



Sen. Emil Jones Jr.

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LRB094 04769 DRH 57740 a

1 AMENDMENT TO SENATE BILL 1089

2 AMENDMENT NO. _____. Amend Senate Bill 1089 by replacing
3 everything after the enacting clause with the following:

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

1 the person for the violation, the \$20 fee shall be paid to
2 the law enforcement agency that employed the arresting
3 officer and shall be used for the acquisition or
4 maintenance of police vehicles.

5 (b) In addition to the fee provided for in subsection (a),
6 a person who, after a court appearance in the same matter,
7 receives a disposition of court supervision for any violation
8 of this Code shall also pay an additional fee of \$5, if not
9 waived by the court. Of this \$5 fee, \$4.50 shall be deposited
10 into the Circuit Court Clerk Operation and Administrative Fund
11 created by the Clerk of the Circuit Court and 50 cents shall be
12 deposited into the Prisoner Review Board Vehicle and Equipment
13 Fund in the State treasury.

14 (c) The Prisoner Review Board Vehicle and Equipment Fund is
15 created as a special fund in the State treasury. The Prisoner
16 Review Board shall, subject to appropriation by the General
17 Assembly and approval by the Secretary, use all moneys in the
18 Prisoner Review Board Vehicle and Equipment Fund for the
19 purchase and operation of vehicles and equipment.

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

22 (705 ILCS 105/27.3d new)

23 Sec. 27.3d. Circuit Court Clerk Operation and
24 Administrative Fund. Each Circuit Court Clerk shall create a
25 Circuit Court Clerk Operation and Administrative Fund, to be
26 used to offset the costs incurred by the Circuit Court Clerk in
27 performing the additional duties required to collect and
28 disburse funds to entities of State and local government as
29 provided by law. The Circuit Court Clerk shall be the
30 custodian, ex officio, of this Fund and shall use the Fund to
31 perform the duties required by the office. The Fund shall be
32 audited by the auditor retained by the Clerk for the purpose of

1 conducting the Annual Circuit Court Clerk Audit. Expenditures
2 shall be made from the Fund by the Circuit Court Clerk for
3 expenses related to the cost of collection for and disbursement
4 to entities of State and local government.

5 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

6 Sec. 27.5. (a) All fees, fines, costs, additional
7 penalties, bail balances assessed or forfeited, and any other
8 amount paid by a person to the circuit clerk that equals an
9 amount less than \$55, except restitution under Section 5-5-6 of
10 the Unified Code of Corrections, reimbursement for the costs of
11 an emergency response as provided under Section 11-501 of the
12 Illinois Vehicle Code, any fees collected for attending a
13 traffic safety program under paragraph (c) of Supreme Court
14 Rule 529, any fee collected on behalf of a State's Attorney
15 under Section 4-2002 of the Counties Code or a sheriff under
16 Section 4-5001 of the Counties Code, or any cost imposed under
17 Section 124A-5 of the Code of Criminal Procedure of 1963, for
18 convictions, orders of supervision, or any other disposition
19 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois
20 Vehicle Code, or a similar provision of a local ordinance, and
21 any violation of the Child Passenger Protection Act, or a
22 similar provision of a local ordinance, and except as provided
23 in subsection (b) shall be disbursed within 60 days after
24 receipt by the circuit clerk as follows: 47% shall be disbursed
25 to the entity authorized by law to receive the fine imposed in
26 the case; 12% shall be disbursed to the State Treasurer; and
27 41% shall be disbursed to the county's general corporate fund.
28 Of the 12% disbursed to the State Treasurer, 1/6 shall be
29 deposited by the State Treasurer into the Violent Crime Victims
30 Assistance Fund, 1/2 shall be deposited into the Traffic and
31 Criminal Conviction Surcharge Fund, and 1/3 shall be deposited
32 into the Drivers Education Fund. For fiscal years 1992 and
33 1993, amounts deposited into the Violent Crime Victims

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

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

28 (1) 50% of the amounts collected for felony offenses
29 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
30 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
31 Animals Act and Section 26-5 of the Criminal Code of 1961;

32 (2) 20% of the amounts collected for Class A and Class
33 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
34 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care

1 for Animals Act and Section 26-5 of the Criminal Code of
2 1961; and

3 (3) 50% of the amounts collected for Class C
4 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
5 for Animals Act and Section 26-5 of the Criminal Code of
6 1961.

7 (c) Any person who receives a disposition of court
8 supervision for a violation of the Illinois Vehicle Code shall,
9 in addition to any other fines, fees, and court costs, pay
10 additional fee of \$20, to be disbursed as provided in Section
11 16-104c of the Illinois Vehicle Code. In addition to the fee of
12 \$20, the person shall also pay a fee of \$5, if not waived by the
13 court. If this \$5 fee is collected, \$4.50 of the fee shall be
14 deposited into the Circuit Court Clerk Operation and
15 Administrative Fund created by the Clerk of the Circuit Court
16 and 50 cents of the fee shall be deposited into the Prisoner
17 Review Board Vehicle and Equipment Fund in the State treasury.

18 (Source: P.A. 92-454, eff. 1-1-02; 92-650, eff. 7-11-02;
19 93-800, eff. 1-1-05.)

20 (705 ILCS 105/27.6)

21 Sec. 27.6. (a) All fees, fines, costs, additional
22 penalties, bail balances assessed or forfeited, and any other
23 amount paid by a person to the circuit clerk equalling an
24 amount of \$55 or more, except the additional fee required by
25 subsections (b) and (c), restitution under Section 5-5-6 of the
26 Unified Code of Corrections, reimbursement for the costs of an
27 emergency response as provided under Section 11-501 of the
28 Illinois Vehicle Code, any fees collected for attending a
29 traffic safety program under paragraph (c) of Supreme Court
30 Rule 529, any fee collected on behalf of a State's Attorney
31 under Section 4-2002 of the Counties Code or a sheriff under
32 Section 4-5001 of the Counties Code, or any cost imposed under
33 Section 124A-5 of the Code of Criminal Procedure of 1963, for

1 convictions, orders of supervision, or any other disposition
2 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois
3 Vehicle Code, or a similar provision of a local ordinance, and
4 any violation of the Child Passenger Protection Act, or a
5 similar provision of a local ordinance, and except as provided
6 in subsection (d) shall be disbursed within 60 days after
7 receipt by the circuit clerk as follows: 44.5% shall be
8 disbursed to the entity authorized by law to receive the fine
9 imposed in the case; 16.825% shall be disbursed to the State
10 Treasurer; and 38.675% shall be disbursed to the county's
11 general corporate fund. Of the 16.825% disbursed to the State
12 Treasurer, 2/17 shall be deposited by the State Treasurer into
13 the Violent Crime Victims Assistance Fund, 5.052/17 shall be
14 deposited into the Traffic and Criminal Conviction Surcharge
15 Fund, 3/17 shall be deposited into the Drivers Education Fund,
16 and 6.948/17 shall be deposited into the Trauma Center Fund. Of
17 the 6.948/17 deposited into the Trauma Center Fund from the
18 16.825% disbursed to the State Treasurer, 50% shall be
19 disbursed to the Department of Public Health and 50% shall be
20 disbursed to the Department of Healthcare and Family Services
21 ~~Public Aid~~. For fiscal year 1993, amounts deposited into the
22 Violent Crime Victims Assistance Fund, the Traffic and Criminal
23 Conviction Surcharge Fund, or the Drivers Education Fund shall
24 not exceed 110% of the amounts deposited into those funds in
25 fiscal year 1991. Any amount that exceeds the 110% limit shall
26 be distributed as follows: 50% shall be disbursed to the
27 county's general corporate fund and 50% shall be disbursed to
28 the entity authorized by law to receive the fine imposed in the
29 case. Not later than March 1 of each year the circuit clerk
30 shall submit a report of the amount of funds remitted to the
31 State Treasurer under this Section during the preceding year
32 based upon independent verification of fines and fees. All
33 counties shall be subject to this Section, except that counties
34 with a population under 2,000,000 may, by ordinance, elect not

1 to be subject to this Section. For offenses subject to this
2 Section, judges shall impose one total sum of money payable for
3 violations. The circuit clerk may add on no additional amounts
4 except for amounts that are required by Sections 27.3a and
5 27.3c of this Act, unless those amounts are specifically waived
6 by the judge. With respect to money collected by the circuit
7 clerk as a result of forfeiture of bail, ex parte judgment or
8 guilty plea pursuant to Supreme Court Rule 529, the circuit
9 clerk shall first deduct and pay amounts required by Sections
10 27.3a and 27.3c of this Act. This Section is a denial and
11 limitation of home rule powers and functions under subsection
12 (h) of Section 6 of Article VII of the Illinois Constitution.

13 (b) In addition to any other fines and court costs assessed
14 by the courts, any person convicted or receiving an order of
15 supervision for driving under the influence of alcohol or drugs
16 shall pay an additional fee of \$100 to the clerk of the circuit
17 court. This amount, less 2 1/2% that shall be used to defray
18 administrative costs incurred by the clerk, shall be remitted
19 by the clerk to the Treasurer within 60 days after receipt for
20 deposit into the Trauma Center Fund. This additional fee of
21 \$100 shall not be considered a part of the fine for purposes of
22 any reduction in the fine for time served either before or
23 after sentencing. Not later than March 1 of each year the
24 Circuit Clerk shall submit a report of the amount of funds
25 remitted to the State Treasurer under this subsection during
26 the preceding calendar year.

27 (b-1) In addition to any other fines and court costs
28 assessed by the courts, any person convicted or receiving an
29 order of supervision for driving under the influence of alcohol
30 or drugs shall pay an additional fee of \$5 to the clerk of the
31 circuit court. This amount, less 2 1/2% that shall be used to
32 defray administrative costs incurred by the clerk, shall be
33 remitted by the clerk to the Treasurer within 60 days after
34 receipt for deposit into the Spinal Cord Injury Paralysis Cure

1 Research Trust Fund. This additional fee of \$5 shall not be
2 considered a part of the fine for purposes of any reduction in
3 the fine for time served either before or after sentencing. Not
4 later than March 1 of each year the Circuit Clerk shall submit
5 a report of the amount of funds remitted to the State Treasurer
6 under this subsection during the preceding calendar year.

7 (c) In addition to any other fines and court costs assessed
8 by the courts, any person convicted for a violation of Sections
9 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or a
10 person sentenced for a violation of the Cannabis Control Act,
11 the Illinois Controlled Substances Act, or the Methamphetamine
12 Control and Community Protection Act shall pay an additional
13 fee of \$100 to the clerk of the circuit court. This amount,
14 less 2 1/2% that shall be used to defray administrative costs
15 incurred by the clerk, shall be remitted by the clerk to the
16 Treasurer within 60 days after receipt for deposit into the
17 Trauma Center Fund. This additional fee of \$100 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-1) In addition to any other fines and court costs
24 assessed by the courts, any person sentenced for a violation of
25 the Cannabis Control Act, the Illinois Controlled Substances
26 Act, or the Methamphetamine Control and Community Protection
27 Act shall pay an additional fee of \$5 to the clerk of the
28 circuit court. This amount, less 2 1/2% that shall be used to
29 defray administrative costs incurred by the clerk, shall be
30 remitted by the clerk to the Treasurer within 60 days after
31 receipt for deposit into the Spinal Cord Injury Paralysis Cure
32 Research Trust Fund. This additional fee of \$5 shall not be
33 considered a part of the fine for purposes of any reduction in
34 the fine for time served either before or after sentencing. Not

1 later than March 1 of each year the Circuit Clerk shall submit
2 a report of the amount of funds remitted to the State Treasurer
3 under this subsection during the preceding calendar year.

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

6 (1) 50% of the amounts collected for felony offenses
7 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
8 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
9 Animals Act and Section 26-5 of the Criminal Code of 1961;

10 (2) 20% of the amounts collected for Class A and Class
11 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
12 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
13 for Animals Act and Section 26-5 of the Criminal Code of
14 1961; and

15 (3) 50% of the amounts collected for Class C
16 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
17 for Animals Act and Section 26-5 of the Criminal Code of
18 1961.

19 (e) Any person who receives a disposition of court
20 supervision for a violation of the Illinois Vehicle Code shall,
21 in addition to any other fines, fees, and court costs, pay
22 additional fee of \$20, to be disbursed as provided in Section
23 16-104c of the Illinois Vehicle Code. In addition to the fee of
24 \$20, the person shall also pay a fee of \$5, if not waived by the
25 court. If this \$5 fee is collected, \$4.50 of the fee shall be
26 deposited into the Circuit Court Clerk Operation and
27 Administrative Fund created by the Clerk of the Circuit Court
28 and 50 cents of the fee shall be deposited into the Prisoner
29 Review Board Vehicle and Equipment Fund in the State treasury.

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

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

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

2 Sec. 5-6-1. Sentences of Probation and of Conditional
3 Discharge and Disposition of Supervision. The General Assembly
4 finds that in order to protect the public, the criminal justice
5 system must compel compliance with the conditions of probation
6 by responding to violations with swift, certain and fair
7 punishments and intermediate sanctions. The Chief Judge of each
8 circuit shall adopt a system of structured, intermediate
9 sanctions for violations of the terms and conditions of a
10 sentence of probation, conditional discharge or disposition of
11 supervision.

12 (a) Except where specifically prohibited by other
13 provisions of this Code, the court shall impose a sentence of
14 probation or conditional discharge upon an offender unless,
15 having regard to the nature and circumstance of the offense,
16 and to the history, character and condition of the offender,
17 the court is of the opinion that:

18 (1) his imprisonment or periodic imprisonment is
19 necessary for the protection of the public; or

20 (2) probation or conditional discharge would deprecate
21 the seriousness of the offender's conduct and would be
22 inconsistent with the ends of justice; or

23 (3) a combination of imprisonment with concurrent or
24 consecutive probation when an offender has been admitted
25 into a drug court program under Section 20 of the Drug
26 Court Treatment Act is necessary for the protection of the
27 public and for the rehabilitation of the offender.

28 The court shall impose as a condition of a sentence of
29 probation, conditional discharge, or supervision, that the
30 probation agency may invoke any sanction from the list of
31 intermediate sanctions adopted by the chief judge of the
32 circuit court for violations of the terms and conditions of the
33 sentence of probation, conditional discharge, or supervision,

1 subject to the provisions of Section 5-6-4 of this Act.

2 (b) The court may impose a sentence of conditional
3 discharge for an offense if the court is of the opinion that
4 neither a sentence of imprisonment nor of periodic imprisonment
5 nor of probation supervision is appropriate.

6 (b-1) Subsections (a) and (b) of this Section do not apply
7 to a defendant charged with a misdemeanor or felony under the
8 Illinois Vehicle Code or reckless homicide under Section 9-3 of
9 the Criminal Code of 1961 if the defendant within the past 12
10 months has been convicted of or pleaded guilty to a misdemeanor
11 or felony under the Illinois Vehicle Code or reckless homicide
12 under Section 9-3 of the Criminal Code of 1961.

13 (c) The court may, upon a plea of guilty or a stipulation
14 by the defendant of the facts supporting the charge or a
15 finding of guilt, defer further proceedings and the imposition
16 of a sentence, and enter an order for supervision of the
17 defendant, if the defendant is not charged with: (i) a Class A
18 misdemeanor, as defined by the following provisions of the
19 Criminal Code of 1961: Sections 11-9.1; 12-3.2; 12-15; 26-5;
20 31-1; 31-6; 31-7; subsections (b) and (c) of Section 21-1;
21 paragraph (1) through (5), (8), (10), and (11) of subsection
22 (a) of Section 24-1; (ii) a Class A misdemeanor violation of
23 Section 3.01, 3.03-1, or 4.01 of the Humane Care for Animals
24 Act; or (iii) felony. If the defendant is not barred from
25 receiving an order for supervision as provided in this
26 subsection, the court may enter an order for supervision after
27 considering the circumstances of the offense, and the history,
28 character and condition of the offender, if the court is of the
29 opinion that:

30 (1) the offender is not likely to commit further
31 crimes;

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

34 (3) in the best interests of justice an order of

1 supervision is more appropriate than a sentence otherwise
2 permitted under this Code.

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

7 (1) convicted for a violation of Section 11-501 of the
8 Illinois Vehicle Code or a similar provision of a local
9 ordinance or any similar law or ordinance of another state;
10 or

11 (2) assigned supervision for a violation of Section
12 11-501 of the Illinois Vehicle Code or a similar provision
13 of a local ordinance or any similar law or ordinance of
14 another state; or

15 (3) pleaded guilty to or stipulated to the facts
16 supporting a charge or a finding of guilty to a violation
17 of Section 11-503 of the Illinois Vehicle Code or a similar
18 provision of a local ordinance or any similar law or
19 ordinance of another state, and the plea or stipulation was
20 the result of a plea agreement.

21 The court shall consider the statement of the prosecuting
22 authority with regard to the standards set forth in this
23 Section.

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

28 (1) convicted for a violation of Section 16A-3 of the
29 Criminal Code of 1961; or

30 (2) assigned supervision for a violation of Section
31 16A-3 of the Criminal Code of 1961.

32 The court shall consider the statement of the prosecuting
33 authority with regard to the standards set forth in this
34 Section.

1 (f) The provisions of paragraph (c) shall not apply to a
2 defendant charged with violating Sections 15-111, 15-112,
3 15-301, paragraph (b) of Section 6-104, Section 11-605, or
4 Section 11-1414 of the Illinois Vehicle Code or a similar
5 provision of a local ordinance.

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

12 (1) convicted for a violation of Section 3-707, 3-708,
13 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar
14 provision of a local ordinance; or

15 (2) assigned supervision for a violation of Section
16 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle
17 Code or a similar provision of a local ordinance.

18 The court shall consider the statement of the prosecuting
19 authority with regard to the standards set forth in this
20 Section.

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

25 (1) unless the defendant, upon payment of the fines,
26 penalties, and costs provided by law, agrees to attend and
27 successfully complete a traffic safety program approved by
28 the court under standards set by the Conference of Chief
29 Circuit Judges. The accused shall be responsible for
30 payment of any traffic safety program fees. If the accused
31 fails to file a certificate of successful completion on or
32 before the termination date of the supervision order, the
33 supervision shall be summarily revoked and conviction
34 entered. The provisions of Supreme Court Rule 402 relating

1 to pleas of guilty do not apply in cases when a defendant
2 enters a guilty plea under this provision; or

3 (2) if the defendant has previously been sentenced
4 under the provisions of paragraph (c) on or after January
5 1, 1998 for any serious traffic offense as defined in
6 Section 1-187.001 of the Illinois Vehicle Code.

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

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

22 (1) convicted for a violation of Section 6-303 of the
23 Illinois Vehicle Code or a similar provision of a local
24 ordinance; or

25 (2) assigned supervision for a violation of Section
26 6-303 of the Illinois Vehicle Code or a similar provision
27 of a local ordinance.

28 (k) The provisions of paragraph (c) shall not apply to a
29 defendant charged with violating any provision of the Illinois
30 Vehicle Code or a similar provision of a local ordinance that
31 governs the movement of vehicles if, within the 12 months
32 preceding the date of the defendant's arrest, the defendant has
33 been assigned court supervision on 2 occasions for a violation
34 that governs the movement of vehicles under the Illinois

1 Vehicle Code or a similar provision of a local ordinance.

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

17 (Source: P.A. 93-388, eff. 7-25-03; 93-1014, eff. 1-1-05;
18 94-169, eff. 1-1-06; 94-330, eff. 1-1-06; 94-375, eff. 1-1-06;
19 revised 8-19-05.)".