

1 AN ACT concerning counties.

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 3-39001 is amended as follows:

6 (55 ILCS 5/5-39001) (from Ch. 34, par. 5-39001)

7 Sec. 5-39001. Establishment and use; fee. The county
8 board of any county may establish and maintain a county law
9 library, to be located in any county building or privately or
10 publicly owned building at the county seat of government.
11 The term "county building" includes premises leased by the
12 county from a public building commission created under the
13 Public Building Commission Act. After August 2, 1976, the
14 county board of any county may establish and maintain a
15 county law library at the county seat of government and, in
16 addition, branch law libraries in other locations within
17 that county as the county board deems necessary.

18 The facilities of those libraries shall be freely
19 available to all licensed Illinois attorneys, judges, other
20 public officers of the county, and all members of the public,
21 whenever the court house is open.

22 The expense of establishing and maintaining those
23 libraries shall be borne by the county. To defray that
24 expense, in any county having established a county law
25 library or libraries, the clerk of all trial courts located
26 at the county seat of government shall charge and collect a
27 county law library fee of \$2, and the county board may
28 authorize a county law library fee of not to exceed \$19 ~~\$10~~,
29 to be charged and collected by the clerks of all trial courts
30 located in the county. Beginning on January 1, 2004, and
31 through January 1, 2008, the maximum fee that a county board

1 may authorize shall increase by \$1 each year. The fee shall
2 be paid at the time of filing the first pleading, paper, or
3 other appearance filed by each party in all civil cases, but
4 no additional fee shall be required if more than one party is
5 represented in a single pleading, paper, or other appearance.

6 Each clerk shall commence those charges and collections
7 upon receipt of written notice from the chairman of the
8 county board that the board has acted under this Division to
9 establish and maintain a law library.

10 The fees shall be in addition to all other fees and
11 charges of the clerks, assessable as costs, remitted by the
12 clerks monthly to the county treasurer, and retained by the
13 county treasurer in a special fund designated as the County
14 Law Library Fund. Except as otherwise provided in this
15 paragraph, disbursements from the fund shall be by the county
16 treasurer, on order of a majority of the resident circuit
17 judges of the circuit court of the county. In any county with
18 more than 2,000,000 inhabitants, the county board shall order
19 disbursements from the fund and the presiding officer of the
20 county board, with the advice and consent of the county
21 board, may appoint a library committee of not less than 9
22 members, who, by majority vote, may recommend to the county
23 board as to disbursements of the fund and the operation of
24 the library. In single county circuits with 2,000,000 or
25 fewer inhabitants, disbursements from the County Law Library
26 Fund shall be made by the county treasurer on the order of
27 the chief judge of the circuit court of the county. In those
28 single county circuits, the number of personnel necessary to
29 operate and maintain the county law library shall be set by
30 and those personnel shall be appointed by the chief judge.
31 The county law library personnel shall serve at the pleasure
32 of the appointing authority. The salaries of those personnel
33 shall be fixed by the county board of the county. Orders
34 shall be pre-audited, funds shall be audited by the county

1 auditor, and a report of the orders and funds shall be
2 rendered to the county board and to the judges.

3 Fees shall not be charged in any criminal or
4 quasi-criminal case, in any matter coming to the clerk on
5 change of venue, or in any proceeding to review the decision
6 of any administrative officer, agency, or body.

7 (Source: P.A. 90-92, eff. 1-1-98; 90-589, eff. 6-5-98.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.