



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1260

Introduced 2/9/2007, by Sen. John J. Millner

SYNOPSIS AS INTRODUCED:

625 ILCS 5/16-104c

705 ILCS 105/27.5

705 ILCS 105/27.6

730 ILCS 5/5-6-1

from Ch. 25, par. 27.5

from Ch. 38, par. 1005-6-1

Amends the Illinois Vehicle Code. Provides that any person who, after a court appearance in the same matter, receives a disposition of court supervision for a violation of any provision of the Code or a similar provision of a local ordinance (instead of only a violation of any provision of the Code) shall pay an additional fee of \$20 and an additional fee of \$5 for court supervision. Amends the Clerks of Courts Act and the Unified Code of Corrections to reflect the additional fees for violation of a local ordinance that is similar to the supervision provisions of the Illinois Vehicle Code. Effective immediately.

LRB095 09752 AJO 29960 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning courts.

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

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 16-104c as follows:

6 (625 ILCS 5/16-104c)

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

8 (a) Any person who, after a court appearance in the same
9 matter, receives a disposition of court supervision for a
10 violation of any provision of this Code or a similar provision
11 of a local ordinance shall pay an additional fee of \$20, which
12 shall be disbursed as follows:

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

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

23 (b) In addition to the fee provided for in subsection (a),

1 a person who, after a court appearance in the same matter,
2 receives a disposition of court supervision for any violation
3 of this Code or a similar provision of a local ordinance shall
4 also pay an additional fee of \$5, if not waived by the court.
5 Of this \$5 fee, \$4.50 shall be deposited into the Circuit Court
6 Clerk Operation and Administrative Fund created by the Clerk of
7 the Circuit Court and 50 cents shall be deposited into the
8 Prisoner Review Board Vehicle and Equipment Fund in the State
9 treasury.

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

16 (Source: P.A. 94-1009, eff. 1-1-07.)

17 Section 10. The Clerks of Courts Act is amended by changing
18 Sections 27.5 and 27.6 as follows:

19 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

20 Sec. 27.5. (a) All fees, fines, costs, additional
21 penalties, bail balances assessed or forfeited, and any other
22 amount paid by a person to the circuit clerk that equals an
23 amount less than \$55, except restitution under Section 5-5-6 of
24 the Unified Code of Corrections, reimbursement for the costs of

1 an emergency response as provided under Section 11-501 of the
2 Illinois Vehicle Code, any fees collected for attending a
3 traffic safety program under paragraph (c) of Supreme Court
4 Rule 529, any fee collected on behalf of a State's Attorney
5 under Section 4-2002 of the Counties Code or a sheriff under
6 Section 4-5001 of the Counties Code, or any cost imposed under
7 Section 124A-5 of the Code of Criminal Procedure of 1963, for
8 convictions, orders of supervision, or any other disposition
9 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois
10 Vehicle Code, or a similar provision of a local ordinance, and
11 any violation of the Child Passenger Protection Act, or a
12 similar provision of a local ordinance, and except as provided
13 in subsection (b) shall be disbursed within 60 days after
14 receipt by the circuit clerk as follows: 47% shall be disbursed
15 to the entity authorized by law to receive the fine imposed in
16 the case; 12% shall be disbursed to the State Treasurer; and
17 41% shall be disbursed to the county's general corporate fund.
18 Of the 12% disbursed to the State Treasurer, 1/6 shall be
19 deposited by the State Treasurer into the Violent Crime Victims
20 Assistance Fund, 1/2 shall be deposited into the Traffic and
21 Criminal Conviction Surcharge Fund, and 1/3 shall be deposited
22 into the Drivers Education Fund. For fiscal years 1992 and
23 1993, amounts deposited into the Violent Crime Victims
24 Assistance Fund, the Traffic and Criminal Conviction Surcharge
25 Fund, or the Drivers Education Fund shall not exceed 110% of
26 the amounts deposited into those funds in fiscal year 1991. Any

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

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

25 (1) 50% of the amounts collected for felony offenses
26 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,

1 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
2 Animals Act and Section 26-5 of the Criminal Code of 1961;

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

8 (3) 50% of the amounts collected for Class C
9 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
10 for Animals Act and Section 26-5 of the Criminal Code of
11 1961.

12 (c) Any person who receives a disposition of court
13 supervision for a violation of the Illinois Vehicle Code or a
14 similar provision of a local ordinance shall, in addition to
15 any other fines, fees, and court costs, pay an additional fee
16 of \$20, to be disbursed as provided in Section 16-104c of the
17 Illinois Vehicle Code. In addition to the fee of \$20, the
18 person shall also pay a fee of \$5, if not waived by the court.
19 If this \$5 fee is collected, \$4.50 of the fee shall be
20 deposited into the Circuit Court Clerk Operation and
21 Administrative Fund created by the Clerk of the Circuit Court
22 and 50 cents of the fee shall be deposited into the Prisoner
23 Review Board Vehicle and Equipment Fund in the State treasury.
24 (Source: P.A. 93-800, eff. 1-1-05; 94-1009, eff. 1-1-07.)

25 (705 ILCS 105/27.6)

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

1 deposited into the Traffic and Criminal Conviction Surcharge
2 Fund, 3/17 shall be deposited into the Drivers Education Fund,
3 and 6.948/17 shall be deposited into the Trauma Center Fund. Of
4 the 6.948/17 deposited into the Trauma Center Fund from the
5 16.825% disbursed to the State Treasurer, 50% shall be
6 disbursed to the Department of Public Health and 50% shall be
7 disbursed to the Department of Healthcare and Family Services.
8 For fiscal year 1993, amounts deposited into the Violent Crime
9 Victims Assistance Fund, the Traffic and Criminal Conviction
10 Surcharge Fund, or the Drivers Education Fund shall not exceed
11 110% of the amounts deposited into those funds in fiscal year
12 1991. Any amount that exceeds the 110% limit shall be
13 distributed as follows: 50% shall be disbursed to the county's
14 general corporate fund and 50% shall be disbursed to the entity
15 authorized by law to receive the fine imposed in the case. Not
16 later than March 1 of each year the circuit clerk shall submit
17 a report of the amount of funds remitted to the State Treasurer
18 under this Section during the preceding year based upon
19 independent verification of fines and fees. All counties shall
20 be subject to this Section, except that counties with a
21 population under 2,000,000 may, by ordinance, elect not to be
22 subject to this Section. For offenses subject to this Section,
23 judges shall impose one total sum of money payable for
24 violations. The circuit clerk may add on no additional amounts
25 except for amounts that are required by Sections 27.3a and
26 27.3c of this Act, unless those amounts are specifically waived

1 by the judge. With respect to money collected by the circuit
2 clerk as a result of forfeiture of bail, ex parte judgment or
3 guilty plea pursuant to Supreme Court Rule 529, the circuit
4 clerk shall first deduct and pay amounts required by Sections
5 27.3a and 27.3c of this Act. This Section is a denial and
6 limitation of home rule powers and functions under subsection
7 (h) of Section 6 of Article VII of the Illinois Constitution.

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

22 (b-1) In addition to any other fines and court costs
23 assessed by the courts, any person convicted or receiving an
24 order of supervision for driving under the influence of alcohol
25 or drugs shall pay an additional fee of \$5 to the clerk of the
26 circuit court. This amount, less 2 1/2% that shall be used to

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

10 (c) In addition to any other fines and court costs assessed
11 by the courts, any person convicted for a violation of Sections
12 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or a
13 person sentenced for a violation of the Cannabis Control Act,
14 the Illinois Controlled Substances Act, or the Methamphetamine
15 Control and Community Protection Act shall pay an additional
16 fee of \$100 to the clerk of the circuit court. This amount,
17 less 2 1/2% that shall be used to defray administrative costs
18 incurred by the clerk, shall be remitted by the clerk to the
19 Treasurer within 60 days after receipt for deposit into the
20 Trauma Center Fund. This additional fee of \$100 shall not be
21 considered a part of the fine for purposes of any reduction in
22 the fine for time served either before or after sentencing. Not
23 later than March 1 of each year the Circuit Clerk shall submit
24 a report of the amount of funds remitted to the State Treasurer
25 under this subsection during the preceding calendar year.

26 (c-1) In addition to any other fines and court costs

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

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

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

21 (2) 20% of the amounts collected for Class A and Class
22 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
23 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
24 for Animals Act and Section 26-5 of the Criminal Code of
25 1961; and

26 (3) 50% of the amounts collected for Class C

1 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
2 for Animals Act and Section 26-5 of the Criminal Code of
3 1961.

4 (e) Any person who receives a disposition of court
5 supervision for a violation of the Illinois Vehicle Code or a
6 similar provision of a local ordinance shall, in addition to
7 any other fines, fees, and court costs, pay an additional fee
8 of \$20, to be disbursed as provided in Section 16-104c of the
9 Illinois Vehicle Code. In addition to the fee of \$20, the
10 person shall also pay a fee of \$5, if not waived by the court.
11 If this \$5 fee is collected, \$4.50 of the fee shall be
12 deposited into the Circuit Court Clerk Operation and
13 Administrative Fund created by the Clerk of the Circuit Court
14 and 50 cents of the fee shall be deposited into the Prisoner
15 Review Board Vehicle and Equipment Fund in the State treasury.
16 (Source: P.A. 93-800, eff. 1-1-05; 94-556, eff. 9-11-05;
17 94-1009, eff. 1-1-07.)

18 Section 15. The Unified Code of Corrections is amended by
19 changing Section 5-6-1 as follows:

20 (730 ILCS 5/5-6-1) (from Ch. 38, par. 1005-6-1)

21 Sec. 5-6-1. Sentences of Probation and of Conditional
22 Discharge and Disposition of Supervision. The General Assembly
23 finds that in order to protect the public, the criminal justice
24 system must compel compliance with the conditions of probation

1 by responding to violations with swift, certain and fair
2 punishments and intermediate sanctions. The Chief Judge of each
3 circuit shall adopt a system of structured, intermediate
4 sanctions for violations of the terms and conditions of a
5 sentence of probation, conditional discharge or disposition of
6 supervision.

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

13 (1) his imprisonment or periodic imprisonment is
14 necessary for the protection of the public; or

15 (2) probation or conditional discharge would deprecate
16 the seriousness of the offender's conduct and would be
17 inconsistent with the ends of justice; or

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

23 The court shall impose as a condition of a sentence of
24 probation, conditional discharge, or supervision, that the
25 probation agency may invoke any sanction from the list of
26 intermediate sanctions adopted by the chief judge of the

1 circuit court for violations of the terms and conditions of the
2 sentence of probation, conditional discharge, or supervision,
3 subject to the provisions of Section 5-6-4 of this Act.

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

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

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

1 receiving an order for supervision as provided in this
2 subsection, the court may enter an order for supervision after
3 considering the circumstances of the offense, and the history,
4 character and condition of the offender, if the court is of the
5 opinion that:

6 (1) the offender is not likely to commit further
7 crimes;

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

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

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

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

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

25 (3) pleaded guilty to or stipulated to the facts
26 supporting a charge or a finding of guilty to a violation

1 of Section 11-503 of the Illinois Vehicle Code or a similar
2 provision of a local ordinance or any similar law or
3 ordinance of another state, and the plea or stipulation was
4 the result of a plea agreement.

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

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

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

14 (2) assigned supervision for a violation of Section
15 16A-3 of the Criminal Code of 1961.

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

19 (f) The provisions of paragraph (c) shall not apply to a
20 defendant charged with violating Sections 15-111, 15-112,
21 15-301, paragraph (b) of Section 6-104, Section 11-605, or
22 Section 11-1414 of the Illinois Vehicle Code or a similar
23 provision of a local ordinance.

24 (g) Except as otherwise provided in paragraph (i) of this
25 Section, the provisions of paragraph (c) shall not apply to a
26 defendant charged with violating Section 3-707, 3-708, 3-710,

1 or 5-401.3 of the Illinois Vehicle Code or a similar provision
2 of a local ordinance if the defendant has within the last 5
3 years been:

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

7 (2) assigned supervision for a violation of Section
8 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle
9 Code or a similar provision of a local ordinance.

10 The court shall consider the statement of the prosecuting
11 authority with regard to the standards set forth in this
12 Section.

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

17 (1) unless the defendant, upon payment of the fines,
18 penalties, and costs provided by law, agrees to attend and
19 successfully complete a traffic safety program approved by
20 the court under standards set by the Conference of Chief
21 Circuit Judges. The accused shall be responsible for
22 payment of any traffic safety program fees. If the accused
23 fails to file a certificate of successful completion on or
24 before the termination date of the supervision order, the
25 supervision shall be summarily revoked and conviction
26 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

1 of a local ordinance.

2 (k) The provisions of paragraph (c) shall not apply to a
3 defendant charged with violating any provision of the Illinois
4 Vehicle Code or a similar provision of a local ordinance that
5 governs the movement of vehicles if, within the 12 months
6 preceding the date of the defendant's arrest, the defendant has
7 been assigned court supervision on 2 occasions for a violation
8 that governs the movement of vehicles under the Illinois
9 Vehicle Code or a similar provision of a local ordinance.

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

26 (Source: P.A. 93-388, eff. 7-25-03; 93-1014, eff. 1-1-05;

1 94-169, eff. 1-1-06; 94-330, eff. 1-1-06; 94-375, eff. 1-1-06;
2 94-1009, eff. 1-1-07.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.