



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1298

Introduced 02/09/11, by Rep. Kenneth Dunkin

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.786 new
30 ILCS 105/6z-85 new
705 ILCS 105/27.3e

Amends the State Finance Act. Creates the State Police Electronic Citation Fund. Provides that moneys in the Fund shall be appropriated to the Department of State Police for uses related to electronic citations. Amends the Clerks of Courts Act. Provides that the circuit court clerk shall remit electronic citation fees designated for the Department of State Police to the State Treasurer for deposit into the State Police Electronic Citation Fund. Effective immediately.

LRB097 02852 PJG 42874 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The State Finance Act is amended by adding
5 Sections 5.786 and 6z-85 as follows:

6 (30 ILCS 105/5.786 new)

7 Sec. 5.786. The State Police Electronic Citation Fund.

8 (30 ILCS 105/6z-85 new)

9 Sec. 6z-85. The State Police Electronic Citation Fund.

10 (a) The State Police Electronic Citation Fund is created as
11 a special fund in the State treasury. All moneys collected and
12 payable to the Department of State Police under Section 27.3e
13 of the Clerks of Courts Act shall be deposited into the Fund.

14 (b) Moneys in the Fund shall be appropriated to the
15 Department of State Police to finance any of its lawful
16 purposes or functions in relation to defraying the expenses
17 associated with establishing, maintaining, and supporting the
18 issuance of electronic citations.

19 (c) Investment income that is attributable to the
20 investment of moneys in the State Police Electronic Citation
21 Fund shall be retained in the Fund for the uses specified in
22 this Section.

1 (d) The State Police Electronic Citation Fund is not
2 subject to administrative chargebacks.

3 Section 10. The Clerks of Courts Act is amended by changing
4 Section 27.3e as follows:

5 (705 ILCS 105/27.3e)

6 Sec. 27.3e. Electronic citation fee. As used in this
7 Section, "electronic citation" means the process of
8 transmitting traffic, misdemeanor, municipal ordinance,
9 conservation, or other citations and law enforcement data via
10 electronic means to a circuit court clerk.

11 To defray the expense of establishing and maintaining
12 electronic citations, each Circuit Court Clerk shall charge and
13 collect an electronic citation fee of \$5. Such fee shall be
14 paid by the defendant in any traffic, misdemeanor, municipal
15 ordinance, or conservation case upon a judgment of guilty or
16 grant of supervision. This fee shall be in addition to all
17 other fees and charges and assessable as costs and shall not be
18 subject to disbursement under Section 27.5 or 27.6 of this Act.
19 60% of the fee shall be deposited into the Circuit Court Clerk
20 Electronic Citation Fund and 40% of the fee shall be disbursed
21 to the arresting agency to defray expenses related to the
22 establishment and maintenance of electronic citations. The
23 Circuit Court Clerk shall be the custodian, ex officio, of the
24 Circuit Court Clerk Electronic Citation Fund and shall use the

1 Fund to perform the duties required by the office for
2 establishing and maintaining electronic citations. The Fund
3 shall be audited by the County's auditor. The Circuit Court
4 Clerk shall not charge and collect an electronic citation fee
5 if the County Board has by ordinance elected not to be subject
6 to this Section. Any funds collected under this Section before
7 such an ordinance takes effect shall be disbursed to the
8 Illinois State Police for expenses related to the establishment
9 and maintenance of electronic citations.

10 With respect to funds designated for, as well as citations
11 issued by, the Department of State Police, the moneys shall be
12 remitted by the circuit court clerk to the State Treasurer
13 within one month after receipt for deposit into the State
14 Police Electronic Citation Fund.

15 (Source: P.A. 96-1210, eff. 1-1-11.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.