

1 AN ACT concerning criminal law, which may be referred to as
2 "Patricia's Law".

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

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

7 (730 ILCS 5/5-6-1) (from Ch. 38, par. 1005-6-1)

8 (Text of Section before amendment by P.A. 97-831)

9 Sec. 5-6-1. Sentences of Probation and of Conditional
10 Discharge and Disposition of Supervision. The General Assembly
11 finds that in order to protect the public, the criminal justice
12 system must compel compliance with the conditions of probation
13 by responding to violations with swift, certain and fair
14 punishments and intermediate sanctions. The Chief Judge of each
15 circuit shall adopt a system of structured, intermediate
16 sanctions for violations of the terms and conditions of a
17 sentence of probation, conditional discharge or disposition of
18 supervision.

19 (a) Except where specifically prohibited by other
20 provisions of this Code, the court shall impose a sentence of
21 probation or conditional discharge upon an offender unless,
22 having regard to the nature and circumstance of the offense,
23 and to the history, character and condition of the offender,

1 the court is of the opinion that:

2 (1) his imprisonment or periodic imprisonment is
3 necessary for the protection of the public; or

4 (2) probation or conditional discharge would deprecate
5 the seriousness of the offender's conduct and would be
6 inconsistent with the ends of justice; or

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

12 The court shall impose as a condition of a sentence of
13 probation, conditional discharge, or supervision, that the
14 probation agency may invoke any sanction from the list of
15 intermediate sanctions adopted by the chief judge of the
16 circuit court for violations of the terms and conditions of the
17 sentence of probation, conditional discharge, or supervision,
18 subject to the provisions of Section 5-6-4 of this Act.

19 (b) The court may impose a sentence of conditional
20 discharge for an offense if the court is of the opinion that
21 neither a sentence of imprisonment nor of periodic imprisonment
22 nor of probation supervision is appropriate.

23 (b-1) Subsections (a) and (b) of this Section do not apply
24 to a defendant charged with a misdemeanor or felony under the
25 Illinois Vehicle Code or reckless homicide under Section 9-3 of
26 the Criminal Code of 1961 or the Criminal Code of 2012 if the

1 defendant within the past 12 months has been convicted of or
2 pleaded guilty to a misdemeanor or felony under the Illinois
3 Vehicle Code or reckless homicide under Section 9-3 of the
4 Criminal Code of 1961 or the Criminal Code of 2012.

5 (c) The court may, upon a plea of guilty or a stipulation
6 by the defendant of the facts supporting the charge or a
7 finding of guilt, defer further proceedings and the imposition
8 of a sentence, and enter an order for supervision of the
9 defendant, if the defendant is not charged with: (i) a Class A
10 misdemeanor, as defined by the following provisions of the
11 Criminal Code of 1961 or the Criminal Code of 2012: Sections
12 11-9.1; 12-3.2; 11-1.50 or 12-15; 26-5 or 48-1; 31-1; 31-6;
13 31-7; paragraphs (2) and (3) of subsection (a) of Section 21-1;
14 paragraph (1) through (5), (8), (10), and (11) of subsection
15 (a) of Section 24-1; (ii) a Class A misdemeanor violation of
16 Section 3.01, 3.03-1, or 4.01 of the Humane Care for Animals
17 Act; or (iii) a felony. If the defendant is not barred from
18 receiving an order for supervision as provided in this
19 subsection, the court may enter an order for supervision after
20 considering the circumstances of the offense, and the history,
21 character and condition of the offender, if the court is of the
22 opinion that:

23 (1) the offender is not likely to commit further
24 crimes;

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

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

4 (c-5) Subsections (a), (b), and (c) of this Section do not
5 apply to a defendant charged with a second or subsequent
6 violation of Section 6-303 of the Illinois Vehicle Code
7 committed while his or her driver's license, permit or
8 privileges were revoked because of a violation of Section 9-3
9 of the Criminal Code of 1961 or the Criminal Code of 2012,
10 relating to the offense of reckless homicide, or a similar
11 provision of a law of another state.

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

16 (1) convicted for a violation of Section 11-501 of the
17 Illinois Vehicle Code or a similar provision of a local
18 ordinance or any similar law or ordinance of another state;
19 or

20 (2) assigned supervision for a violation of Section
21 11-501 of the Illinois Vehicle Code or a similar provision
22 of a local ordinance or any similar law or ordinance of
23 another state; or

24 (3) pleaded guilty to or stipulated to the facts
25 supporting a charge or a finding of guilty to a violation
26 of Section 11-503 of the Illinois Vehicle Code or a similar

1 provision of a local ordinance or any similar law or
2 ordinance of another state, and the plea or stipulation was
3 the result of a plea agreement.

4 The court shall consider the statement of the prosecuting
5 authority with regard to the standards set forth in this
6 Section.

7 (e) The provisions of paragraph (c) shall not apply to a
8 defendant charged with violating Section 16-25 or 16A-3 of the
9 Criminal Code of 1961 or the Criminal Code of 2012 if said
10 defendant has within the last 5 years been:

11 (1) convicted for a violation of Section 16-25 or 16A-3
12 of the Criminal Code of 1961 or the Criminal Code of 2012;
13 or

14 (2) assigned supervision for a violation of Section
15 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal
16 Code of 2012.

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

20 (f) The provisions of paragraph (c) shall not apply to a
21 defendant charged with violating Sections 15-111, 15-112,
22 15-301, paragraph (b) of Section 6-104, Section 11-605, Section
23 11-1002.5, or Section 11-1414 of the Illinois Vehicle Code or a
24 similar provision of a local ordinance.

25 (g) Except as otherwise provided in paragraph (i) of this
26 Section, the provisions of paragraph (c) shall not apply to a

1 defendant charged with violating Section 3-707, 3-708, 3-710,
2 or 5-401.3 of the Illinois Vehicle Code or a similar provision
3 of a local ordinance if the defendant has within the last 5
4 years been:

5 (1) convicted for a violation of Section 3-707, 3-708,
6 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar
7 provision of a local ordinance; or

8 (2) assigned supervision for a violation of Section
9 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle
10 Code or a similar provision of a local ordinance.

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

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

18 (1) unless the defendant, upon payment of the fines,
19 penalties, and costs provided by law, agrees to attend and
20 successfully complete a traffic safety program approved by
21 the court under standards set by the Conference of Chief
22 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

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

4 (2) if the defendant has previously been sentenced
5 under the provisions of paragraph (c) on or after January
6 1, 1998 for any serious traffic offense as defined in
7 Section 1-187.001 of the Illinois Vehicle Code.

8 (h-1) The provisions of paragraph (c) shall not apply to a
9 defendant under the age of 21 years charged with an offense
10 against traffic regulations governing the movement of vehicles
11 or any violation of Section 6-107 or Section 12-603.1 of the
12 Illinois Vehicle Code, unless the defendant, upon payment of
13 the fines, penalties, and costs provided by law, agrees to
14 attend and successfully complete a traffic safety program
15 approved by the court under standards set by the Conference of
16 Chief Circuit Judges. The accused shall be responsible for
17 payment of any traffic safety program fees. If the accused
18 fails to file a certificate of successful completion on or
19 before the termination date of the supervision order, the
20 supervision shall be summarily revoked and conviction entered.
21 The provisions of Supreme Court Rule 402 relating to pleas of
22 guilty do not apply in cases when a defendant enters a guilty
23 plea under this provision.

24 (i) The provisions of paragraph (c) shall not apply to a
25 defendant charged with violating Section 3-707 of the Illinois
26 Vehicle Code or a similar provision of a local ordinance if the

1 defendant has been assigned supervision for a violation of
2 Section 3-707 of the Illinois Vehicle Code or a similar
3 provision of a local ordinance.

4 (j) The provisions of paragraph (c) shall not apply to a
5 defendant charged with violating Section 6-303 of the Illinois
6 Vehicle Code or a similar provision of a local ordinance when
7 the revocation or suspension was for a violation of Section
8 11-501 or a similar provision of a local ordinance or a
9 violation of Section 11-501.1 or paragraph (b) of Section
10 11-401 of the Illinois Vehicle Code if the defendant has within
11 the last 10 years been:

12 (1) convicted for a violation of Section 6-303 of the
13 Illinois Vehicle Code or a similar provision of a local
14 ordinance; or

15 (2) assigned supervision for a violation of Section
16 6-303 of the Illinois Vehicle Code or a similar provision
17 of a local ordinance.

18 (k) The provisions of paragraph (c) shall not apply to a
19 defendant charged with violating any provision of the Illinois
20 Vehicle Code or a similar provision of a local ordinance that
21 governs the movement of vehicles if, within the 12 months
22 preceding the date of the defendant's arrest, the defendant has
23 been assigned court supervision on 2 occasions for a violation
24 that governs the movement of vehicles under the Illinois
25 Vehicle Code or a similar provision of a local ordinance. The
26 provisions of this paragraph (k) do not apply to a defendant

1 charged with violating Section 11-501 of the Illinois Vehicle
2 Code or a similar provision of a local ordinance.

3 (l) A defendant charged with violating any provision of the
4 Illinois Vehicle Code or a similar provision of a local
5 ordinance who receives a disposition of supervision under
6 subsection (c) shall pay an additional fee of \$29, to be
7 collected as provided in Sections 27.5 and 27.6 of the Clerks
8 of Courts Act. In addition to the \$29 fee, the person shall
9 also pay a fee of \$6, which, if not waived by the court, shall
10 be collected as provided in Sections 27.5 and 27.6 of the
11 Clerks of Courts Act. The \$29 fee shall be disbursed as
12 provided in Section 16-104c of the Illinois Vehicle Code. If
13 the \$6 fee is collected, \$5.50 of the fee shall be deposited
14 into the Circuit Court Clerk Operation and Administrative Fund
15 created by the Clerk of the Circuit Court and 50 cents of the
16 fee shall be deposited into the Prisoner Review Board Vehicle
17 and Equipment Fund in the State treasury.

18 (m) Any person convicted of, pleading guilty to, or placed
19 on supervision for a serious traffic violation, as defined in
20 Section 1-187.001 of the Illinois Vehicle Code, a violation of
21 Section 11-501 of the Illinois Vehicle Code, or a violation of
22 a similar provision of a local ordinance shall pay an
23 additional fee of \$35, to be disbursed as provided in Section
24 16-104d of that Code.

25 This subsection (m) becomes inoperative 7 years after
26 October 13, 2007 (the effective date of Public Act 95-154).

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

10 (o) 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 suspension was for a violation of Section 11-501.1 of the
14 Illinois Vehicle Code and when:

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

20 (2) at the time of the violation of Section 11-501.1 of
21 the Illinois Vehicle Code, the defendant was a first
22 offender pursuant to Section 11-500 of the Illinois Vehicle
23 Code, had subsequently obtained a monitoring device
24 driving permit, but was driving a vehicle not equipped with
25 a breath alcohol ignition interlock device as defined in
26 Section 1-129.1 of the Illinois Vehicle Code.

1 (p) The provisions of paragraph (c) shall not apply to a
2 defendant charged with violating subsection (b) of Section
3 11-601.5 of the Illinois Vehicle Code or a similar provision of
4 a local ordinance.

5 (Source: P.A. 96-253, eff. 8-11-09; 96-286, eff. 8-11-09;
6 96-328, eff. 8-11-09; 96-625, eff. 1-1-10; 96-1000, eff.
7 7-2-10; 96-1002, eff. 1-1-11; 96-1175, eff. 9-20-10; 96-1551,
8 eff. 7-1-11; 97-333, eff. 8-12-11; 97-597, eff. 1-1-12;
9 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

10 (Text of Section after amendment by P.A. 97-831)

11 Sec. 5-6-1. Sentences of Probation and of Conditional
12 Discharge and Disposition of Supervision. The General Assembly
13 finds that in order to protect the public, the criminal justice
14 system must compel compliance with the conditions of probation
15 by responding to violations with swift, certain and fair
16 punishments and intermediate sanctions. The Chief Judge of each
17 circuit shall adopt a system of structured, intermediate
18 sanctions for violations of the terms and conditions of a
19 sentence of probation, conditional discharge or disposition of
20 supervision.

21 (a) Except where specifically prohibited by other
22 provisions of this Code, the court shall impose a sentence of
23 probation or conditional discharge upon an offender unless,
24 having regard to the nature and circumstance of the offense,
25 and to the history, character and condition of the offender,

1 the court is of the opinion that:

2 (1) his imprisonment or periodic imprisonment is
3 necessary for the protection of the public; or

4 (2) probation or conditional discharge would deprecate
5 the seriousness of the offender's conduct and would be
6 inconsistent with the ends of justice; or

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

12 The court shall impose as a condition of a sentence of
13 probation, conditional discharge, or supervision, that the
14 probation agency may invoke any sanction from the list of
15 intermediate sanctions adopted by the chief judge of the
16 circuit court for violations of the terms and conditions of the
17 sentence of probation, conditional discharge, or supervision,
18 subject to the provisions of Section 5-6-4 of this Act.

19 (b) The court may impose a sentence of conditional
20 discharge for an offense if the court is of the opinion that
21 neither a sentence of imprisonment nor of periodic imprisonment
22 nor of probation supervision is appropriate.

23 (b-1) Subsections (a) and (b) of this Section do not apply
24 to a defendant charged with a misdemeanor or felony under the
25 Illinois Vehicle Code or reckless homicide under Section 9-3 of
26 the Criminal Code of 1961 or the Criminal Code of 2012 if the

1 defendant within the past 12 months has been convicted of or
2 pleaded guilty to a misdemeanor or felony under the Illinois
3 Vehicle Code or reckless homicide under Section 9-3 of the
4 Criminal Code of 1961 or the Criminal Code of 2012.

5 (c) The court may, upon a plea of guilty or a stipulation
6 by the defendant of the facts supporting the charge or a
7 finding of guilt, defer further proceedings and the imposition
8 of a sentence, and enter an order for supervision of the
9 defendant, if the defendant is not charged with: (i) a Class A
10 misdemeanor, as defined by the following provisions of the
11 Criminal Code of 1961 or the Criminal Code of 2012: Sections
12 11-9.1; 12-3.2; 11-1.50 or 12-15; 26-5 or 48-1; 31-1; 31-6;
13 31-7; paragraphs (2) and (3) of subsection (a) of Section 21-1;
14 paragraph (1) through (5), (8), (10), and (11) of subsection
15 (a) of Section 24-1; (ii) a Class A misdemeanor violation of
16 Section 3.01, 3.03-1, or 4.01 of the Humane Care for Animals
17 Act; or (iii) a felony. If the defendant is not barred from
18 receiving an order for supervision as provided in this
19 subsection, the court may enter an order for supervision after
20 considering the circumstances of the offense, and the history,
21 character and condition of the offender, if the court is of the
22 opinion that:

23 (1) the offender is not likely to commit further
24 crimes;

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

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

4 (c-5) Subsections (a), (b), and (c) of this Section do not
5 apply to a defendant charged with a second or subsequent
6 violation of Section 6-303 of the Illinois Vehicle Code
7 committed while his or her driver's license, permit or
8 privileges were revoked because of a violation of Section 9-3
9 of the Criminal Code of 1961 or the Criminal Code of 2012,
10 relating to the offense of reckless homicide, or a similar
11 provision of a law of another state.

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

16 (1) convicted for a violation of Section 11-501 of the
17 Illinois Vehicle Code or a similar provision of a local
18 ordinance or any similar law or ordinance of another state;
19 or

20 (2) assigned supervision for a violation of Section
21 11-501 of the Illinois Vehicle Code or a similar provision
22 of a local ordinance or any similar law or ordinance of
23 another state; or

24 (3) pleaded guilty to or stipulated to the facts
25 supporting a charge or a finding of guilty to a violation
26 of Section 11-503 of the Illinois Vehicle Code or a similar

1 provision of a local ordinance or any similar law or
2 ordinance of another state, and the plea or stipulation was
3 the result of a plea agreement.

4 The court shall consider the statement of the prosecuting
5 authority with regard to the standards set forth in this
6 Section.

7 (e) The provisions of paragraph (c) shall not apply to a
8 defendant charged with violating Section 16-25 or 16A-3 of the
9 Criminal Code of 1961 or the Criminal Code of 2012 if said
10 defendant has within the last 5 years been:

11 (1) convicted for a violation of Section 16-25 or 16A-3
12 of the Criminal Code of 1961 or the Criminal Code of 2012;
13 or

14 (2) assigned supervision for a violation of Section
15 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal
16 Code of 2012.

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

20 (f) The provisions of paragraph (c) shall not apply to a
21 defendant charged with violating Sections 15-111, 15-112,
22 15-301, paragraph (b) of Section 6-104, Section 11-605, Section
23 11-1002.5, or Section 11-1414 of the Illinois Vehicle Code or a
24 similar provision of a local ordinance.

25 (g) Except as otherwise provided in paragraph (i) of this
26 Section, the provisions of paragraph (c) shall not apply to a

1 defendant charged with violating Section 3-707, 3-708, 3-710,
2 or 5-401.3 of the Illinois Vehicle Code or a similar provision
3 of a local ordinance if the defendant has within the last 5
4 years been:

5 (1) convicted for a violation of Section 3-707, 3-708,
6 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar
7 provision of a local ordinance; or

8 (2) assigned supervision for a violation of Section
9 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle
10 Code or a similar provision of a local ordinance.

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

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

18 (1) unless the defendant, upon payment of the fines,
19 penalties, and costs provided by law, agrees to attend and
20 successfully complete a traffic safety program approved by
21 the court under standards set by the Conference of Chief
22 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

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

4 (2) if the defendant has previously been sentenced
5 under the provisions of paragraph (c) on or after January
6 1, 1998 for any serious traffic offense as defined in
7 Section 1-187.001 of the Illinois Vehicle Code.

8 (h-1) The provisions of paragraph (c) shall not apply to a
9 defendant under the age of 21 years charged with an offense
10 against traffic regulations governing the movement of vehicles
11 or any violation of Section 6-107 or Section 12-603.1 of the
12 Illinois Vehicle Code, unless the defendant, upon payment of
13 the fines, penalties, and costs provided by law, agrees to
14 attend and successfully complete a traffic safety program
15 approved by the court under standards set by the Conference of
16 Chief Circuit Judges. The accused shall be responsible for
17 payment of any traffic safety program fees. If the accused
18 fails to file a certificate of successful completion on or
19 before the termination date of the supervision order, the
20 supervision shall be summarily revoked and conviction entered.
21 The provisions of Supreme Court Rule 402 relating to pleas of
22 guilty do not apply in cases when a defendant enters a guilty
23 plea under this provision.

24 (i) The provisions of paragraph (c) shall not apply to a
25 defendant charged with violating Section 3-707 of the Illinois
26 Vehicle Code or a similar provision of a local ordinance if the

1 defendant has been assigned supervision for a violation of
2 Section 3-707 of the Illinois Vehicle Code or a similar
3 provision of a local ordinance.

4 (j) The provisions of paragraph (c) shall not apply to a
5 defendant charged with violating Section 6-303 of the Illinois
6 Vehicle Code or a similar provision of a local ordinance when
7 the revocation or suspension was for a violation of Section
8 11-501 or a similar provision of a local ordinance or a
9 violation of Section 11-501.1 or paragraph (b) of Section
10 11-401 of the Illinois Vehicle Code if the defendant has within
11 the last 10 years been:

12 (1) convicted for a violation of Section 6-303 of the
13 Illinois Vehicle Code or a similar provision of a local
14 ordinance; or

15 (2) assigned supervision for a violation of Section
16 6-303 of the Illinois Vehicle Code or a similar provision
17 of a local ordinance.

18 (k) The provisions of paragraph (c) shall not apply to a
19 defendant charged with violating any provision of the Illinois
20 Vehicle Code or a similar provision of a local ordinance that
21 governs the movement of vehicles if, within the 12 months
22 preceding the date of the defendant's arrest, the defendant has
23 been assigned court supervision on 2 occasions for a violation
24 that governs the movement of vehicles under the Illinois
25 Vehicle Code or a similar provision of a local ordinance. The
26 provisions of this paragraph (k) do not apply to a defendant

1 charged with violating Section 11-501 of the Illinois Vehicle
2 Code or a similar provision of a local ordinance.

3 (l) A defendant charged with violating any provision of the
4 Illinois Vehicle Code or a similar provision of a local
5 ordinance who receives a disposition of supervision under
6 subsection (c) shall pay an additional fee of \$29, to be
7 collected as provided in Sections 27.5 and 27.6 of the Clerks
8 of Courts Act. In addition to the \$29 fee, the person shall
9 also pay a fee of \$6, which, if not waived by the court, shall
10 be collected as provided in Sections 27.5 and 27.6 of the
11 Clerks of Courts Act. The \$29 fee shall be disbursed as
12 provided in Section 16-104c of the Illinois Vehicle Code. If
13 the \$6 fee is collected, \$5.50 of the fee shall be deposited
14 into the Circuit Court Clerk Operation and Administrative Fund
15 created by the Clerk of the Circuit Court and 50 cents of the
16 fee shall be deposited into the Prisoner Review Board Vehicle
17 and Equipment Fund in the State treasury.

18 (m) Any person convicted of, pleading guilty to, or placed
19 on supervision for a serious traffic violation, as defined in
20 Section 1-187.001 of the Illinois Vehicle Code, a violation of
21 Section 11-501 of the Illinois Vehicle Code, or a violation of
22 a similar provision of a local ordinance shall pay an
23 additional fee of \$35, to be disbursed as provided in Section
24 16-104d of that Code.

25 This subsection (m) becomes inoperative 7 years after
26 October 13, 2007 (the effective date of Public Act 95-154).

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

10 (o) 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 suspension was for a violation of Section 11-501.1 of the
14 Illinois Vehicle Code and when:

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

20 (2) at the time of the violation of Section 11-501.1 of
21 the Illinois Vehicle Code, the defendant was a first
22 offender pursuant to Section 11-500 of the Illinois Vehicle
23 Code, had subsequently obtained a monitoring device
24 driving permit, but was driving a vehicle not equipped with
25 a breath alcohol ignition interlock device as defined in
26 Section 1-129.1 of the Illinois Vehicle Code.

1 (p) The provisions of paragraph (c) shall not apply to a
2 defendant charged with violating Section 11-601.5 of the
3 Illinois Vehicle Code or a similar provision of a local
4 ordinance.

5 (q) The provisions of paragraph (c) shall not apply to a
6 defendant charged with violating subsection (b) of Section
7 11-601 of the Illinois Vehicle Code when the defendant was
8 operating a vehicle, in an urban district, at a speed in excess
9 of 25 miles per hour over the posted speed limit.

10 (r) The provisions of paragraph (c) shall not apply to a
11 defendant charged with violating any provision of the Illinois
12 Vehicle Code or a similar provision of a local ordinance if the
13 violation was the proximate cause of the death of another and
14 the defendant's driving abstract contains a prior conviction or
15 disposition of court supervision for any violation of the
16 Illinois Vehicle Code, other than an equipment violation, or a
17 suspension, revocation, or cancellation of the driver's
18 license.

19 (Source: P.A. 96-253, eff. 8-11-09; 96-286, eff. 8-11-09;
20 96-328, eff. 8-11-09; 96-625, eff. 1-1-10; 96-1000, eff.
21 7-2-10; 96-1002, eff. 1-1-11; 96-1175, eff. 9-20-10; 96-1551,
22 eff. 7-1-11; 97-333, eff. 8-12-11; 97-597, eff. 1-1-12; 97-831,
23 eff. 7-1-13; 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

24 Section 95. No acceleration or delay. Where this Act makes
25 changes in a statute that is represented in this Act by text

1 that is not yet or no longer in effect (for example, a Section
2 represented by multiple versions), the use of that text does
3 not accelerate or delay the taking effect of (i) the changes
4 made by this Act or (ii) provisions derived from any other
5 Public Act.