



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB6165

Introduced 2/11/2010, by Rep. James D. Brosnahan

SYNOPSIS AS INTRODUCED:

730 ILCS 110/15.1

from Ch. 38, par. 204-7.1

Amends the Probation and Probation Officers Act. Provides that interest earned on monies deposited in a probation and court services fund shall be deposited in the probation and court services fund (rather than used by the county for its ordinary and contingent expenditures).

LRB096 19413 RLC 34804 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning criminal law.

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

4 Section 5. The Probation and Probation Officers Act is
5 amended by changing Section 15.1 as follows:

6 (730 ILCS 110/15.1) (from Ch. 38, par. 204-7.1)

7 Sec. 15.1. Probation and Court Services Fund.

8 (a) The county treasurer in each county shall establish a
9 probation and court services fund consisting of fees collected
10 pursuant to subsection (i) of Section 5-6-3 and subsection (i)
11 of Section 5-6-3.1 of the Unified Code of Corrections,
12 subsection (10) of Section 5-615 and subsection (5) of Section
13 5-715 of the Juvenile Court Act of 1987, and paragraph 14.3 of
14 subsection (b) of Section 110-10 of the Code of Criminal
15 Procedure of 1963. The county treasurer shall disburse monies
16 from the fund only at the direction of the chief judge of the
17 circuit court in such circuit where the county is located. The
18 county treasurer of each county shall, on or before January 10
19 of each year, submit an annual report to the Supreme Court.

20 (b) Monies in the probation and court services fund shall
21 be appropriated by the county board to be used within the
22 county or jurisdiction where collected in accordance with
23 policies and guidelines approved by the Supreme Court for the

1 costs of operating the probation and court services department
2 or departments; however, except as provided in subparagraph
3 (g), monies in the probation and court services fund shall not
4 be used for the payment of salaries of probation and court
5 services personnel.

6 (c) Monies expended from the probation and court services
7 fund shall be used to supplement, not supplant, county
8 appropriations for probation and court services.

9 (d) Interest earned on monies deposited in a probation and
10 court services fund shall be deposited in the probation and
11 court services fund ~~may be used by the county for its ordinary~~
12 ~~and contingent expenditures.~~

13 (e) The county board may appropriate moneys from the
14 probation and court services fund, upon the direction of the
15 chief judge, to support programs that are part of the continuum
16 of juvenile delinquency intervention programs which are or may
17 be developed within the county. The grants from the probation
18 and court services fund shall be for no more than one year and
19 may be used for any expenses attributable to the program
20 including administration and oversight of the program by the
21 probation department.

22 (f) The county board may appropriate moneys from the
23 probation and court services fund, upon the direction of the
24 chief judge, to support practices endorsed or required under
25 the Sex Offender Management Board Act, including but not
26 limited to sex offender evaluation, treatment, and monitoring

1 programs that are or may be developed within the county.

2 (g) For the State Fiscal Years 2005, 2006, and 2007 only,
3 the Administrative Office of the Illinois Courts may permit a
4 county or circuit to use its probation and court services fund
5 for the payment of salaries of probation officers and other
6 court services personnel whose salaries are reimbursed under
7 this Act if the State's FY2005, FY2006, or FY2007 appropriation
8 to the Supreme Court for reimbursement to counties for
9 probation salaries and services is less than the amount
10 appropriated to the Supreme Court for these purposes for State
11 Fiscal Year 2004. The Administrative Office of the Illinois
12 Courts shall take into account each county's or circuit's
13 probation fee collections and expenditures when apportioning
14 the total reimbursement for each county or circuit.

15 (h) The Administrative Office of the Illinois Courts may
16 permit a county or circuit to use its probation and court
17 services fund for the payment of salaries of probation officers
18 and other court services personnel whose salaries are
19 reimbursed under this Act in any State fiscal year that the
20 appropriation for reimbursement to counties for probation
21 salaries and services is less than the amount appropriated to
22 the Supreme Court for these purposes for State Fiscal Year
23 2002. The Administrative Office of the Illinois Courts shall
24 take into account each county's or circuit's probation fee
25 collections and expenditures when appropriating the total
26 reimbursement for each county or circuit. Any amount

1 appropriated to the Supreme Court in any State fiscal year for
2 the purpose of reimbursing Cook County for the salaries and
3 operations of the Cook County Juvenile Temporary Detention
4 Center shall not be counted in the total appropriation to the
5 Supreme Court in that State fiscal year for reimbursement to
6 counties for probation salaries and services, for the purposes
7 of this paragraph (h).

8 (Source: P.A. 94-91, eff. 7-1-05; 94-839, eff. 6-6-06; 95-707,
9 eff. 1-11-08.)