



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4239

Introduced 1/28/2004, by Patricia Reid Lindner

SYNOPSIS AS INTRODUCED:

55 ILCS 82/15

Amends the Counties Code. Provides that any county (now, only a county with a population of over 100,000 and less than 1,000,000) may establish a neutral site custody exchange fund by the passage of an ordinance by the county board. Effective immediately.

LRB093 15773 MKM 41383 b

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 Neutral Site Custody Exchange Funding Act is
5 amended by changing Section 15 as follows:

6 (55 ILCS 82/15)

7 Sec. 15. Fund; fee; administration.

8 (a) In any ~~a~~ county ~~with a population of over 100,000 and~~
9 ~~less than 1,000,000 inhabitants,~~ a neutral site custody
10 exchange fund may be established by the passage of an ordinance
11 by the county board.

12 (b) In each county in which a county board has enacted an
13 ordinance authorizing a neutral site custody exchange fund to
14 be established, the county board shall set a fee to be
15 collected by the clerk of the circuit court on all civil case
16 filings of not less than \$1 nor more than \$8 to be paid by the
17 plaintiff at the time of the filing of the case and by the
18 defendant at the time of filing an appearance. The county board
19 shall review the amount of the fee on an annual basis and shall
20 increase the amount of the fee, not to exceed the \$8 maximum,
21 if the demand for neutral site custody exchanges requires
22 additional funding.

23 (c) In each county in which a county board has enacted an
24 ordinance authorizing a neutral site custody exchange fund to
25 be established, the clerk of the circuit court shall charge and
26 collect a neutral site custody exchange fund fee as established
27 by the county ordinance. The fee shall be paid by the parties
28 to the action at the time of filing the first pleading in all
29 civil cases. The fees shall not be charged in any proceeding
30 commenced by or on behalf of a unit of local government.

31 The fees shall be in addition to all other fees and charges
32 of the clerk, shall be assessable as costs, shall be remitted

1 by the clerk monthly to the county treasurer, and shall be
2 deposited monthly by the county treasurer in the neutral site
3 custody exchange fund established under this Section. Each such
4 clerk shall commence the charging and collection of the fee
5 upon receipt of written notice from the county board that a
6 neutral site custody exchange fund has been established.

7 (Source: P.A. 91-811, eff. 6-13-00.)

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