

1 AN ACT concerning civil law.

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 \$30 ~~\$20~~,  
12 which 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~~ of the \$30  
15 fee shall be deposited into the State Police Vehicle Fund  
16 in the State 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~~ of the \$30 fee shall  
20 be paid to the law enforcement agency that employed the  
21 arresting officer and shall be used for the acquisition or  
22 maintenance of police vehicles; ~~:-~~

23 (3) \$9 of the \$30 fee shall be deposited into the

1 Drivers Education Fund; and

2 (4) \$1 of the \$30 fee shall be deposited into the  
3 Circuit Court Clerk Operation and Administrative Fund.

4 (b) In addition to the fee provided for in subsection (a),  
5 a person who, after a court appearance in the same matter,  
6 receives a disposition of court supervision for any violation  
7 of this Code or a similar provision of a local ordinance shall  
8 also pay an additional fee of \$5, if not waived by the court.  
9 Of this \$5 fee, \$4.50 shall be deposited into the Circuit Court  
10 Clerk Operation and Administrative Fund created by the Clerk of  
11 the Circuit Court and 50 cents shall be deposited into the  
12 Prisoner Review Board Vehicle and Equipment Fund in the State  
13 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 (Source: P.A. 94-1009, eff. 1-1-07; 95-428, eff. 8-24-07.)

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

23 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

24 Sec. 27.5. (a) All fees, fines, costs, additional

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

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

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

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

7 (2) 20% of the amounts collected for Class A and Class  
8 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,  
9 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care  
10 for Animals Act and Section 26-5 of the Criminal Code of  
11 1961; and

12 (3) 50% of the amounts collected for Class C  
13 misdemeanors under Sections 4.01 and 7.1 of the Humane Care  
14 for Animals Act and Section 26-5 of the Criminal Code of  
15 1961.

16 (c) Any person who receives a disposition of court  
17 supervision for a violation of the Illinois Vehicle Code or a  
18 similar provision of a local ordinance shall, in addition to  
19 any other fines, fees, and court costs, pay an additional fee  
20 of \$30 ~~\$20~~, to be disbursed as provided in Section 16-104c of  
21 the Illinois Vehicle Code. In addition to the fee of \$30 ~~\$20~~,  
22 the person shall also pay a fee of \$5, if not waived by the  
23 court. If this \$5 fee is collected, \$4.50 of the fee shall be  
24 deposited into the Circuit Court Clerk Operation and  
25 Administrative Fund created by the Clerk of the Circuit Court  
26 and 50 cents of the fee shall be deposited into the Prisoner

1 Review Board Vehicle and Equipment Fund in the State treasury.

2 (d) Any person convicted of or pleading guilty to a serious  
3 traffic violation, as defined in Section 1-187.001 of the  
4 Illinois Vehicle Code, shall pay an additional fee of \$20, to  
5 be disbursed as provided in Section 16-104d of that Code.

6 This subsection (d) becomes inoperative 7 years after the  
7 effective date of Public Act 95-154.

8 (Source: P.A. 94-1009, eff. 1-1-07; 95-154, eff. 10-13-07;  
9 95-428, eff. 8-24-07; 95-876, eff. 8-21-08.)

10 (705 ILCS 105/27.6)

11 Sec. 27.6. (a) All fees, fines, costs, additional  
12 penalties, bail balances assessed or forfeited, and any other  
13 amount paid by a person to the circuit clerk equalling an  
14 amount of \$55 or more, except the fine imposed by Section  
15 5-9-1.15 of the Unified Code of Corrections, the additional fee  
16 required by subsections (b) and (c), restitution under Section  
17 5-5-6 of the Unified Code of Corrections, reimbursement for the  
18 costs of an emergency response as provided under Section 11-501  
19 of the Illinois Vehicle Code, any fees collected for attending  
20 a traffic safety program under paragraph (c) of Supreme Court  
21 Rule 529, any fee collected on behalf of a State's Attorney  
22 under Section 4-2002 of the Counties Code or a sheriff under  
23 Section 4-5001 of the Counties Code, or any cost imposed under  
24 Section 124A-5 of the Code of Criminal Procedure of 1963, for  
25 convictions, orders of supervision, or any other disposition

1 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois  
2 Vehicle Code, or a similar provision of a local ordinance, and  
3 any violation of the Child Passenger Protection Act, or a  
4 similar provision of a local ordinance, and except as provided  
5 in subsections (d) and (g) shall be disbursed within 60 days  
6 after receipt by the circuit clerk as follows: 44.5% shall be  
7 disbursed to the entity authorized by law to receive the fine  
8 imposed in the case; 16.825% shall be disbursed to the State  
9 Treasurer; and 38.675% shall be disbursed to the county's  
10 general corporate fund. Of the 16.825% disbursed to the State  
11 Treasurer, 2/17 shall be deposited by the State Treasurer into  
12 the Violent Crime Victims Assistance Fund, 5.052/17 shall be  
13 deposited into the Traffic and Criminal Conviction Surcharge  
14 Fund, 3/17 shall be deposited into the Drivers Education Fund,  
15 and 6.948/17 shall be deposited into the Trauma Center Fund. Of  
16 the 6.948/17 deposited into the Trauma Center Fund from the  
17 16.825% disbursed to the State Treasurer, 50% shall be  
18 disbursed to the Department of Public Health and 50% shall be  
19 disbursed to the Department of Healthcare and Family Services.  
20 For fiscal year 1993, amounts deposited into the Violent Crime  
21 Victims Assistance Fund, the Traffic and Criminal Conviction  
22 Surcharge Fund, or the Drivers Education Fund shall not exceed  
23 110% of the amounts deposited into those funds in fiscal year  
24 1991. Any amount that exceeds the 110% limit shall be  
25 distributed as follows: 50% shall be disbursed to the county's  
26 general corporate fund and 50% shall be disbursed to the entity

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

20 (b) In addition to any other fines and court costs assessed  
21 by the courts, any person convicted or receiving an order of  
22 supervision for driving under the influence of alcohol or drugs  
23 shall pay an additional fee of \$100 to the clerk of the circuit  
24 court. This amount, less 2 1/2% that shall be used to defray  
25 administrative costs incurred by the clerk, shall be remitted  
26 by the clerk to the Treasurer within 60 days after receipt for



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

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

22 (c) In addition to any other fines and court costs assessed  
23 by the courts, any person convicted for a violation of Sections  
24 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or a  
25 person sentenced for a violation of the Cannabis Control Act,  
26 the Illinois Controlled Substances Act, or the Methamphetamine

1 Control and Community Protection Act shall pay an additional  
2 fee of \$100 to the clerk of the circuit court. This amount,  
3 less 2 1/2% that shall be used to defray administrative costs  
4 incurred by the clerk, shall be remitted by the clerk to the  
5 Treasurer within 60 days after receipt for deposit into the  
6 Trauma Center Fund. This additional fee of \$100 shall not be  
7 considered a part of the fine for purposes of any reduction in  
8 the fine for time served either before or after sentencing. Not  
9 later than March 1 of each year the Circuit Clerk shall submit  
10 a report of the amount of funds remitted to the State Treasurer  
11 under this subsection during the preceding calendar year.

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

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

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

7 (2) 20% of the amounts collected for Class A and Class  
8 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,  
9 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care  
10 for Animals Act and Section 26-5 of the Criminal Code of  
11 1961; and

12 (3) 50% of the amounts collected for Class C  
13 misdemeanors under Sections 4.01 and 7.1 of the Humane Care  
14 for Animals Act and Section 26-5 of the Criminal Code of  
15 1961.

16 (e) Any person who receives a disposition of court  
17 supervision for a violation of the Illinois Vehicle Code or a  
18 similar provision of a local ordinance shall, in addition to  
19 any other fines, fees, and court costs, pay an additional fee  
20 of \$30 ~~\$20~~, to be disbursed as provided in Section 16-104c of  
21 the Illinois Vehicle Code. In addition to the fee of \$30 ~~\$20~~,  
22 the person shall also pay a fee of \$5, if not waived by the  
23 court. If this \$5 fee is collected, \$4.50 of the fee shall be  
24 deposited into the Circuit Court Clerk Operation and  
25 Administrative Fund created by the Clerk of the Circuit Court  
26 and 50 cents of the fee shall be deposited into the Prisoner

1 Review Board Vehicle and Equipment Fund in the State treasury.

2 (f) This Section does not apply to the additional child  
3 pornography fines assessed and collected under Section  
4 5-9-1.14 of the Unified Code of Corrections.

5 (g) Of the amounts collected as fines under subsection (b)  
6 of Section 3-712 of the Illinois Vehicle Code, 99% shall be  
7 deposited into the Illinois Military Family Relief Fund and 1%  
8 shall be deposited into the Circuit Court Clerk Operation and  
9 Administrative Fund created by the Clerk of the Circuit Court  
10 to be used to offset the costs incurred by the Circuit Court  
11 Clerk in performing the additional duties required to collect  
12 and disburse funds to entities of State and local government as  
13 provided by law.

14 (Source: P.A. 94-556, eff. 9-11-05; 94-1009, eff. 1-1-07;  
15 95-191, eff. 1-1-08; 95-291, eff. 1-1-08; 95-428, eff. 8-24-07;  
16 95-600, eff. 6-1-08; 95-876, eff. 8-21-08.)

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

19 (730 ILCS 5/5-6-1) (from Ch. 38, par. 1005-6-1)

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

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

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

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

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

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

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

1 sentence of probation, conditional discharge, or supervision,  
2 subject to the provisions of Section 5-6-4 of this Act.

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

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

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

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

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

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

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

12 (c-5) Subsections (a), (b), and (c) of this Section do not  
13 apply to a defendant charged with a second or subsequent  
14 violation of Section 6-303 of the Illinois Vehicle Code  
15 committed while his or her driver's license, permit or  
16 privileges were revoked because of a violation of Section 9-3  
17 of the Criminal Code of 1961, relating to the offense of  
18 reckless homicide, or a similar provision of a law of another  
19 state.

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

24 (1) convicted for a violation of Section 11-501 of the  
25 Illinois Vehicle Code or a similar provision of a local  
26 ordinance or any similar law or ordinance of another state;

1 or

2 (2) assigned supervision for a violation of Section  
3 11-501 of the Illinois Vehicle Code or a similar provision  
4 of a local ordinance or any similar law or ordinance of  
5 another state; or

6 (3) pleaded guilty to or stipulated to the facts  
7 supporting a charge or a finding of guilty to a violation  
8 of Section 11-503 of the Illinois Vehicle Code or a similar  
9 provision of a local ordinance or any similar law or  
10 ordinance of another state, and the plea or stipulation was  
11 the result of a plea agreement.

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

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

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

21 (2) assigned supervision for a violation of Section  
22 16A-3 of the Criminal Code of 1961.

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

26 (f) The provisions of paragraph (c) shall not apply to a



1 defendant charged with violating Sections 15-111, 15-112,  
2 15-301, paragraph (b) of Section 6-104, Section 11-605, Section  
3 11-1002.5, or Section 11-1414 of the Illinois Vehicle Code or a  
4 similar provision of a local ordinance.

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

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

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

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

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

24 (1) unless the defendant, upon payment of the fines,  
25 penalties, and costs provided by law, agrees to attend and  
26 successfully complete a traffic safety program approved by

1 the court under standards set by the Conference of Chief  
2 Circuit Judges. The accused shall be responsible for  
3 payment of any traffic safety program fees. If the accused  
4 fails to file a certificate of successful completion on or  
5 before the termination date of the supervision order, the  
6 supervision shall be summarily revoked and conviction  
7 entered. The provisions of Supreme Court Rule 402 relating  
8 to pleas of guilty do not apply in cases when a defendant  
9 enters a guilty plea under this provision; or

10 (2) if the defendant has previously been sentenced  
11 under the provisions of paragraph (c) on or after January  
12 1, 1998 for any serious traffic offense as defined in  
13 Section 1-187.001 of the Illinois Vehicle Code.

14 (h-1) The provisions of paragraph (c) shall not apply to a  
15 defendant under the age of 21 years charged with an offense  
16 against traffic regulations governing the movement of vehicles  
17 or any violation of Section 6-107 or Section 12-603.1 of the  
18 Illinois Vehicle Code, unless the defendant, upon payment of  
19 the fines, penalties, and costs provided by law, agrees to  
20 attend and successfully complete a traffic safety program  
21 approved by the court under standards set by the Conference of  
22 Chief Circuit Judges. The accused shall be responsible for  
23 payment of any traffic safety program fees. If the accused  
24 fails to file a certificate of successful completion on or  
25 before the termination date of the supervision order, the  
26 supervision shall be summarily revoked and conviction entered.

1 The provisions of Supreme Court Rule 402 relating to pleas of  
2 guilty do not apply in cases when a defendant enters a guilty  
3 plea under this provision.

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

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

18 (1) convicted for a violation of Section 6-303 of the  
19 Illinois Vehicle Code or a similar provision of a local  
20 ordinance; or

21 (2) assigned supervision for a violation of Section  
22 6-303 of the Illinois Vehicle Code or a similar provision  
23 of a local ordinance.

24 (k) The provisions of paragraph (c) shall not apply to a  
25 defendant charged with violating any provision of the Illinois  
26 Vehicle Code or a similar provision of a local ordinance that

1 governs the movement of vehicles if, within the 12 months  
2 preceding the date of the defendant's arrest, the defendant has  
3 been assigned court supervision on 2 occasions for a violation  
4 that governs the movement of vehicles under the Illinois  
5 Vehicle Code or a similar provision of a local ordinance.

6 (l) A defendant charged with violating any provision of the  
7 Illinois Vehicle Code or a similar provision of a local  
8 ordinance who, after a court appearance in the same matter,  
9 receives a disposition of supervision under subsection (c)  
10 shall pay an additional fee of \$30 ~~\$20~~, to be collected as  
11 provided in Sections 27.5 and 27.6 of the Clerks of Courts Act.  
12 In addition to the \$30 ~~\$20~~ fee, the person shall also pay a fee  
13 of \$5, which, if not waived by the court, shall be collected as  
14 provided in Sections 27.5 and 27.6 of the Clerks of Courts Act.  
15 The \$20 fee shall be disbursed as provided in Section 16-104c  
16 of the Illinois Vehicle Code. If the \$5 fee is collected, \$4.50  
17 of the fee shall be deposited into the Circuit Court Clerk  
18 Operation and Administrative Fund created by the Clerk of the  
19 Circuit Court and 50 cents of the fee shall be deposited into  
20 the Prisoner Review Board Vehicle and Equipment Fund in the  
21 State treasury.

22 (m) Any person convicted of or pleading guilty to a serious  
23 traffic violation, as defined in Section 1-187.001 of the  
24 Illinois Vehicle Code, shall pay an additional fee of \$20, to  
25 be disbursed as provided in Section 16-104d of that Code.

26 This subsection (m) becomes inoperative 7 years after

1 October 13, 2007 (the effective date of Public Act 95-154).

2 (n) The provisions of paragraph (c) shall not apply to any  
3 person under the age of 18 who commits an offense against  
4 traffic regulations governing the movement of vehicles or any  
5 violation of Section 6-107 or Section 12-603.1 of the Illinois  
6 Vehicle Code, except upon personal appearance of the defendant  
7 in court and upon the written consent of the defendant's parent  
8 or legal guardian, executed before the presiding judge. The  
9 presiding judge shall have the authority to waive this  
10 requirement upon the showing of good cause by the defendant.

11 (o) The provisions of paragraph (c) shall not apply to a  
12 defendant charged with violating Section 6-303 of the Illinois  
13 Vehicle Code or a similar provision of a local ordinance when  
14 the suspension was for a violation of Section 11-501.1 of the  
15 Illinois Vehicle Code and when:

16 (1) at the time of the violation of Section 11-501.1 of  
17 the Illinois Vehicle Code, the defendant was a first  
18 offender pursuant to Section 11-500 of the Illinois Vehicle  
19 Code and the defendant failed to obtain a monitoring device  
20 driving permit; or

21 (2) at the time of the violation of Section 11-501.1 of  
22 the Illinois Vehicle Code, the defendant was a first  
23 offender pursuant to Section 11-500 of the Illinois Vehicle  
24 Code, had subsequently obtained a monitoring device  
25 driving permit, but was driving a vehicle not equipped with  
26 a breath alcohol ignition interlock device as defined in

1           Section 1-129.1 of the Illinois Vehicle Code.  
2           (Source: P.A. 94-169, eff. 1-1-06; 94-330, eff. 1-1-06; 94-375,  
3           eff. 1-1-06; 94-1009, eff. 1-1-07; 95-154, eff. 10-13-07;  
4           95-302, eff. 1-1-08; 95-310, eff. 1-1-08; 95-377, eff. 1-1-08;  
5           95-400, eff. 1-1-09; 95-428, 8-24-07; 95-876, eff. 8-21-08;  
6           revised 10-30-08.)