



Rep. Barbara Flynn Currie

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09400HB0339ham004

LRB094 06829 RCE 41933 a

1 AMENDMENT TO HOUSE BILL 339

2 AMENDMENT NO. _____. Amend House Bill 339, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Counties Code is amended by changing
6 Section 4-11001 as follows:

7 (55 ILCS 5/4-11001) (from Ch. 34, par. 4-11001)

8 Sec. 4-11001. Juror fees. Each county shall pay to grand
9 and petit jurors for their services in attending courts the sum
10 of \$4 until a juror fund fee is imposed and \$25 thereafter for
11 each day of necessary attendance at such courts as jurors in
12 counties of the first class, the sum of \$5 until a juror fund
13 fee is imposed and \$30 thereafter for each day in counties of
14 the second class, and the sum of \$10 until a juror fund fee is
15 imposed and \$40 thereafter for each day in counties of the
16 third class, or such higher amount as may be fixed by the
17 county board.

18 In addition, jurors shall receive such travel expense as
19 may be determined by the county board, provided that jurors in
20 counties of the first class and second class shall receive at
21 least 10 cents per mile for their travel expense. Mileage shall
22 be allowed for travel during a juror's term as well as for
23 travel at the opening and closing of his term.

24 If a judge so orders, a juror shall also receive

1 reimbursement for the actual cost of day care incurred by the
2 juror during his or her service on a jury.

3 The juror fees for service, transportation, and day care
4 shall be paid out of the county treasury until a juror fund fee
5 is imposed and out of the County Juror Fund thereafter.

6 For the purposes of funding juror fees, the clerk of court
7 shall collect a juror fund fee, as fixed by the county board,
8 from each plaintiff and defendant in an action. Within 180 days
9 after the effective date of this amendatory Act of the 94th
10 General Assembly, the county board must conduct an acceptable
11 cost study and set and impose an initial juror fund fee
12 justified by that cost study as sufficient to pay the increased
13 amount of the juror fees as provided in this amendatory Act of
14 the 94th General Assembly. The county board may thereafter
15 adjust the amount of the juror fund fee, but any increase must
16 be justified by an acceptable cost study showing that the then
17 current fee is not sufficient to cover the costs of juror fees.

18 The clerk shall deposit all of the juror fund fees
19 collected into a special county fund, the County Juror Fund,
20 which shall be used solely for the purpose of funding juror
21 fees in accordance with this Section. Within 10 business days
22 after the juror fund fee is initially imposed, and each month
23 thereafter, the county treasurer must transfer one-twelfth of
24 the base amount from the county treasury into the Fund. The
25 "base amount" is the total amount of all juror fees paid from
26 the county treasury during the 12-month period immediately
27 preceding the month in which the juror fund fee is initially
28 imposed. All moneys in the Fund and all income earned on those
29 moneys shall remain in the Fund and shall be available for
30 appropriation by the county board from fiscal year to fiscal
31 year for the purposes provided in this Section.

32 The following parties are exempt from payment of juror fund
33 fees:

34 (i) governmental entities;

1 (ii) pro se litigants;

2 (iii) parties to small claims actions;

3 (iv) parties seeking veterans' benefits or
4 compensation for a veteran or for a veteran's family member
5 or designee;

6 (v) parties to recoupment actions for
7 government-backed educational loans or mortgages;

8 (vi) parties to child custody or child support cases;

9 (vii) parties to actions under the Illinois Domestic
10 Violence Act of 1986;

11 (viii) parties granted leave to commence and prosecute
12 or to defend an action as a poor person without the payment
13 of costs and expenses; and

14 (ix) parties to any other filings designated by Supreme
15 Court rule that involve minimal use of court resources and
16 that are not customarily afforded the opportunity for a
17 trial by jury.

18 In a class action, the court shall determine the amount of
19 the fee, if any, to be charged to each plaintiff and defendant
20 as equity requires.

21 The clerk of the court shall furnish to each juror without
22 fee whenever the juror ~~he~~ is discharged a certificate of the
23 number of days' attendance at court, and upon presentation
24 thereof to the county treasurer, the county treasurer ~~he~~ shall
25 pay to the juror the sum provided for the juror's ~~his~~ service.

26 All counties, including home rule units, must comply with
27 the requirements of this Section. Juror fees may not be set,
28 administered, or paid in a manner inconsistent with this
29 Section. This Section is a limitation under subsection (i) of
30 Section 6 of Article VII of the Illinois Constitution on the
31 concurrent exercise by home rule units of powers and functions
32 exercised by the State.

33 (Source: P.A. 91-321, eff. 1-1-00.)

1 Section 90. The State Mandates Act is amended by adding
2 Section 8.29 as follows:

3 (30 ILCS 805/8.29 new)

4 Sec. 8.29. Exempt mandate. Notwithstanding Sections 6 and 8
5 of this Act, no reimbursement by the State is required for the
6 implementation of any mandate created by this amendatory Act of
7 the 94th General Assembly.

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