101-562), the Government~~

1 ~~Finance Research Center must provide an opportunity for public~~
2 ~~comment on the questions to be addressed in the report, the~~
3 ~~metrics to be used, and the recommendations that need to be~~
4 ~~issued.~~

5 (e) This Section is repealed on January 1, 2025 ~~2024~~.

6 (Source: P.A. 101-562, eff. 8-23-19; 102-507, eff. 8-20-21;
7 102-558, eff. 8-20-21.)

8 Section 9. The Sports Wagering Act is amended by changing
9 Section 25-25 as follows:

10 (230 ILCS 45/25-25)

11 Sec. 25-25. Sports wagering authorized.

12 (a) Notwithstanding any provision of law to the contrary,
13 the operation of sports wagering is only lawful when conducted
14 in accordance with the provisions of this Act and the rules of
15 the Illinois Gaming Board and the Department of the Lottery.

16 (b) A person placing a wager under this Act shall be at
17 least 21 years of age.

18 (c) A licensee under this Act may not accept a wager on a
19 minor league sports event.

20 (d) Except as otherwise provided in this Section, a
21 licensee under this Act may not accept a wager for a sports
22 event involving an Illinois collegiate team.

23 (d-5) Beginning on the effective date of this amendatory
24 Act of the 102nd General Assembly until July 1, 2024 ~~July 1,~~

1 ~~2023~~, a licensee under this Act may accept a wager for a sports
2 event involving an Illinois collegiate team if:

3 (1) the wager is a tier 1 wager;

4 (2) the wager is not related to an individual
5 athlete's performance; and

6 (3) the wager is made in person instead of over the
7 Internet or through a mobile application.

8 (e) A licensee under this Act may only accept a wager from
9 a person physically located in the State.

10 (f) Master sports wagering licensees may use any data
11 source for determining the results of all tier 1 sports
12 wagers.

13 (g) A sports governing body headquartered in the United
14 States may notify the Board that it desires to supply official
15 league data to master sports wagering licensees for
16 determining the results of tier 2 sports wagers. Such
17 notification shall be made in the form and manner as the Board
18 may require. If a sports governing body does not notify the
19 Board of its desire to supply official league data, a master
20 sports wagering licensee may use any data source for
21 determining the results of any and all tier 2 sports wagers on
22 sports contests for that sports governing body.

23 Within 30 days of a sports governing body notifying the
24 Board, master sports wagering licensees shall use only
25 official league data to determine the results of tier 2 sports
26 wagers on sports events sanctioned by that sports governing

1 body, unless: (1) the sports governing body or designee cannot
2 provide a feed of official league data to determine the
3 results of a particular type of tier 2 sports wager, in which
4 case master sports wagering licensees may use any data source
5 for determining the results of the applicable tier 2 sports
6 wager until such time as such data feed becomes available on
7 commercially reasonable terms; or (2) a master sports wagering
8 licensee can demonstrate to the Board that the sports
9 governing body or its designee cannot provide a feed of
10 official league data to the master sports wagering licensee on
11 commercially reasonable terms. During the pendency of the
12 Board's determination, such master sports wagering licensee
13 may use any data source for determining the results of any and
14 all tier 2 sports wagers.

15 (h) A licensee under this Act may not accept wagers on a
16 kindergarten through 12th grade sports event.

17 (Source: P.A. 101-31, eff. 6-28-19; 102-689, eff. 12-17-21.)

18 Section 11. The Liquor Control Act of 1934 is amended by
19 changing Section 6-28.8 as follows:

20 (235 ILCS 5/6-28.8)

21 (Section scheduled to be repealed on January 3, 2024)

22 Sec. 6-28.8. Delivery and carry out of mixed drinks
23 permitted.

24 (a) In this Section:

1 "Cocktail" or "mixed drink" means any beverage obtained by
2 combining ingredients alcoholic in nature, whether brewed,
3 fermented, or distilled, with ingredients non-alcoholic in
4 nature, such as fruit juice, lemonade, cream, or a carbonated
5 beverage.

6 "Original container" means, for the purposes of this
7 Section only, a container that is (i) filled, sealed, and
8 secured by a retail licensee's employee at the retail
9 licensee's location with a tamper-evident lid or cap or (ii)
10 filled and labeled by the manufacturer and secured by the
11 manufacturer's original unbroken seal.

12 "Sealed container" means a rigid container that contains a
13 mixed drink or a single serving of wine, is new, has never been
14 used, has a secured lid or cap designed to prevent consumption
15 without removal of the lid or cap, and is tamper-evident.

16 "Sealed container" includes a manufacturer's original
17 container as defined in this subsection. "Sealed container"
18 does not include a container with a lid with sipping holes or
19 openings for straws or a container made of plastic, paper, or
20 polystyrene foam.

21 "Tamper-evident" means a lid or cap that has been sealed
22 with tamper-evident covers, including, but not limited to, wax
23 dip or heat shrink wrap.

24 (b) A cocktail, mixed drink, or single serving of wine
25 placed in a sealed container by a retail licensee at the retail
26 licensee's location or a manufacturer's original container may

1 be transferred and sold for off-premises consumption if the
2 following requirements are met:

3 (1) the cocktail, mixed drink, or single serving of
4 wine is transferred within the licensed premises, by a
5 curbside pickup, or by delivery by an employee of the
6 retail licensee who:

7 (A) has been trained in accordance with Section
8 6-27.1 at the time of the sale;

9 (B) is at least 21 years of age; and

10 (C) upon delivery, verifies the age of the person
11 to whom the cocktail, mixed drink, or single serving
12 of wine is being delivered;

13 (2) if the employee delivering the cocktail, mixed
14 drink, or single serving of wine is not able to safely
15 verify a person's age or level of intoxication upon
16 delivery, the employee shall cancel the sale of alcohol
17 and return the product to the retail license holder;

18 (3) the sealed container is placed in the trunk of the
19 vehicle or if there is no trunk, in the vehicle's rear
20 compartment that is not readily accessible to the
21 passenger area;

22 (4) except for a manufacturer's original container, a
23 container filled and sealed at a retail licensee's
24 location shall be affixed with a label or tag that
25 contains the following information:

26 (A) the cocktail or mixed drink ingredients, type,

1 and name of the alcohol;

2 (B) the name, license number, and address of the
3 retail licensee that filled the original container and
4 sold the product;

5 (C) the volume of the cocktail, mixed drink, or
6 single serving of wine in the sealed container; and

7 (D) the sealed container was filled less than 7
8 days before the date of sale; and

9 (5) a manufacturer's original container shall be
10 affixed with a label or tag that contains the name,
11 license number, and address of the retail licensee that
12 sold the product.

13 (c) Third-party delivery services are not permitted to
14 deliver cocktails and mixed drinks under this Section.

15 (d) If there is an executive order of the Governor in
16 effect during a disaster, the employee delivering the mixed
17 drink, cocktail, or single serving of wine must comply with
18 any requirements of that executive order, including, but not
19 limited to, wearing gloves and a mask and maintaining
20 distancing requirements when interacting with the public.

21 (e) Delivery or carry out of a cocktail, mixed drink, or
22 single serving of wine is prohibited if:

23 (1) a third party delivers the cocktail or mixed
24 drink;

25 (2) a container of a mixed drink, cocktail, or single
26 serving of wine is not tamper-evident and sealed;

1 (3) a container of a mixed drink, cocktail, or single
2 serving of wine is transported in the passenger area of a
3 vehicle;

4 (4) a mixed drink, cocktail, or single serving of wine
5 is delivered by a person or to a person who is under the
6 age of 21; or

7 (5) the person delivering a mixed drink, cocktail, or
8 single serving of wine fails to verify the age of the
9 person to whom the mixed drink or cocktail is being
10 delivered.

11 (f) Violations of this Section shall be subject to any
12 applicable penalties, including, but not limited to, the
13 penalties specified under Section 11-502 of the Illinois
14 Vehicle Code.

15 (f-5) This Section is not intended to prohibit or preempt
16 the ability of a brew pub, tap room, or distilling pub to
17 continue to temporarily deliver alcoholic liquor pursuant to
18 guidance issued by the State Commission on March 19, 2020
19 entitled "Illinois Liquor Control Commission, COVID-19 Related
20 Actions, Guidance on Temporary Delivery of Alcoholic Liquor".
21 This Section shall only grant authorization to holders of
22 State of Illinois retail liquor licenses but not to licensees
23 that simultaneously hold any licensure or privilege to
24 manufacture alcoholic liquors within or outside of the State
25 of Illinois.

26 (g) This Section is not a denial or limitation of home rule

1 powers and functions under Section 6 of Article VII of the
2 Illinois Constitution.

3 (h) This Section is repealed on August 1, 2028 ~~January 3,~~
4 ~~2024.~~

5 (Source: P.A. 101-631, eff. 6-2-20; 102-8, eff. 6-2-21.)

6 Section 12. The Clerks of Courts Act is amended by
7 changing Section 27.1b as follows:

8 (705 ILCS 105/27.1b)

9 (Section scheduled to be repealed on January 1, 2024)

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

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

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

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

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

1 automation, court document storage, and administrative
2 purposes.

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

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

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

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

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

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

1 after January 1, 2022. The fees collected under this
2 schedule shall be disbursed as follows:

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

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

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

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

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

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

1 system in the county.

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

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

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

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

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

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

1 not to exceed \$56 in any other county, as specified by
2 ordinance or resolution passed by the county board,
3 for purposes related to the operation of the court
4 system in the county.

5 (4) SCHEDULE 4: \$0.

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

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

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

25 (B) The clerk shall remit up to \$21 to the State
26 Treasurer. The State Treasurer shall deposit the

1 appropriate amounts, in accordance with the clerk's
2 instructions, as follows:

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

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

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

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

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

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

1 any other county determined by the clerk with the
2 approval of the Supreme Court, to be used for court
3 automation, court document storage, and administrative
4 purposes.

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

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

15 (3) SCHEDULE 3: \$0.

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

25 (c) Counterclaim or third party complaint. When any
26 defendant files a counterclaim or third party complaint, as

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

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

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

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

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

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

8 (g) Petition to vacate or modify.

9 (1) In a proceeding involving a petition to vacate or
10 modify any final judgment or order filed within 30 days
11 after the judgment or order was entered, except for an
12 eviction case, small claims case, petition to reopen an
13 estate, petition to modify, terminate, or enforce a
14 judgment or order for child or spousal support, or
15 petition to modify, suspend, or terminate an order for
16 withholding, the fee shall not exceed \$60 in a county with
17 a population of 3,000,000 or more and shall not exceed \$50
18 in any other county, except as applied to units of local
19 government and school districts in counties with more than
20 3,000,000 inhabitants an amount not to exceed \$50.

21 (2) In a proceeding involving a petition to vacate or
22 modify any final judgment or order filed more than 30 days
23 after the judgment or order was entered, except for a
24 petition to modify, terminate, or enforce a judgment or
25 order for child or spousal support, or petition to modify,
26 suspend, or terminate an order for withholding, the fee

1 shall not exceed \$75.

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

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

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

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

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

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

1 additional or new fee or charge shall be made for a jury trial
2 after remand.

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

6 (1) if the amount in controversy in the proceeding is
7 not more than \$1,000, the fee may not exceed \$35 in a
8 county with a population of 3,000,000 or more and may not
9 exceed \$15 in any other county, except as applied to units
10 of local government and school districts in counties with
11 more than 3,000,000 inhabitants an amount not to exceed
12 \$15;

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

20 (3) if the amount in controversy in the proceeding is
21 greater than \$5,000, the fee may not exceed \$65 in a county
22 with a population of 3,000,000 or more and may not exceed
23 \$50 in any other county, except as applied to units of
24 local government and school districts in counties with
25 more than 3,000,000 inhabitants an amount not to exceed
26 \$50.

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

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

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

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

12 (k) Collections.

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

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

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

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

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

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

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

25 (n) Certification, authentication, and reproduction.

26 (1) The fee for each certification or authentication

1 for taking the acknowledgment of a deed or other
2 instrument in writing with the seal of office shall not
3 exceed \$6.

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

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

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

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

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

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

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

1 information approved by the Supreme Court.

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

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

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

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

24 (v) Probate filings.

25 (1) For each account (other than one final account)
26 filed in the estate of a decedent, or ward, the fee shall

1 not exceed \$25.

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

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

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

1 (5) For each jury demand, the fee shall not exceed
2 \$137.50.

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

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

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

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

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

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

1 (x) Miscellaneous.

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

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

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

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

1 after 60 days, and 15% of the unpaid fees that remain unpaid
2 after 90 days. Notice to those parties may be made by signage
3 posting or publication. The additional delinquency amounts
4 collected under this Section shall be deposited into the
5 Circuit Court Clerk Operations and Administration Fund and
6 used to defray additional administrative costs incurred by the
7 clerk of the circuit court in collecting unpaid fees and
8 costs.

9 (z) Exceptions.

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

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

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

1 enforce an ordinance; (ii) to collect a debt; or (iii)
2 under the Administrative Review Law;

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

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

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

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

26 (2) No fee other than the filing fee contained in the

1 applicable schedule in subsection (a) shall be charged to
2 any person in connection with an adoption proceeding.

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

7 ~~(aa) This Section is repealed on January 1, 2024.~~

8 (Source: P.A. 101-645, eff. 6-26-20; 102-145, eff. 7-23-21;
9 102-278, eff. 8-6-21; 102-558, eff. 8-20-21; 102-813, eff.
10 5-13-22.)

11 (705 ILCS 135/20-5 rep.)

12 Section 14. The Criminal and Traffic Assessment Act is
13 amended by repealing Section 20-5.

14 Section 15. The Criminal Code of 2012 is amended by
15 changing Section 33G-9 as follows:

16 (720 ILCS 5/33G-9)

17 (Section scheduled to be repealed on June 11, 2023)

18 Sec. 33G-9. Repeal. This Article is repealed on June 1,
19 2025 ~~June 11, 2023~~.

20 (Source: P.A. 102-918, eff. 5-27-22.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.