

1 AN ACT concerning transportation.

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

4 Section 5. The State Finance Act is amended by adding
5 Section 5.663 as follows:

6 (30 ILCS 105/5.663 new)

7 Sec. 5.663. The Prisoner Review Board Vehicle and Equipment
8 Fund.

9 Section 10. The Illinois Vehicle Code is amended by adding
10 Section 16-104c as follows:

11 (625 ILCS 5/16-104c new)

12 Sec. 16-104c. Court supervision fees.

13 (a) Any person who, after a court appearance in the same
14 matter, receives a disposition of court supervision for a
15 violation of any provision of this Code shall pay an additional
16 fee of \$20, which shall be disbursed as follows:

17 (1) if an officer of the Department of State Police
18 arrested the person for the violation, the \$20 fee shall be
19 deposited into the State Police Vehicle Fund in the State
20 treasury; or

21 (2) if an officer of any law enforcement agency in the
22 State other than the Department of State Police arrested
23 the person for the violation, the \$20 fee shall be paid to
24 the law enforcement agency that employed the arresting
25 officer and shall be used for the acquisition or
26 maintenance of police vehicles.

27 (b) In addition to the fee provided for in subsection (a),
28 a person who, after a court appearance in the same matter,
29 receives a disposition of court supervision for any violation
30 of this Code shall also pay an additional fee of \$5, if not

1 waived by the court. Of this \$5 fee, \$4.50 shall be deposited
2 into the Circuit Court Clerk Operation and Administrative Fund
3 created by the Clerk of the Circuit Court and 50 cents shall be
4 deposited into the Prisoner Review Board Vehicle and Equipment
5 Fund in the State treasury.

6 (c) The Prisoner Review Board Vehicle and Equipment Fund is
7 created as a special fund in the State treasury. The Prisoner
8 Review Board shall, subject to appropriation by the General
9 Assembly and approval by the Secretary, use all moneys in the
10 Prisoner Review Board Vehicle and Equipment Fund for the
11 purchase and operation of vehicles and equipment.

12 Section 15. The Clerks of Courts Act is amended by changing
13 Sections 27.5 and 27.6 and adding Section 27.3d as follows:

14 (705 ILCS 105/27.3d new)

15 Sec. 27.3d. Circuit Court Clerk Operation and
16 Administrative Fund. Each Circuit Court Clerk shall create a
17 Circuit Court Clerk Operation and Administrative Fund, to be
18 used to offset the costs incurred by the Circuit Court Clerk in
19 performing the additional duties required to collect and
20 disburse funds to entities of State and local government as
21 provided by law. The Circuit Court Clerk shall be the
22 custodian, ex officio, of this Fund and shall use the Fund to
23 perform the duties required by the office. The Fund shall be
24 audited by the auditor retained by the Clerk for the purpose of
25 conducting the Annual Circuit Court Clerk Audit. Expenditures
26 shall be made from the Fund by the Circuit Court Clerk for
27 expenses related to the cost of collection for and disbursement
28 to entities of State and local government.

29 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

30 Sec. 27.5. (a) All fees, fines, costs, additional
31 penalties, bail balances assessed or forfeited, and any other
32 amount paid by a person to the circuit clerk that equals an
33 amount less than \$55, except restitution under Section 5-5-6 of

1 the Unified Code of Corrections, reimbursement for the costs of
2 an emergency response as provided under Section 11-501 of the
3 Illinois Vehicle Code, any fees collected for attending a
4 traffic safety program under paragraph (c) of Supreme Court
5 Rule 529, any fee collected on behalf of a State's Attorney
6 under Section 4-2002 of the Counties Code or a sheriff under
7 Section 4-5001 of the Counties Code, or any cost imposed under
8 Section 124A-5 of the Code of Criminal Procedure of 1963, for
9 convictions, orders of supervision, or any other disposition
10 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois
11 Vehicle Code, or a similar provision of a local ordinance, and
12 any violation of the Child Passenger Protection Act, or a
13 similar provision of a local ordinance, and except as provided
14 in subsection (b) shall be disbursed within 60 days after
15 receipt by the circuit clerk as follows: 47% shall be disbursed
16 to the entity authorized by law to receive the fine imposed in
17 the case; 12% shall be disbursed to the State Treasurer; and
18 41% shall be disbursed to the county's general corporate fund.
19 Of the 12% disbursed to the State Treasurer, 1/6 shall be
20 deposited by the State Treasurer into the Violent Crime Victims
21 Assistance Fund, 1/2 shall be deposited into the Traffic and
22 Criminal Conviction Surcharge Fund, and 1/3 shall be deposited
23 into the Drivers Education Fund. For fiscal years 1992 and
24 1993, amounts deposited into the Violent Crime Victims
25 Assistance Fund, the Traffic and Criminal Conviction Surcharge
26 Fund, or the Drivers Education Fund shall not exceed 110% of
27 the amounts deposited into those funds in fiscal year 1991. Any
28 amount that exceeds the 110% limit shall be distributed as
29 follows: 50% shall be disbursed to the county's general
30 corporate fund and 50% shall be disbursed to the entity
31 authorized by law to receive the fine imposed in the case. Not
32 later than March 1 of each year the circuit clerk shall submit
33 a report of the amount of funds remitted to the State Treasurer
34 under this Section during the preceding year based upon
35 independent verification of fines and fees. All counties shall
36 be subject to this Section, except that counties with a

1 population under 2,000,000 may, by ordinance, elect not to be
2 subject to this Section. For offenses subject to this Section,
3 judges shall impose one total sum of money payable for
4 violations. The circuit clerk may add on no additional amounts
5 except for amounts that are required by Sections 27.3a and
6 27.3c of this Act, unless those amounts are specifically waived
7 by the judge. With respect to money collected by the circuit
8 clerk as a result of forfeiture of bail, ex parte judgment or
9 guilty plea pursuant to Supreme Court Rule 529, the circuit
10 clerk shall first deduct and pay amounts required by Sections
11 27.3a and 27.3c of this Act. This Section is a denial and
12 limitation of home rule powers and functions under subsection
13 (h) of Section 6 of Article VII of the Illinois Constitution.

14 (b) The following amounts must be remitted to the State
15 Treasurer for deposit into the Illinois Animal Abuse Fund:

16 (1) 50% of the amounts collected for felony offenses
17 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
18 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
19 Animals Act and Section 26-5 of the Criminal Code of 1961;

20 (2) 20% of the amounts collected for Class A and Class
21 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
22 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
23 for Animals Act and Section 26-5 of the Criminal Code of
24 1961; and

25 (3) 50% of the amounts collected for Class C
26 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
27 for Animals Act and Section 26-5 of the Criminal Code of
28 1961.

29 (c) Any person who receives a disposition of court
30 supervision for a violation of the Illinois Vehicle Code shall,
31 in addition to any other fines, fees, and court costs, pay an
32 additional fee of \$20, to be disbursed as provided in Section
33 16-104c of the Illinois Vehicle Code. In addition to the fee of
34 \$20, the person shall also pay a fee of \$5, if not waived by the
35 court. If this \$5 fee is collected, \$4.50 of the fee shall be
36 deposited into the Circuit Court Clerk Operation and

1 Administrative Fund created by the Clerk of the Circuit Court
2 and 50 cents of the fee shall be deposited into the Prisoner
3 Review Board Vehicle and Equipment Fund in the State treasury.

4 (Source: P.A. 92-454, eff. 1-1-02; 92-650, eff. 7-11-02;
5 93-800, eff. 1-1-05.)

6 (705 ILCS 105/27.6)

7 Sec. 27.6. (a) All fees, fines, costs, additional
8 penalties, bail balances assessed or forfeited, and any other
9 amount paid by a person to the circuit clerk equalling an
10 amount of \$55 or more, except the additional fee required by
11 subsections (b) and (c), restitution under Section 5-5-6 of the
12 Unified Code of Corrections, reimbursement for the costs of an
13 emergency response as provided under Section 11-501 of the
14 Illinois Vehicle Code, any fees collected for attending a
15 traffic safety program under paragraph (c) of Supreme Court
16 Rule 529, any fee collected on behalf of a State's Attorney
17 under Section 4-2002 of the Counties Code or a sheriff under
18 Section 4-5001 of the Counties Code, or any cost imposed under
19 Section 124A-5 of the Code of Criminal Procedure of 1963, for
20 convictions, orders of supervision, or any other disposition
21 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois
22 Vehicle Code, or a similar provision of a local ordinance, and
23 any violation of the Child Passenger Protection Act, or a
24 similar provision of a local ordinance, and except as provided
25 in subsection (d) shall be disbursed within 60 days after
26 receipt by the circuit clerk as follows: 44.5% shall be
27 disbursed to the entity authorized by law to receive the fine
28 imposed in the case; 16.825% shall be disbursed to the State
29 Treasurer; and 38.675% shall be disbursed to the county's
30 general corporate fund. Of the 16.825% disbursed to the State
31 Treasurer, 2/17 shall be deposited by the State Treasurer into
32 the Violent Crime Victims Assistance Fund, 5.052/17 shall be
33 deposited into the Traffic and Criminal Conviction Surcharge
34 Fund, 3/17 shall be deposited into the Drivers Education Fund,
35 and 6.948/17 shall be deposited into the Trauma Center Fund. Of

1 the 6.948/17 deposited into the Trauma Center Fund from the
2 16.825% disbursed to the State Treasurer, 50% shall be
3 disbursed to the Department of Public Health and 50% shall be
4 disbursed to the Department of Healthcare and Family Services
5 ~~Public Aid~~. For fiscal year 1993, amounts deposited into the
6 Violent Crime Victims Assistance Fund, the Traffic and Criminal
7 Conviction Surcharge Fund, or the Drivers Education Fund shall
8 not exceed 110% of the amounts deposited into those funds in
9 fiscal year 1991. Any amount that exceeds the 110% limit shall
10 be distributed as follows: 50% shall be disbursed to the
11 county's general corporate fund and 50% shall be disbursed to
12 the entity authorized by law to receive the fine imposed in the
13 case. Not later than March 1 of each year the circuit clerk
14 shall submit a report of the amount of funds remitted to the
15 State Treasurer under this Section during the preceding year
16 based upon independent verification of fines and fees. All
17 counties shall be subject to this Section, except that counties
18 with a population under 2,000,000 may, by ordinance, elect not
19 to be subject to this Section. For offenses subject to this
20 Section, judges shall impose one total sum of money payable for
21 violations. The circuit clerk may add on no additional amounts
22 except for amounts that are required by Sections 27.3a and
23 27.3c of this Act, unless those amounts are specifically waived
24 by the judge. With respect to money collected by the circuit
25 clerk as a result of forfeiture of bail, ex parte judgment or
26 guilty plea pursuant to Supreme Court Rule 529, the circuit
27 clerk shall first deduct and pay amounts required by Sections
28 27.3a and 27.3c of this Act. This Section is a denial and
29 limitation of home rule powers and functions under subsection
30 (h) of Section 6 of Article VII of the Illinois Constitution.

31 (b) In addition to any other fines and court costs assessed
32 by the courts, any person convicted or receiving an order of
33 supervision for driving under the influence of alcohol or drugs
34 shall pay an additional fee of \$100 to the clerk of the circuit
35 court. This amount, less 2 1/2% that shall be used to defray
36 administrative costs incurred by the clerk, shall be remitted

1 by the clerk to the Treasurer within 60 days after receipt for
2 deposit into the Trauma Center Fund. This additional fee of
3 \$100 shall not be considered a part of the fine for purposes of
4 any reduction in the fine for time served either before or
5 after sentencing. Not later than March 1 of each year the
6 Circuit Clerk shall submit a report of the amount of funds
7 remitted to the State Treasurer under this subsection during
8 the preceding calendar year.

9 (b-1) In addition to any other fines and court costs
10 assessed by the courts, any person convicted or receiving an
11 order of supervision for driving under the influence of alcohol
12 or drugs shall pay an additional fee of \$5 to the clerk of the
13 circuit court. This amount, less 2 1/2% that shall be used to
14 defray administrative costs incurred by the clerk, shall be
15 remitted by the clerk to the Treasurer within 60 days after
16 receipt for deposit into the Spinal Cord Injury Paralysis Cure
17 Research Trust Fund. This additional fee of \$5 shall not be
18 considered a part of the fine for purposes of any reduction in
19 the fine for time served either before or after sentencing. Not
20 later than March 1 of each year the Circuit Clerk shall submit
21 a report of the amount of funds remitted to the State Treasurer
22 under this subsection during the preceding calendar year.

23 (c) In addition to any other fines and court costs assessed
24 by the courts, any person convicted for a violation of Sections
25 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or a
26 person sentenced for a violation of the Cannabis Control Act,
27 the Illinois Controlled Substances Act, or the Methamphetamine
28 Control and Community Protection Act shall pay an additional
29 fee of \$100 to the clerk of the circuit court. This amount,
30 less 2 1/2% that shall be used to defray administrative costs
31 incurred by the clerk, shall be remitted by the clerk to the
32 Treasurer within 60 days after receipt for deposit into the
33 Trauma Center Fund. This additional fee of \$100 shall not be
34 considered a part of the fine for purposes of any reduction in
35 the fine for time served either before or after sentencing. Not
36 later than March 1 of each year the Circuit Clerk shall submit

1 a report of the amount of funds remitted to the State Treasurer
2 under this subsection during the preceding calendar year.

3 (c-1) In addition to any other fines and court costs
4 assessed by the courts, any person sentenced for a violation of
5 the Cannabis Control Act, the Illinois Controlled Substances
6 Act, or the Methamphetamine Control and Community Protection
7 Act shall pay an additional fee of \$5 to the clerk of the
8 circuit court. This amount, less 2 1/2% that shall be used to
9 defray administrative costs incurred by the clerk, shall be
10 remitted by the clerk to the Treasurer within 60 days after
11 receipt for deposit into the Spinal Cord Injury Paralysis Cure
12 Research Trust Fund. This additional fee of \$5 shall not be
13 considered a part of the fine for purposes of any reduction in
14 the fine for time served either before or after sentencing. Not
15 later than March 1 of each year the Circuit Clerk shall submit
16 a report of the amount of funds remitted to the State Treasurer
17 under this subsection during the preceding calendar year.

18 (d) The following amounts must be remitted to the State
19 Treasurer for deposit into the Illinois Animal Abuse Fund:

20 (1) 50% of the amounts collected for felony offenses
21 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
22 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
23 Animals Act and Section 26-5 of the Criminal Code of 1961;

24 (2) 20% of the amounts collected for Class A and Class
25 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
26 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
27 for Animals Act and Section 26-5 of the Criminal Code of
28 1961; and

29 (3) 50% of the amounts collected for Class C
30 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
31 for Animals Act and Section 26-5 of the Criminal Code of
32 1961.

33 (e) Any person who receives a disposition of court
34 supervision for a violation of the Illinois Vehicle Code shall,
35 in addition to any other fines, fees, and court costs, pay an
36 additional fee of \$20, to be disbursed as provided in Section

1 16-104c of the Illinois Vehicle Code. In addition to the fee of
2 \$20, the person shall also pay a fee of \$5, if not waived by the
3 court. If this \$5 fee is collected, \$4.50 of the fee shall be
4 deposited into the Circuit Court Clerk Operation and
5 Administrative Fund created by the Clerk of the Circuit Court
6 and 50 cents of the fee shall be deposited into the Prisoner
7 Review Board Vehicle and Equipment Fund in the State treasury.

8 (Source: P.A. 93-800, eff. 1-1-05; 94-556, eff. 9-11-05;
9 revised 12-15-05.)

10 Section 20. The Unified Code of Corrections is amended by
11 changing Section 5-6-1 as follows:

12 (730 ILCS 5/5-6-1) (from Ch. 38, par. 1005-6-1)

13 Sec. 5-6-1. Sentences of Probation and of Conditional
14 Discharge and Disposition of Supervision. The General Assembly
15 finds that in order to protect the public, the criminal justice
16 system must compel compliance with the conditions of probation
17 by responding to violations with swift, certain and fair
18 punishments and intermediate sanctions. The Chief Judge of each
19 circuit shall adopt a system of structured, intermediate
20 sanctions for violations of the terms and conditions of a
21 sentence of probation, conditional discharge or disposition of
22 supervision.

23 (a) Except where specifically prohibited by other
24 provisions of this Code, the court shall impose a sentence of
25 probation or conditional discharge upon an offender unless,
26 having regard to the nature and circumstance of the offense,
27 and to the history, character and condition of the offender,
28 the court is of the opinion that:

29 (1) his imprisonment or periodic imprisonment is
30 necessary for the protection of the public; or

31 (2) probation or conditional discharge would deprecate
32 the seriousness of the offender's conduct and would be
33 inconsistent with the ends of justice; or

34 (3) a combination of imprisonment with concurrent or

1 consecutive probation when an offender has been admitted
2 into a drug court program under Section 20 of the Drug
3 Court Treatment Act is necessary for the protection of the
4 public and for the rehabilitation of the offender.

5 The court shall impose as a condition of a sentence of
6 probation, conditional discharge, or supervision, that the
7 probation agency may invoke any sanction from the list of
8 intermediate sanctions adopted by the chief judge of the
9 circuit court for violations of the terms and conditions of the
10 sentence of probation, conditional discharge, or supervision,
11 subject to the provisions of Section 5-6-4 of this Act.

12 (b) The court may impose a sentence of conditional
13 discharge for an offense if the court is of the opinion that
14 neither a sentence of imprisonment nor of periodic imprisonment
15 nor of probation supervision is appropriate.

16 (b-1) Subsections (a) and (b) of this Section do not apply
17 to a defendant charged with a misdemeanor or felony under the
18 Illinois Vehicle Code or reckless homicide under Section 9-3 of
19 the Criminal Code of 1961 if the defendant within the past 12
20 months has been convicted of or pleaded guilty to a misdemeanor
21 or felony under the Illinois Vehicle Code or reckless homicide
22 under Section 9-3 of the Criminal Code of 1961.

23 (c) The court may, upon a plea of guilty or a stipulation
24 by the defendant of the facts supporting the charge or a
25 finding of guilt, defer further proceedings and the imposition
26 of a sentence, and enter an order for supervision of the
27 defendant, if the defendant is not charged with: (i) a Class A
28 misdemeanor, as defined by the following provisions of the
29 Criminal Code of 1961: Sections 11-9.1; 12-3.2; 12-15; 26-5;
30 31-1; 31-6; 31-7; subsections (b) and (c) of Section 21-1;
31 paragraph (1) through (5), (8), (10), and (11) of subsection
32 (a) of Section 24-1; (ii) a Class A misdemeanor violation of
33 Section 3.01, 3.03-1, or 4.01 of the Humane Care for Animals
34 Act; or (iii) felony. If the defendant is not barred from
35 receiving an order for supervision as provided in this
36 subsection, the court may enter an order for supervision after

1 considering the circumstances of the offense, and the history,
2 character and condition of the offender, if the court is of the
3 opinion that:

4 (1) the offender is not likely to commit further
5 crimes;

6 (2) the defendant and the public would be best served
7 if the defendant were not to receive a criminal record; and

8 (3) in the best interests of justice an order of
9 supervision is more appropriate than a sentence otherwise
10 permitted under this Code.

11 (d) The provisions of paragraph (c) shall not apply to a
12 defendant charged with violating Section 11-501 of the Illinois
13 Vehicle Code or a similar provision of a local ordinance when
14 the defendant has previously been:

15 (1) convicted for a violation of Section 11-501 of the
16 Illinois Vehicle Code or a similar provision of a local
17 ordinance or any similar law or ordinance of another state;
18 or

19 (2) assigned supervision for a violation of Section
20 11-501 of the Illinois Vehicle Code or a similar provision
21 of a local ordinance or any similar law or ordinance of
22 another state; or

23 (3) pleaded guilty to or stipulated to the facts
24 supporting a charge or a finding of guilty to a violation
25 of Section 11-503 of the Illinois Vehicle Code or a similar
26 provision of a local ordinance or any similar law or
27 ordinance of another state, and the plea or stipulation was
28 the result of a plea agreement.

29 The court shall consider the statement of the prosecuting
30 authority with regard to the standards set forth in this
31 Section.

32 (e) The provisions of paragraph (c) shall not apply to a
33 defendant charged with violating Section 16A-3 of the Criminal
34 Code of 1961 if said defendant has within the last 5 years
35 been:

36 (1) convicted for a violation of Section 16A-3 of the

1 Criminal Code of 1961; or

2 (2) assigned supervision for a violation of Section
3 16A-3 of the Criminal Code of 1961.

4 The court shall consider the statement of the prosecuting
5 authority with regard to the standards set forth in this
6 Section.

7 (f) The provisions of paragraph (c) shall not apply to a
8 defendant charged with violating Sections 15-111, 15-112,
9 15-301, paragraph (b) of Section 6-104, Section 11-605, or
10 Section 11-1414 of the Illinois Vehicle Code or a similar
11 provision of a local ordinance.

12 (g) Except as otherwise provided in paragraph (i) of this
13 Section, the provisions of paragraph (c) shall not apply to a
14 defendant charged with violating Section 3-707, 3-708, 3-710,
15 or 5-401.3 of the Illinois Vehicle Code or a similar provision
16 of a local ordinance if the defendant has within the last 5
17 years been:

18 (1) convicted for a violation of Section 3-707, 3-708,
19 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar
20 provision of a local ordinance; or

21 (2) assigned supervision for a violation of Section
22 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle
23 Code or a similar provision of a local ordinance.

24 The court shall consider the statement of the prosecuting
25 authority with regard to the standards set forth in this
26 Section.

27 (h) The provisions of paragraph (c) shall not apply to a
28 defendant under the age of 21 years charged with violating a
29 serious traffic offense as defined in Section 1-187.001 of the
30 Illinois Vehicle Code:

31 (1) unless the defendant, upon payment of the fines,
32 penalties, and costs provided by law, agrees to attend and
33 successfully complete a traffic safety program approved by
34 the court under standards set by the Conference of Chief
35 Circuit Judges. The accused shall be responsible for
36 payment of any traffic safety program fees. If the accused

1 fails to file a certificate of successful completion on or
2 before the termination date of the supervision order, the
3 supervision shall be summarily revoked and conviction
4 entered. The provisions of Supreme Court Rule 402 relating
5 to pleas of guilty do not apply in cases when a defendant
6 enters a guilty plea under this provision; or

7 (2) if the defendant has previously been sentenced
8 under the provisions of paragraph (c) on or after January
9 1, 1998 for any serious traffic offense as defined in
10 Section 1-187.001 of the Illinois Vehicle Code.

11 (i) The provisions of paragraph (c) shall not apply to a
12 defendant charged with violating Section 3-707 of the Illinois
13 Vehicle Code or a similar provision of a local ordinance if the
14 defendant has been assigned supervision for a violation of
15 Section 3-707 of the Illinois Vehicle Code or a similar
16 provision of a local ordinance.

17 (j) The provisions of paragraph (c) shall not apply to a
18 defendant charged with violating Section 6-303 of the Illinois
19 Vehicle Code or a similar provision of a local ordinance when
20 the revocation or suspension was for a violation of Section
21 11-501 or a similar provision of a local ordinance, a violation
22 of Section 11-501.1 or paragraph (b) of Section 11-401 of the
23 Illinois Vehicle Code, or a violation of Section 9-3 of the
24 Criminal Code of 1961 if the defendant has within the last 10
25 years been:

26 (1) convicted for a violation of Section 6-303 of the
27 Illinois Vehicle Code or a similar provision of a local
28 ordinance; or

29 (2) assigned supervision for a violation of Section
30 6-303 of the Illinois Vehicle Code or a similar provision
31 of a local ordinance.

32 (k) The provisions of paragraph (c) shall not apply to a
33 defendant charged with violating any provision of the Illinois
34 Vehicle Code or a similar provision of a local ordinance that
35 governs the movement of vehicles if, within the 12 months
36 preceding the date of the defendant's arrest, the defendant has

1 been assigned court supervision on 2 occasions for a violation
2 that governs the movement of vehicles under the Illinois
3 Vehicle Code or a similar provision of a local ordinance.

4 (1) A defendant charged with violating any provision of the
5 Illinois Vehicle Code who, after a court appearance in the same
6 matter, receives a disposition of supervision under subsection
7 (c) shall pay an additional fee of \$20, to be collected as
8 provided in Sections 27.5 and 27.6 of the Clerks of Courts Act.
9 In addition to the \$20 fee, the person shall also pay a fee of
10 \$5, which, if not waived by the court, shall be collected as
11 provided in Sections 27.5 and 27.6 of the Clerks of Courts Act.
12 The \$20 fee shall be disbursed as provided in Section 16-104c
13 of the Illinois Vehicle Code. If the \$5 fee is collected, \$4.50
14 of the fee shall be deposited into the Circuit Court Clerk
15 Operation and Administrative Fund created by the Clerk of the
16 Circuit Court and 50 cents of the fee shall be deposited into
17 the Prisoner Review Board Vehicle and Equipment Fund in the
18 State treasury.

19 (Source: P.A. 93-388, eff. 7-25-03; 93-1014, eff. 1-1-05;
20 94-169, eff. 1-1-06; 94-330, eff. 1-1-06; 94-375, eff. 1-1-06;
21 revised 8-19-05.)