



Sen. David Koehler

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1 AMENDMENT TO SENATE BILL 1123

2 AMENDMENT NO. _____. Amend Senate Bill 1123 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Sections 4-4001 and 4-12003 as follows:

6 (55 ILCS 5/4-4001) (from Ch. 34, par. 4-4001)

7 Sec. 4-4001. County Clerks; counties of first and second
8 class. The fees of the county clerk in counties of the first
9 and second class, except when increased by county ordinance
10 pursuant to the provisions of this Section, shall be:

11 For each official copy of any process, file, record or
12 other instrument of and pertaining to his office, 50¢ for each
13 100 words, and \$1 additional for certifying and sealing the
14 same.

15 For filing any paper not herein otherwise provided for, \$1,
16 except that no fee shall be charged for filing a Statement of

1 economic interest pursuant to the Illinois Governmental Ethics
2 Act or reports made pursuant to Article 9 of The Election Code.

3 For issuance of fireworks permits, \$2.

4 For issuance of liquor licenses, \$5.

5 For filing and recording of the appointment and oath of
6 each public official, \$3.

7 For officially certifying and sealing each copy of any
8 process, file, record or other instrument of and pertaining to
9 his office, \$1.

10 For swearing any person to an affidavit, \$1.

11 For issuing each license in all matters except where the
12 fee for the issuance thereof is otherwise fixed, \$4.

13 For issuing each marriage or civil union license, the
14 certificate thereof, and for recording the same, including the
15 recording of the parent's or guardian's consent where
16 indicated, \$20. \$5 from all marriage or civil union license
17 fees shall be remitted by the clerk to the State Treasurer for
18 deposit into the Married Families Domestic Violence Fund.

19 For taking and certifying acknowledgments to any
20 instrument, except where herein otherwise provided for, \$1.

21 For issuing each certificate of appointment or commission,
22 the fee for which is not otherwise fixed by law, \$1.

23 For cancelling tax sale and issuing and sealing
24 certificates of redemption, \$3.

25 For issuing order to county treasurer for redemption of
26 forfeited tax, \$2.

1 For trying and sealing weights and measures by county
2 standard, together with all actual expenses in connection
3 therewith, \$1.

4 For services in case of estrays, \$2.

5 The following fees shall be allowed for services attending
6 the sale of land for taxes, and shall be charged as costs
7 against the delinquent property and be collected with the taxes
8 thereon:

9 For services in attending the tax sale and issuing
10 certificate of sale and sealing the same, for each tract or
11 town lot sold, \$4.

12 For making list of delinquent lands and town lots sold, to
13 be filed with the Comptroller, for each tract or town lot sold,
14 10¢.

15 The foregoing fees allowed by this Section are the maximum
16 fees that may be collected from any officer, agency, department
17 or other instrumentality of the State. The county board may,
18 however, by ordinance, increase the fees allowed by this
19 Section and collect such increased fees from all persons and
20 entities other than officers, agencies, departments and other
21 instrumentalities of the State if the increase is justified by
22 an acceptable cost study showing that the fees allowed by this
23 Section are not sufficient to cover the cost of providing the
24 service.

25 A Statement of the costs of providing each service, program
26 and activity shall be prepared by the county board. All

1 supporting documents shall be public record and subject to
2 public examination and audit. All direct and indirect costs, as
3 defined in the United States Office of Management and Budget
4 Circular A-87, may be included in the determination of the
5 costs of each service, program and activity.

6 The county clerk in all cases may demand and receive the
7 payment of all fees for services in advance so far as the same
8 can be ascertained.

9 The county board of any county of the first or second class
10 may by ordinance authorize the county clerk to impose an
11 additional \$2 charge for certified copies of vital records as
12 defined in Section 1 of the Vital Records Act, for the purpose
13 of developing, maintaining, and improving technology in the
14 office of the County Clerk.

15 The county board of any county of the first or second class
16 may by ordinance authorize the county treasurer to establish a
17 special fund for deposit of the additional charge. Moneys in
18 the special fund shall be used solely to provide the equipment,
19 material and necessary expenses incurred to help defray the
20 cost of implementing and maintaining such document storage
21 system.

22 (Source: P.A. 95-711, eff. 6-1-08; 95-837, eff. 1-1-09; 96-328,
23 eff. 8-11-09.)

24 (55 ILCS 5/4-12003) (from Ch. 34, par. 4-12003)

25 Sec. 4-12003. Fees of county clerk in third class counties.

1 The fees of the county clerk in counties of the third class
2 are:

3 For issuing each marriage or civil union license, sealing,
4 filing and recording the same and the certificate thereto (one
5 charge), \$35. \$5 from all marriage or civil union license fees
6 shall be remitted by the clerk to the State Treasurer for
7 deposit into the Married Families Domestic Violence Fund.

8 For taking, certifying to and sealing the acknowledgment of
9 a deed, power of attorney, or other writing, \$1.

10 For filing and entering certificates in case of estrays,
11 and furnishing notices for publication thereof (one charge),
12 \$1.50.

13 For recording all papers and documents required by law to
14 be recorded in the office of the county clerk, \$2 plus 30¢ for
15 every 100 words in excess of 600 words.

16 For certificate and seal, not in a case in a court whereof
17 he is clerk, \$1.

18 For making and certifying a copy of any record or paper in
19 his office, \$2 for every page.

20 For filing papers in his office, 50¢ for each paper filed,
21 except that no fee shall be charged for filing a Statement of
22 economic interest pursuant to the Illinois Governmental Ethics
23 Act or reports made pursuant to Article 9 of The Election Code.

24 For making transcript of taxable property for the
25 assessors, 8¢ for each tract of land or town lot. For extending
26 other than State and county taxes, 8¢ for each tax on each

1 tract or lot, and 8¢ for each person's personal tax, to be paid
2 by the authority for whose benefit the transcript is made and
3 the taxes extended. The county clerk shall certify to the
4 county collector the amount due from each authority for such
5 services and the collector in his settlement with such
6 authority shall reserve such amount from the amount payable by
7 him to such authority.

8 For adding and bringing forward with current tax warrants
9 amounts due for forfeited or withdrawn special assessments, 8¢
10 for each lot or tract of land described and transcribed.

11 For computing and extending each assessment or installment
12 thereof and interest, 8¢ on each description; and for computing
13 and extending each penalty, 8¢ on each description. These fees
14 shall be paid by the city, village, or taxing body for whose
15 benefit the transcript is made and the assessment and penalties
16 are extended. The county clerk shall certify to the county
17 collector the amount due from each city, village or taxing
18 body, for such services, and the collector in his settlement
19 with such taxing body shall reserve such amount from the amount
20 payable by him to such city, village or other taxing body.

21 For cancelling certificates of sale, \$4 for each tract or
22 lot.

23 For making search and report of general taxes and special
24 assessments for use in the preparation of estimate of cost of
25 redemption from sales or forfeitures or withdrawals or for use
26 in the preparation of estimate of cost of purchase of forfeited

1 property, or for use in preparation of order on the county
2 collector for searches requested by buyers at annual tax sale,
3 for each lot or tract, \$4 for the first year searched, and \$2
4 for each additional year or fraction thereof.

5 For preparing from tax search report estimate of cost of
6 redemption concerning property sold, forfeited or withdrawn
7 for non-payment of general taxes and special assessments, if
8 any, \$1 for each lot or tract.

9 For certificate of deposit for redemption, \$4.

10 For preparing from tax search report estimate of and order
11 to county collector to receive amount necessary to redeem or
12 purchase lands or lots forfeited for non-payment of general
13 taxes, \$3 for each lot or tract.

14 For preparing from tax search report estimate of and order
15 to county collector to receive amount necessary to redeem or
16 purchase lands or lots forfeited for non-payment of special
17 assessments, \$4 for each lot or tract.

18 For issuing certificate of sale of forfeited property, \$10.

19 For noting on collector's warrants tax sales subject to
20 redemption, 20¢ for each tract or lot of land, to be paid by
21 either the person making the redemption from tax sale, the
22 person surrendering the certificate of sale for cancellation,
23 or the person taking out tax deed.

24 For noting on collector's warrant special assessments
25 withdrawn from collection 20¢ for each tract or lot of land, to
26 be charged against the lot assessed in the withdrawn special

1 assessment when brought forward with current tax or when
2 redeemed by the county clerk. The county clerk shall certify to
3 the county collector the amount due from each city, village or
4 taxing body for such fees, each year, and the county collector
5 in his settlement with such taxing body shall reserve such
6 amount from the amount payable by him to such taxing body.

7 For taking and approving official bond of a town assessor,
8 filing and recording same, and issuing certificate of election
9 or qualification to such official or to the Secretary of State,
10 \$10, to be paid by the officer-elect.

11 For certified copies of plats, 20¢ for each lot shown in
12 copy, but no charge less than \$4.

13 For tax search and issuing Statement regarding same on new
14 plats to be recorded, \$10.

15 For furnishing written description in conformity with
16 permanent real estate index number, \$2 for each written
17 description.

18 The following fees shall be allowed for services in matters
19 of taxes and assessments, and shall be charged as costs against
20 the delinquent property, and collected with the taxes thereon:

21 For entering judgment, 8¢ for each tract or lot.

22 For services in attending the tax sale and issuing
23 certificates of sale and sealing the same, \$10 for each tract
24 or lot.

25 For making list of delinquent lands and town lots sold, to
26 be filed with the State Comptroller, 10¢ for each tract or lot

1 sold.

2 The following fees shall be audited and allowed by the
3 board of county commissioners and paid from the county
4 treasury.

5 For computing State or county taxes, on each description of
6 real estate and each person's, firm's or corporation's personal
7 property tax, for each extension of each tax, 4¢, which shall
8 include the transcribing of the collector's books.

9 For computing, extending and bringing forward, and adding
10 to the current tax, the amount due for general taxes on lands
11 and lots previously forfeited to the State, for each extension
12 of each tax, 4¢ for the first year, and for computing and
13 extending the tax and penalty for each additional year, 6¢.

14 For making duplicate or triplicate sets of books,
15 containing transcripts of taxable property, for the board of
16 assessors and board of review, 3¢ for each description entered
17 in each book.

18 For filing, indexing and recording or binding each birth,
19 death or stillbirth certificate or report, 15¢, which fee shall
20 be in full for all services in connection therewith, including
21 the keeping of accounts with district registrars.

22 For posting new subdivisions or plats in official atlases,
23 25¢ for each lot.

24 For compiling new sheets for atlases, 20¢ for each lot.

25 For compiling new atlases, including necessary record
26 searches, 25¢ for each lot.

1 For investigating and reporting on each new plat, referred
2 to county clerk, \$2.

3 For attending sessions of the board of county commissioners
4 thereof, \$5 per day, for each clerk in attendance.

5 For recording proceedings of the board of county
6 commissioners, 15¢ per 100 words.

7 For filing papers which must be kept in office of
8 comptroller of Cook County, 10¢ for each paper filed.

9 For filing and indexing contracts, bonds, communications,
10 and other such papers which must be kept in office of
11 comptroller of Cook County, 15¢ for each document.

12 For swearing any person to necessary affidavits relating to
13 the correctness of claims against the county, 25¢.

14 For issuing warrants in payment of salaries, supplies and
15 other accounts, and all necessary auditing and bookkeeping work
16 in connection therewith, 10¢ each.

17 The fee requirements of this Section do not apply to units
18 of local government or school districts.

19 (Source: P.A. 95-711, eff. 6-1-08.)

20 Section 10. The Clerks of Courts Act is amended by changing
21 Section 27.1a as follows:

22 (705 ILCS 105/27.1a) (from Ch. 25, par. 27.1a)

23 Sec. 27.1a. The fees of the clerks of the circuit court in
24 all counties having a population of not more than 500,000

1 inhabitants in the instances described in this Section shall be
2 as provided in this Section. In those instances where a minimum
3 and maximum fee is stated, the clerk of the circuit court must
4 charge the minimum fee listed and may charge up to the maximum
5 fee if the county board has by resolution increased the fee.
6 The fees shall be paid in advance and shall be as follows:

7 (a) Civil Cases.

8 The fee for filing a complaint, petition, or other
9 pleading initiating a civil action, with the following
10 exceptions, shall be a minimum of \$40 and a maximum of
11 \$160.

12 (A) When the amount of money or damages or the
13 value of personal property claimed does not exceed
14 \$250, \$10.

15 (B) When that amount exceeds \$250 but does not
16 exceed \$500, a minimum of \$10 and a maximum of \$20.

17 (C) When that amount exceeds \$500 but does not
18 exceed \$2500, a minimum of \$25 and a maximum of \$40.

19 (D) When that amount exceeds \$2500 but does not
20 exceed \$15,000, a minimum of \$25 and a maximum of \$75.

21 (E) For the exercise of eminent domain, a minimum
22 of \$45 and a maximum of \$150. For each additional lot
23 or tract of land or right or interest therein subject
24 to be condemned, the damages in respect to which shall
25 require separate assessment by a jury, a minimum of \$45
26 and a maximum of \$150.

1 (a-1) Family.

2 For filing a petition under the Juvenile Court Act of
3 1987, \$25.

4 For filing a petition for a marriage or civil union
5 license, \$10.

6 For performing a marriage or civil union in court, \$10.

7 For filing a petition under the Illinois Parentage Act
8 of 1984, \$40.

9 (b) Forcible Entry and Detainer.

10 In each forcible entry and detainer case when the
11 plaintiff seeks possession only or unites with his or her
12 claim for possession of the property a claim for rent or
13 damages or both in the amount of \$15,000 or less, a minimum
14 of \$10 and a maximum of \$50. When the plaintiff unites his
15 or her claim for possession with a claim for rent or
16 damages or both exceeding \$15,000, a minimum of \$40 and a
17 maximum of \$160.

18 (c) Counterclaim or Joining Third Party Defendant.

19 When any defendant files a counterclaim as part of his
20 or her answer or otherwise or joins another party as a
21 third party defendant, or both, the defendant shall pay a
22 fee for each counterclaim or third party action in an
23 amount equal to the fee he or she would have had to pay had
24 he or she brought a separate action for the relief sought
25 in the counterclaim or against the third party defendant,
26 less the amount of the appearance fee, if that has been

1 paid.

2 (d) Confession of Judgment.

3 In a confession of judgment when the amount does not
4 exceed \$1500, a minimum of \$20 and a maximum of \$50. When
5 the amount exceeds \$1500, but does not exceed \$15,000, a
6 minimum of \$40 and a maximum of \$115. When the amount
7 exceeds \$15,000, a minimum of \$40 and a maximum of \$200.

8 (e) Appearance.

9 The fee for filing an appearance in each civil case
10 shall be a minimum of \$15 and a maximum of \$60, except as
11 follows:

12 (A) When the plaintiff in a forcible entry and
13 detainer case seeks possession only, a minimum of \$10
14 and a maximum of \$50.

15 (B) When the amount in the case does not exceed
16 \$1500, a minimum of \$10 and a maximum of \$30.

17 (C) When that amount exceeds \$1500 but does not
18 exceed \$15,000, a minimum of \$15 and a maximum of \$60.

19 (f) Garnishment, Wage Deduction, and Citation.

20 In garnishment affidavit, wage deduction affidavit,
21 and citation petition when the amount does not exceed
22 \$1,000, a minimum of \$5 and a maximum of \$15; when the
23 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
24 of \$5 and a maximum of \$30; and when the amount exceeds
25 \$5,000, a minimum of \$5 and a maximum of \$50.

26 (g) Petition to Vacate or Modify.

1 (1) Petition to vacate or modify any final judgment or
2 order of court, except in forcible entry and detainer cases
3 and small claims cases or a petition to reopen an estate,
4 to modify, terminate, or enforce a judgment or order for
5 child or spousal support, or to modify, suspend, or
6 terminate an order for withholding, if filed before 30 days
7 after the entry of the judgment or order, a minimum of \$20
8 and a maximum of \$50.

9 (2) Petition to vacate or modify any final judgment or
10 order of court, except a petition to modify, terminate, or
11 enforce a judgment or order for child or spousal support or
12 to modify, suspend, or terminate an order for withholding,
13 if filed later than 30 days after the entry of the judgment
14 or order, a minimum of \$20 and a maximum of \$75.

15 (3) Petition to vacate order of bond forfeiture, a
16 minimum of \$10 and a maximum of \$40.

17 (h) Mailing.

18 When the clerk is required to mail, the fee will be a
19 minimum of \$2 and a maximum of \$10, plus the cost of
20 postage.

21 (i) Certified Copies.

22 Each certified copy of a judgment after the first,
23 except in small claims and forcible entry and detainer
24 cases, a minimum of \$2 and a maximum of \$10.

25 (j) Habeas Corpus.

26 For filing a petition for relief by habeas corpus, a

1 minimum of \$60 and a maximum of \$100.

2 (k) Certification, Authentication, and Reproduction.

3 (1) Each certification or authentication for taking
4 the acknowledgment of a deed or other instrument in writing
5 with the seal of office, a minimum of \$2 and a maximum of
6 \$6.

7 (2) Court appeals when original documents are
8 forwarded, under 100 pages, plus delivery and costs, a
9 minimum of \$20 and a maximum of \$60.

10 (3) Court appeals when original documents are
11 forwarded, over 100 pages, plus delivery and costs, a
12 minimum of \$50 and a maximum of \$150.

13 (4) Court appeals when original documents are
14 forwarded, over 200 pages, an additional fee of a minimum
15 of 20 cents and a maximum of 25 cents per page.

16 (5) For reproduction of any document contained in the
17 clerk's files:

18 (A) First page, a minimum of \$1 and a maximum of
19 \$2.

20 (B) Next 19 pages, 50 cents per page.

21 (C) All remaining pages, 25 cents per page.

22 (l) Remands.

23 In any cases remanded to the Circuit Court from the
24 Supreme Court or the Appellate Court for a new trial, the
25 clerk shall file the remanding order and reinstate the case
26 with either its original number or a new number. The Clerk

1 shall not charge any new or additional fee for the
2 reinstatement. Upon reinstatement the Clerk shall advise
3 the parties of the reinstatement. A party shall have the
4 same right to a jury trial on remand and reinstatement as
5 he or she had before the appeal, and no additional or new
6 fee or charge shall be made for a jury trial after remand.

7 (m) Record Search.

8 For each record search, within a division or municipal
9 district, the clerk shall be entitled to a search fee of a
10 minimum of \$4 and a maximum of \$6 for each year searched.

11 (n) Hard Copy.

12 For each page of hard copy print output, when case
13 records are maintained on an automated medium, the clerk
14 shall be entitled to a fee of a minimum of \$4 and a maximum
15 of \$6.

16 (o) Index Inquiry and Other Records.

17 No fee shall be charged for a single
18 plaintiff/defendant index inquiry or single case record
19 inquiry when this request is made in person and the records
20 are maintained in a current automated medium, and when no
21 hard copy print output is requested. The fees to be charged
22 for management records, multiple case records, and
23 multiple journal records may be specified by the Chief
24 Judge pursuant to the guidelines for access and
25 dissemination of information approved by the Supreme
26 Court.

1 (p) (Blank).

2 (q) Alias Summons.

3 For each alias summons or citation issued by the clerk,
4 a minimum of \$2 and a maximum of \$5.

5 (r) Other Fees.

6 Any fees not covered in this Section shall be set by
7 rule or administrative order of the Circuit Court with the
8 approval of the Administrative Office of the Illinois
9 Courts.

10 The clerk of the circuit court may provide additional
11 services for which there is no fee specified by statute in
12 connection with the operation of the clerk's office as may
13 be requested by the public and agreed to by the clerk and
14 approved by the chief judge of the circuit court. Any
15 charges for additional services shall be as agreed to
16 between the clerk and the party making the request and
17 approved by the chief judge of the circuit court. Nothing
18 in this subsection shall be construed to require any clerk
19 to provide any service not otherwise required by law.

20 (s) Jury Services.

21 The clerk shall be entitled to receive, in addition to
22 other fees allowed by law, the sum of a minimum of \$62.50
23 and a maximum of \$212.50, as a fee for the services of a
24 jury in every civil action not quasi-criminal in its nature
25 and not a proceeding for the exercise of the right of
26 eminent domain and in every other action wherein the right

1 of trial by jury is or may be given by law. The jury fee
2 shall be paid by the party demanding a jury at the time of
3 filing the jury demand. If the fee is not paid by either
4 party, no jury shall be called in the action or proceeding,
5 and the same shall be tried by the court without a jury.

6 (t) Voluntary Assignment.

7 For filing each deed of voluntary assignment, a minimum
8 of \$10 and a maximum of \$20; for recording the same, a
9 minimum of 25 cents and a maximum of 50 cents for each 100
10 words. Exceptions filed to claims presented to an assignee
11 of a debtor who has made a voluntary assignment for the
12 benefit of creditors shall be considered and treated, for
13 the purpose of taxing costs therein, as actions in which
14 the party or parties filing the exceptions shall be
15 considered as party or parties plaintiff, and the claimant
16 or claimants as party or parties defendant, and those
17 parties respectively shall pay to the clerk the same fees
18 as provided by this Section to be paid in other actions.

19 (u) Expungement Petition.

20 The clerk shall be entitled to receive a fee of a
21 minimum of \$15 and a maximum of \$60 for each expungement
22 petition filed and an additional fee of a minimum of \$2 and
23 a maximum of \$4 for each certified copy of an order to
24 expunge arrest records.

25 (v) Probate.

26 The clerk is entitled to receive the fees specified in

1 this subsection (v), which shall be paid in advance, except
2 that, for good cause shown, the court may suspend, reduce,
3 or release the costs payable under this subsection:

4 (1) For administration of the estate of a decedent
5 (whether testate or intestate) or of a missing person, a
6 minimum of \$50 and a maximum of \$150, plus the fees
7 specified in subsection (v) (3), except:

8 (A) When the value of the real and personal
9 property does not exceed \$15,000, the fee shall be a
10 minimum of \$25 and a maximum of \$40.

11 (B) When (i) proof of heirship alone is made, (ii)
12 a domestic or foreign will is admitted to probate
13 without administration (including proof of heirship),
14 or (iii) letters of office are issued for a particular
15 purpose without administration of the estate, the fee
16 shall be a minimum of \$10 and a maximum of \$40.

17 (C) For filing a petition to sell Real Estate, \$50.

18 (2) For administration of the estate of a ward, a
19 minimum of \$50 and a maximum of \$75, plus the fees
20 specified in subsection (v) (3), except:

21 (A) When the value of the real and personal
22 property does not exceed \$15,000, the fee shall be a
23 minimum of \$25 and a maximum of \$40.

24 (B) When (i) letters of office are issued to a
25 guardian of the person or persons, but not of the
26 estate or (ii) letters of office are issued in the

1 estate of a ward without administration of the estate,
2 including filing or joining in the filing of a tax
3 return or releasing a mortgage or consenting to the
4 marriage of the ward, the fee shall be a minimum of \$10
5 and a maximum of \$20.

6 (C) For filing a Petition to sell Real Estate, \$50.

7 (3) In addition to the fees payable under subsection
8 (v) (1) or (v) (2) of this Section, the following fees are
9 payable:

10 (A) For each account (other than one final account)
11 filed in the estate of a decedent, or ward, a minimum
12 of \$10 and a maximum of \$25.

13 (B) For filing a claim in an estate when the amount
14 claimed is \$150 or more but less than \$500, a minimum
15 of \$10 and a maximum of \$25; when the amount claimed is
16 \$500 or more but less than \$10,000, a minimum of \$10
17 and a maximum of \$40; when the amount claimed is
18 \$10,000 or more, a minimum of \$10 and a maximum of \$60;
19 provided that the court in allowing a claim may add to
20 the amount allowed the filing fee paid by the claimant.

21 (C) For filing in an estate a claim, petition, or
22 supplemental proceeding based upon an action seeking
23 equitable relief including the construction or contest
24 of a will, enforcement of a contract to make a will,
25 and proceedings involving testamentary trusts or the
26 appointment of testamentary trustees, a minimum of \$40

1 and a maximum of \$60.

2 (D) For filing in an estate (i) the appearance of
3 any person for the purpose of consent or (ii) the
4 appearance of an executor, administrator,
5 administrator to collect, guardian, guardian ad litem,
6 or special administrator, no fee.

7 (E) Except as provided in subsection (v) (3) (D),
8 for filing the appearance of any person or persons, a
9 minimum of \$10 and a maximum of \$30.

10 (F) For each jury demand, a minimum of \$62.50 and a
11 maximum of \$137.50.

12 (G) For disposition of the collection of a judgment
13 or settlement of an action or claim for wrongful death
14 of a decedent or of any cause of action of a ward, when
15 there is no other administration of the estate, a
16 minimum of \$30 and a maximum of \$50, less any amount
17 paid under subsection (v) (1) (B) or (v) (2) (B) except
18 that if the amount involved does not exceed \$5,000, the
19 fee, including any amount paid under subsection
20 (v) (1) (B) or (v) (2) (B), shall be a minimum of \$10 and a
21 maximum of \$20.

22 (H) For each certified copy of letters of office,
23 of court order or other certification, a minimum of \$1
24 and a maximum of \$2, plus a minimum of 50 cents and a
25 maximum of \$1 per page in excess of 3 pages for the
26 document certified.

1 (I) For each exemplification, a minimum of \$1 and a
2 maximum of \$2, plus the fee for certification.

3 (4) The executor, administrator, guardian, petitioner,
4 or other interested person or his or her attorney shall pay
5 the cost of publication by the clerk directly to the
6 newspaper.

7 (5) The person on whose behalf a charge is incurred for
8 witness, court reporter, appraiser, or other miscellaneous
9 fee shall pay the same directly to the person entitled
10 thereto.

11 (6) The executor, administrator, guardian, petitioner,
12 or other interested person or his or her attorney shall pay
13 to the clerk all postage charges incurred by the clerk in
14 mailing petitions, orders, notices, or other documents
15 pursuant to the provisions of the Probate Act of 1975.

16 (w) Criminal and Quasi-Criminal Costs and Fees.

17 (1) The clerk shall be entitled to costs in all
18 criminal and quasi-criminal cases from each person
19 convicted or sentenced to supervision therein as follows:

20 (A) Felony complaints, a minimum of \$40 and a
21 maximum of \$100.

22 (B) Misdemeanor complaints, a minimum of \$25 and a
23 maximum of \$75.

24 (C) Business offense complaints, a minimum of \$25
25 and a maximum of \$75.

26 (D) Petty offense complaints, a minimum of \$25 and

1 a maximum of \$75.

2 (E) Minor traffic or ordinance violations, \$10.

3 (F) When court appearance required, \$15.

4 (G) Motions to vacate or amend final orders, a
5 minimum of \$20 and a maximum of \$40.

6 (H) Motions to vacate bond forfeiture orders, a
7 minimum of \$20 and a maximum of \$40.

8 (I) Motions to vacate ex parte judgments, whenever
9 filed, a minimum of \$20 and a maximum of \$40.

10 (J) Motions to vacate judgment on forfeitures,
11 whenever filed, a minimum of \$20 and a maximum of \$40.

12 (K) Motions to vacate "failure to appear" or
13 "failure to comply" notices sent to the Secretary of
14 State, a minimum of \$20 and a maximum of \$40.

15 (2) In counties having a population of not more than
16 500,000 inhabitants, when the violation complaint is
17 issued by a municipal police department, the clerk shall be
18 entitled to costs from each person convicted therein as
19 follows:

20 (A) Minor traffic or ordinance violations, \$10.

21 (B) When court appearance required, \$15.

22 (3) In ordinance violation cases punishable by fine
23 only, the clerk of the circuit court shall be entitled to
24 receive, unless the fee is excused upon a finding by the
25 court that the defendant is indigent, in addition to other
26 fees or costs allowed or imposed by law, the sum of a

1 minimum of \$62.50 and a maximum of \$137.50 as a fee for the
2 services of a jury. The jury fee shall be paid by the
3 defendant at the time of filing his or her jury demand. If
4 the fee is not so paid by the defendant, no jury shall be
5 called, and the case shall be tried by the court without a
6 jury.

7 (x) Transcripts of Judgment.

8 For the filing of a transcript of judgment, the clerk
9 shall be entitled to the same fee as if it were the
10 commencement of a new suit.

11 (y) Change of Venue.

12 (1) For the filing of a change of case on a change of
13 venue, the clerk shall be entitled to the same fee as if it
14 were the commencement of a new suit.

15 (2) The fee for the preparation and certification of a
16 record on a change of venue to another jurisdiction, when
17 original documents are forwarded, a minimum of \$10 and a
18 maximum of \$40.

19 (z) Tax objection complaints.

20 For each tax objection complaint containing one or more
21 tax objections, regardless of the number of parcels
22 involved or the number of taxpayers joining on the
23 complaint, a minimum of \$10 and a maximum of \$50.

24 (aa) Tax Deeds.

25 (1) Petition for tax deed, if only one parcel is
26 involved, a minimum of \$45 and a maximum of \$200.

1 (2) For each additional parcel, add a fee of a minimum
2 of \$10 and a maximum of \$60.

3 (bb) Collections.

4 (1) For all collections made of others, except the
5 State and county and except in maintenance or child support
6 cases, a sum equal to a minimum of 2% and a maximum of 2.5%
7 of the amount collected and turned over.

8 (2) Interest earned on any funds held by the clerk
9 shall be turned over to the county general fund as an
10 earning of the office.

11 (3) For any check, draft, or other bank instrument
12 returned to the clerk for non-sufficient funds, account
13 closed, or payment stopped, \$25.

14 (4) In child support and maintenance cases, the clerk,
15 if authorized by an ordinance of the county board, may
16 collect an annual fee of up to \$36 from the person making
17 payment for maintaining child support records and the
18 processing of support orders to the State of Illinois KIDS
19 system and the recording of payments issued by the State
20 Disbursement Unit for the official record of the Court.
21 This fee shall be in addition to and separate from amounts
22 ordered to be paid as maintenance or child support and
23 shall be deposited into a Separate Maintenance and Child
24 Support Collection Fund, of which the clerk shall be the
25 custodian, ex-officio, to be used by the clerk to maintain
26 child support orders and record all payments issued by the

1 State Disbursement Unit for the official record of the
2 Court. The clerk may recover from the person making the
3 maintenance or child support payment any additional cost
4 incurred in the collection of this annual fee.

5 The clerk shall also be entitled to a fee of \$5 for
6 certifications made to the Secretary of State as provided
7 in Section 7-703 of the Family Financial Responsibility Law
8 and these fees shall also be deposited into the Separate
9 Maintenance and Child Support Collection Fund.

10 (cc) Corrections of Numbers.

11 For correction of the case number, case title, or
12 attorney computer identification number, if required by
13 rule of court, on any document filed in the clerk's office,
14 to be charged against the party that filed the document, a
15 minimum of \$10 and a maximum of \$25.

16 (dd) Exceptions.

17 (1) The fee requirements of this Section shall not
18 apply to police departments or other law enforcement
19 agencies. In this Section, "law enforcement agency" means
20 an agency of the State or a unit of local government which
21 is vested by law or ordinance with the duty to maintain
22 public order and to enforce criminal laws or ordinances.
23 "Law enforcement agency" also means the Attorney General or
24 any state's attorney.

25 (2) No fee provided herein shall be charged to any unit
26 of local government or school district.

1 (3) The fee requirements of this Section shall not
2 apply to any action instituted under subsection (b) of
3 Section 11-31-1 of the Illinois Municipal Code by a private
4 owner or tenant of real property within 1200 feet of a
5 dangerous or unsafe building seeking an order compelling
6 the owner or owners of the building to take any of the
7 actions authorized under that subsection.

8 (4) The fee requirements of this Section shall not
9 apply to the filing of any commitment petition or petition
10 for an order authorizing the administration of
11 psychotropic medication or electroconvulsive therapy under
12 the Mental Health and Developmental Disabilities Code.

13 (ee) Adoptions.

14 (1) For an adoption \$65

15 (2) Upon good cause shown, the court may waive the
16 adoption filing fee in a special needs adoption. The term
17 "special needs adoption" shall have the meaning ascribed to
18 it by the Illinois Department of Children and Family
19 Services.

20 (ff) Adoption exemptions.

21 No fee other than that set forth in subsection (ee)
22 shall be charged to any person in connection with an
23 adoption proceeding nor may any fee be charged for
24 proceedings for the appointment of a confidential
25 intermediary under the Adoption Act.

26 (Source: P.A. 95-172, eff. 8-14-07; 95-331, eff. 8-21-07.)

1 Section 15. The Illinois Religious Freedom Protection and
2 Civil Union Act is amended by changing Section 30 and adding
3 Section 65 as follows:

4 (750 ILCS 75/30)

5 (This Section may contain text from a Public Act with a
6 delayed effective date)

7 Sec. 30. Application, license, and certification.

8 (a) The Director of Public Health shall prescribe the form
9 for an application, license, and certificate for a civil union.

10 (b) An application for a civil union shall include the
11 following information:

12 (1) name, sex, occupation, address, social security
13 number, date and place of birth of each party to the civil
14 union;

15 (2) name and address of the parents or guardian of each
16 party;

17 (3) whether the parties are related to each other and,
18 if so, their relationship; and

19 (4) in the event either party was previously married or
20 entered into a civil union or a substantially similar legal
21 relationship, provide the name, date, place and the court
22 in which the marriage or civil union or substantially
23 similar legal relationship was dissolved or declared
24 invalid or the date and place of death of the former spouse

1 or of the party to the civil union or substantially similar
2 legal relationship.

3 (c) When an application has been completed and signed by
4 both parties, applicable fees provided by rule or statute have
5 been paid, and both parties have appeared before the county
6 clerk, the county clerk shall issue a license and a certificate
7 of civil union upon being furnished satisfactory proof that the
8 civil union is not prohibited.

9 (d) A license becomes effective in the county where it was
10 issued one day after the date of issuance, and expires 60 days
11 after it becomes effective.

12 (e) The certificate must be completed and returned to the
13 county clerk that issued the license within 10 days of the
14 civil union.

15 (f) A copy of the completed certificate from the county
16 clerk or the return provided to the Department of Public Health
17 by a county clerk shall be presumptive evidence of the civil
18 union in all courts.

19 (Source: P.A. 96-1513, eff. 6-1-11.)

20 (750 ILCS 75/65 new)

21 Sec. 65. Religious child welfare agencies. A child welfare
22 agency that is religiously based or owned by, operated by, or
23 affiliated with a bona fide religious organization may decline
24 an adoption or foster family home application, including any
25 related licensure and placement, from a party to a civil union

1 if acceptance of that application would constitute a violation
2 of the organization's sincerely held religious beliefs. If an
3 agency declines an application pursuant to this Section, then
4 it must provide the applicant with information on how to
5 contact the Department of Children and Family Services to
6 obtain information concerning other regional licensed child
7 welfare agencies.

8 Section 99. Effective date. This Act takes effect June 1,
9 2011."