

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 10. The Violent Crime Victims Assistance Act is
5 amended by changing Section 10 as follows:

6 (725 ILCS 240/10) (from Ch. 70, par. 510)

7 Sec. 10. Violent Crime Victims Assistance Fund.

8 (a) The "Violent Crime Victims Assistance Fund" is created
9 as a special fund in the State Treasury to provide monies for
10 the grants to be awarded under this Act.

11 (b) When any person is convicted in Illinois of an offense
12 listed below, or placed on supervision for that offense on or
13 after July 1, 2012, the court shall impose the following fines:

14 (1) \$100 for any felony;

15 (2) \$50 for any offense under the Illinois Vehicle
16 Code, exclusive of offenses enumerated in paragraph (a) (2)
17 of Section 6-204 of that Code, and exclusive of any offense
18 enumerated in Article VI of Chapter 11 of that Code
19 relating to restrictions, regulations, and limitations on
20 the speed at which a motor vehicle is driven or operated;
21 and

22 (3) \$75 for any misdemeanor, excluding a conservation
23 offense.

1 Notwithstanding any other provision of this Section, the
2 penalty established in this Section shall be assessed for any
3 violation of Section 11-601.5, 11-605.2, or 11-605.3 of the
4 Illinois Vehicle Code.

5 If the court does not impose the fine, the Attorney General
6 or the State's Attorney may file a motion to have the court
7 correct the sentence and impose the mandatory fine. The Clerk
8 of the Circuit Court shall remit moneys collected under this
9 subsection (b) ~~On and after September 18, 1986, there shall be~~
10 ~~an additional penalty collected from each defendant upon~~
11 ~~conviction of any felony or upon conviction of or disposition~~
12 ~~of supervision for any misdemeanor, or upon conviction of or~~
13 ~~disposition of supervision for any offense under the Illinois~~
14 ~~Vehicle Code, exclusive of offenses enumerated in paragraph~~
15 ~~(a)(2) of Section 6-204 of that Code, and exclusive of any~~
16 ~~offense enumerated in Article VI of Chapter 11 of that Code~~
17 ~~relating to restrictions, regulations and limitations on the~~
18 ~~speed at which a motor vehicle is driven or operated, an~~
19 ~~additional penalty of \$4 for each \$40, or fraction thereof, of~~
20 ~~fine imposed. Notwithstanding any other provision of this~~
21 ~~Section, the penalty established in this Section shall be~~
22 ~~assessed for any violation of Section 11-601.5, 11-605.2, or~~
23 ~~11-605.3 of the Illinois Vehicle Code. Such additional amounts~~
24 ~~shall be collected by the Clerk of the Circuit Court in~~
25 ~~addition to the fine and costs in the case. Each such~~
26 ~~additional penalty collected under this subsection (b) or~~

1 ~~subsection (c) of this Section shall be remitted by the Clerk~~
2 ~~of the Circuit Court~~ within one month after receipt to the
3 State Treasurer for deposit into the Violent Crime Victims
4 Assistance Fund, except as provided in subsection (g) of this
5 Section. Such additional penalty shall not be considered a part
6 of the fine for purposes of any reduction made in the fine for
7 time served either before or after sentencing. Not later than
8 March 1 of each year the Clerk of the Circuit Court shall
9 submit to the State Comptroller a report of the amount of funds
10 remitted by him to the State Treasurer under this Section
11 during the preceding calendar year. ~~Except as otherwise~~
12 ~~provided by Supreme Court Rules, if a court in sentencing an~~
13 ~~offender levies a gross amount for fine, costs, fees and~~
14 ~~penalties, the amount of the additional penalty provided for~~
15 ~~herein shall be computed on the amount remaining after~~
16 ~~deducting from the gross amount levied all fees of the Circuit~~
17 ~~Clerk, the State's Attorney and the Sheriff. After deducting~~
18 ~~from the gross amount levied the fees and additional penalty~~
19 ~~provided for herein, less any other additional penalties~~
20 ~~provided by law, the clerk shall remit the net balance~~
21 ~~remaining to the entity authorized by law to receive the fine~~
22 ~~imposed in the case. For purposes of this Section "fees of the~~
23 ~~Circuit Clerk" shall include, if applicable, the fee provided~~
24 ~~for under Section 27.3a of the Clerks of Courts Act and the~~
25 ~~fee, if applicable, payable to the county in which the~~
26 ~~violation occurred pursuant to Section 5 1101 of the Counties~~

1 ~~Code.~~

2 (c) ~~When any person is convicted in Illinois on or after~~
3 ~~August 28, 1986, of an offense listed below, or placed on~~
4 ~~supervision for such an offense on or after September 18, 1986,~~
5 ~~and no other fine is imposed, the following penalty shall be~~
6 ~~collected by the Circuit Court Clerk:~~

7 ~~(1) \$25, for any crime of violence as defined in~~
8 ~~subsection (c) of Section 2 of the Crime Victims~~
9 ~~Compensation Act; and~~

10 ~~(2) \$20, for any other felony or misdemeanor, excluding~~
11 ~~any conservation offense.~~

12 The ~~Such~~ charge imposed by subsection (b) shall not be
13 subject to the provisions of Section 110-14 of the Code of
14 Criminal Procedure of 1963.

15 (d) Monies forfeited, and proceeds from the sale of
16 property forfeited and seized, under the forfeiture provisions
17 set forth in Part 500 of Article 124B of the Code of Criminal
18 Procedure of 1963 shall be accepted for the Violent Crime
19 Victims Assistance Fund.

20 (e) Investment income which is attributable to the
21 investment of monies in the Violent Crime Victims Assistance
22 Fund shall be credited to that fund for uses specified in this
23 Act. The Treasurer shall provide the Attorney General a monthly
24 status report on the amount of money in the Fund.

25 (f) Monies from the fund may be granted on and after July
26 1, 1984.

1 (g) All amounts and charges imposed under this Section for
2 any violation of Chapters 3, 4, 6, and 11 of the Illinois
3 Vehicle Code, or a similar provision of a local ordinance, or
4 any violation of the Child Passenger Protection Act, or a
5 similar provision of a local ordinance, shall be collected and
6 disbursed by the circuit clerk as provided under Section 27.5
7 of the Clerks of Courts Act.

8 (Source: P.A. 96-712, eff. 1-1-10; 97-108, eff. 7-14-11.)

9 Section 99. Effective date. This Act takes effect July 1,
10 2012.