

# HB5453



## 98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5453

by Rep. Rich Brauer

### SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1103

from Ch. 34, par. 5-1103

Amends the Counties Code. Provides that a court services fee shall not exceed \$25 unless the fee is set according to an acceptable cost study under the Code.

LRB098 17948 JLK 53072 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by changing Section  
5 5-1103 as follows:

6 (55 ILCS 5/5-1103) (from Ch. 34, par. 5-1103)

7 Sec. 5-1103. Court services fee. A county board may enact  
8 by ordinance or resolution a court services fee dedicated to  
9 defraying court security expenses incurred by the sheriff in  
10 providing court services or for any other court services deemed  
11 necessary by the sheriff to provide for court security,  
12 including without limitation court services provided pursuant  
13 to Section 3-6023, as now or hereafter amended. Such fee shall  
14 be paid in civil cases by each party at the time of filing the  
15 first pleading, paper or other appearance; provided that no  
16 additional fee shall be required if more than one party is  
17 represented in a single pleading, paper or other appearance. In  
18 criminal, local ordinance, county ordinance, traffic and  
19 conservation cases, such fee shall be assessed against the  
20 defendant upon a plea of guilty, stipulation of facts or  
21 findings of guilty, resulting in a judgment of conviction, or  
22 order of supervision, or sentence of probation without entry of  
23 judgment pursuant to Section 10 of the Cannabis Control Act,

1 Section 410 of the Illinois Controlled Substances Act, Section  
2 70 of the Methamphetamine Control and Community Protection Act,  
3 Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the  
4 Criminal Code of 1961 or the Criminal Code of 2012, Section  
5 10-102 of the Illinois Alcoholism and Other Drug Dependency  
6 Act, Section 40-10 of the Alcoholism and Other Drug Abuse and  
7 Dependency Act, or Section 10 of the Steroid Control Act. In  
8 setting such fee, the county board may impose, with the  
9 concurrence of the Chief Judge of the judicial circuit in which  
10 the county is located by administrative order entered by the  
11 Chief Judge, differential rates for the various types or  
12 categories of criminal and civil cases, but the maximum rate  
13 shall not exceed \$25, unless the fee is set according to an  
14 acceptable cost study in accordance with Section 4-5001 of the  
15 Counties Code. All proceeds from this fee must be used to  
16 defray court security expenses incurred by the sheriff in  
17 providing court services. No fee shall be imposed or collected,  
18 however, in traffic, conservation, and ordinance cases in which  
19 fines are paid without a court appearance. The fees shall be  
20 collected in the manner in which all other court fees or costs  
21 are collected and shall be deposited into the county general  
22 fund for payment solely of costs incurred by the sheriff in  
23 providing court security or for any other court services deemed  
24 necessary by the sheriff to provide for court security.

25 (Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)