

1 AN ACT concerning fees.

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 4-12004 as follows:

6 (55 ILCS 5/4-5001) (from Ch. 34, par. 4-5001)

7 Sec. 4-5001. Sheriffs; counties of first and second
8 class. The fees of sheriffs in counties of the first and
9 second class, except when increased by county ordinance under
10 this Section, shall be as follows:

11 For serving or attempting to serve summons on each
12 defendant in each county, \$10.

13 For serving or attempting to serve an order or judgment
14 granting injunctional relief in each county, \$10.

15 For serving or attempting to serve each garnishee in each
16 county, \$10.

17 For serving or attempting to serve an order for replevin
18 in each county, \$10.

19 For serving or attempting to serve an order for
20 attachment on each defendant in each county, \$10.

21 For serving or attempting to serve a warrant of arrest,
22 \$8, to be paid upon conviction.

23 For returning a defendant from outside the State of
24 Illinois, upon conviction, the court shall assess, as court
25 costs, the cost of returning a defendant to the jurisdiction.

26 For taking special bail, \$1 in each county.

27 For serving or attempting to serve a subpoena on each
28 witness, in each county, \$10.

29 For advertising property for sale, \$5.

30 For returning each process, in each county, \$5.

31 Mileage for each mile of necessary travel to serve any

1 such process as Stated above, calculating from the place of
2 holding court to the place of residence of the defendant, or
3 witness, 50¢ each way.

4 For summoning each juror, \$3 with 30¢ mileage each way in
5 all counties.

6 For serving or attempting to serve notice of judgments or
7 levying to enforce a judgment, \$3 with 50¢ mileage each way
8 in all counties.

9 For taking possession of and removing property levied on,
10 the officer shall be allowed to tax the actual cost of such
11 possession or removal.

12 For feeding each prisoner, such compensation to cover the
13 actual cost as may be fixed by the county board, but such
14 compensation shall not be considered a part of the fees of
15 the office.

16 For attending before a court with prisoner, on an order
17 for habeas corpus, in each county, \$10 per day.

18 For attending before a court with a prisoner in any
19 criminal proceeding, in each county, \$10 per day.

20 For each mile of necessary travel in taking such prisoner
21 before the court as Stated above, 15¢ a mile each way.

22 For serving or attempting to serve an order or judgment
23 for the possession of real estate in an action of ejectment
24 or in any other action, or for restitution in an action of
25 forcible entry and detainer without aid, \$10 and when aid is
26 necessary, the sheriff shall be allowed to tax in addition
27 the actual costs thereof, and for each mile of necessary
28 travel, 50¢ each way.

29 For executing and acknowledging a deed of sale of real
30 estate, in counties of first class, \$4; second class, \$4.

31 For preparing, executing and acknowledging a deed on
32 redemption from a court sale of real estate in counties of
33 first class, \$5; second class, \$5.

34 For making certificates of sale, and making and filing

1 duplicate, in counties of first class, \$3; in counties of the
2 second class, \$3.

3 For making certificate of redemption, \$3.

4 For certificate of levy and filing, \$3, and the fee for
5 recording shall be advanced by the judgment creditor and
6 charged as costs.

7 For taking all bonds on legal process, civil and
8 criminal, in counties of first class, \$1; in second class,
9 \$1.

10 For executing copies in criminal cases, \$4 and mileage
11 for each mile of necessary travel, 20¢ each way.

12 For executing requisitions from other States, \$5.

13 For conveying each prisoner from the prisoner's own
14 county to the jail of another county, or from another county
15 to the jail of the prisoner's county, per mile, for going,
16 only, 30¢.

17 For conveying persons to the penitentiary, reformatories,
18 Illinois State Training School for Boys, Illinois State
19 Training School for Girls and Reception Centers, the
20 following fees, payable out of the State Treasury. For each
21 person who is conveyed, 35¢ per mile in going only to the
22 penitentiary, reformatory, Illinois State Training School for
23 Boys, Illinois State Training School for Girls and Reception
24 Centers, from the place of conviction.

25 The fees provided for transporting persons to the
26 penitentiary, reformatories, Illinois State Training School
27 for Boys, Illinois State Training School for Girls and
28 Reception Centers shall be paid for each trip so made.
29 Mileage as used in this Section means the shortest practical
30 route, between the place from which the person is to be
31 transported, to the penitentiary, reformatories, Illinois
32 State Training School for Boys, Illinois State Training
33 School for Girls and Reception Centers and all fees per mile
34 shall be computed on such basis.

1 For conveying any person to or from any of the charitable
2 institutions of the State, when properly committed by
3 competent authority, when one person is conveyed, 35¢ per
4 mile; when two persons are conveyed at the same time, 35¢ per
5 mile for the first person and 20¢ per mile for the second
6 person; and 10¢ per mile for each additional person.

7 For conveying a person from the penitentiary to the
8 county jail when required by law, 35¢ per mile.

9 For attending Supreme Court, \$10 per day.

10 In addition to the above fees there shall be allowed to
11 the sheriff a fee of \$600 for the sale of real estate which
12 is made by virtue of any judgment of a court, except that in
13 the case of a sale of unimproved real estate which sells for
14 \$10,000 or less, the fee shall be \$150. In addition to this
15 fee and all other fees provided by this Section, there shall
16 be allowed to the sheriff a fee in accordance with the
17 following schedule for the sale of personal estate which is
18 made by virtue of any judgment of a court:

19 For judgments up to \$1,000, \$75;

20 For judgments from \$1,001 to \$15,000, \$150;

21 For judgments over \$15,000, \$300.

22 The foregoing fees allowed by this Section are the
23 maximum fees that may be collected from any officer, agency,
24 department or other instrumentality of the State. The county
25 board may, however, by ordinance, increase the fees allowed
26 by this Section and collect those increased fees from all
27 persons and entities other than officers, agencies,
28 departments and other instrumentalities of the State if the
29 increase is justified by an acceptable cost study showing
30 that the fees allowed by this Section are not sufficient to
31 cover the costs of providing the service. A statement of the
32 costs of providing each service, program and activity shall
33 be prepared by the county board. All supporting documents
34 shall be public records and subject to public examination and

1 audit. All direct and indirect costs, as defined in the
2 United States Office of Management and Budget Circular A-87,
3 may be included in the determination of the costs of each
4 service, program and activity.

5 In all cases where the judgment is settled by the
6 parties, replevied, stopped by injunction or paid, or where
7 the property levied upon is not actually sold, the sheriff
8 shall be allowed his fee for levying and mileage, together
9 with half the fee for all money collected by him which he
10 would be entitled to if the same was made by sale to enforce
11 the judgment. In no case shall the fee exceed the amount of
12 money arising from the sale.

13 The sheriff shall, in all cases, be entitled to demand
14 the payment of all fees for services in advance, so far as
15 the fee can be ascertained.

16 The fee requirements of this Section do not apply to
17 police departments or other law enforcement agencies. For
18 the purposes of this Section, "law enforcement agency" means
19 an agency of the State or unit of local government which is
20 vested by law or ordinance with the duty to maintain public
21 order end to enforce criminal laws.

22 (Source: P.A. 91-94, eff. 1-1-00.)