

SB1631



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1631

Introduced 2/9/2011, by Sen. John G. Mulroe

SYNOPSIS AS INTRODUCED:

730 ILCS 110/15.1

from Ch. 38, par. 204-7.1

Amends the Probation and Probation Officers Act relating to the use of moneys in the probation and court services Fund. Provides that the Administrative Office of the Illinois Courts may permit a county or circuit to use its probation and court services fund for the payment of salaries of probation officers and other court services personnel whose salaries are reimbursed under the Act in any State fiscal year that the appropriation for reimbursement to counties for probation salaries and services is less than the amount appropriated to the Supreme Court for these purposes for State Fiscal Year 2002. Effective immediately.

LRB097 08620 RLC 48748 b

A BILL FOR

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 subparagraphs
3 ~~subparagraph~~ (g) and (h), monies in the probation and court
4 services fund shall not be used for the payment of salaries of
5 probation and court 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 may be used by the county for its ordinary
11 and contingent expenditures.

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

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

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

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

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

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

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.