

SB2221



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2221

Introduced 2/15/2013, by Sen. John M. Sullivan

SYNOPSIS AS INTRODUCED:

705 ILCS 105/27.3

from Ch. 25, par. 27.3

Amends the Clerks of Courts Act. Provides that certain reimbursements received by State correctional institutions for administrative assistance to perform services shall be appropriated each year by the General Assembly to the Department of Corrections, which shall distribute the awards in annual lump sum payments to the Clerks of the Circuit Court in the counties in which the additional staff is employed. Deletes language providing that the payments shall be payable monthly from the State Treasury to the county treasurer. Provides that the reimbursement shall be paid for all types of administrative assistance provided by the Clerk of the Circuit Court in connection with the State correctional institution and that nothing in the provisions may be construed as limiting the reimbursement to only certain types of cases. Provides that the same reimbursement provided in connection with the operation of State correctional institutions shall also be paid in connection with treatment and detention facilities established under the Sexually Violent Persons Commitment Act.

LRB098 08179 HEP 40966 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning courts.

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

4 Section 5. The Clerks of Courts Act is amended by changing
5 Section 27.3 as follows:

6 (705 ILCS 105/27.3) (from Ch. 25, par. 27.3)
7 Sec. 27.3. Compensation.

8 (a) The county board shall provide the compensation of
9 Clerks of the Circuit Court, and the amount necessary for clerk
10 hire, stationery, fuel and other expenses. Beginning December
11 1, 1989, the compensation per annum for Clerks of the Circuit
12 Court shall be as follows:

13 In counties where the population is:

14 Less than 14,000	at least \$13,500
15 14,001-30,000	at least \$14,500
16 30,001-60,000	at least \$15,000
17 60,001-100,000	at least \$15,000
18 100,001-200,000	at least \$16,500
19 200,001-300,000	at least \$18,000
20 300,001- 3,000,000	at least \$20,000
21 Over 3,000,000	at least \$55,000

22 (b) In counties in which the population is 3,000,000 or
23 less, "base salary" is the compensation paid for each Clerk of

1 the Circuit Court, respectively, before July 1, 1989.

2 (c) The Clerks of the Circuit Court, in counties in which
3 the population is 3,000,000 or less, shall be compensated as
4 follows:

5 (1) Beginning December 1, 1989, base salary plus at
6 least 3% of base salary.

7 (2) Beginning December 1, 1990, base salary plus at
8 least 6% of base salary.

9 (3) Beginning December 1, 1991, base salary plus at
10 least 9% of base salary.

11 (4) Beginning December 1, 1992, base salary plus at
12 least 12% of base salary.

13 (d) In addition to the compensation provided by the county
14 board, each Clerk of the Circuit Court shall receive an award
15 from the State for the additional duties imposed by Sections
16 5-9-1 and 5-9-1.2 of the Unified Code of Corrections, Section
17 10 of the Violent Crime Victims Assistance Act, Section 16-104a
18 of the Illinois Vehicle Code, and other laws, in the following
19 amount:

20 (1) \$3,500 per year before January 1, 1997.

21 (2) \$4,500 per year beginning January 1, 1997.

22 (3) \$5,500 per year beginning January 1, 1998.

23 (4) \$6,500 per year beginning January 1, 1999.

24 The total amount required for such awards shall be appropriated
25 each year by the General Assembly to the Supreme Court, which
26 shall distribute such awards in annual lump sum payments to the

1 Clerks of the Circuit Court in all counties. This annual award,
2 and any other award or stipend paid out of State funds to the
3 Clerks of the Circuit Court, shall not affect any other
4 compensation provided by law to be paid to Clerks of the
5 Circuit Court.

6 (e) Also in addition to the compensation provided by the
7 county board, Clerks of the Circuit Court in counties in which
8 one or more State correctional institutions are located shall
9 receive a minimum reimbursement in the amount of \$2,500 per
10 year for administrative assistance to perform services in
11 connection with the State correctional institution. The total
12 amount required for the awards shall be appropriated each year
13 by the General Assembly to the Department of Corrections, which
14 shall distribute the awards in annual lump sum payments to the
15 Clerks of the Circuit Court in, payable monthly from the State
16 Treasury to the treasurer of the counties county in which the
17 additional staff is employed. Counties whose State
18 correctional institution inmate population exceeds 250 shall
19 receive reimbursement in the amount of \$2,500 per 250 inmates.
20 Reimbursement under this subsection (e) shall be paid for all
21 types of administrative assistance provided by the Clerk of the
22 Circuit Court in connection with the State correctional
23 institution and nothing in this subsection (e) may be construed
24 as limiting the reimbursement provided in this subsection to
25 only certain types of cases in which administrative assistance
26 is rendered in connection with the State correctional

1 institution. This subsection (e) shall not apply to staff added
2 before November 29, 1990.

3 For purposes of this subsection (e), "State correctional
4 institution" means any facility of the Department of
5 Corrections, including without limitation adult facilities,
6 juvenile facilities, pre-release centers, community correction
7 centers, and work camps.

8 (e-5) Also in addition to the compensation provided by the
9 county board, Clerks of the Circuit Court in counties in which
10 one or more treatment and detention facilities established
11 under the Sexually Violent Persons Commitment Act are located
12 shall receive a minimum reimbursement in the amount of \$2,500
13 per year for administrative assistance to perform services in
14 connection with the treatment and detention facility. The total
15 amount required for the awards shall be appropriated each year
16 by the General Assembly to the Department of Human Services,
17 which shall distribute the awards in annual lump sum payments
18 to the Clerks of the Circuit Court in the counties in which the
19 additional staff is employed. Counties whose treatment and
20 detention facility resident population exceeds 250 shall
21 receive reimbursement in the amount of \$2,500 per 250
22 residents. Reimbursement under this subsection (e-5) shall be
23 paid for all types of administrative assistance provided by the
24 Clerk of the Circuit Court in connection with the treatment and
25 detention facility and nothing in this subsection (e-5) may be
26 construed as limiting the reimbursement provided in this

1 subsection to only certain types of cases in which
2 administrative assistance is rendered in connection with the
3 treatment and detention facility.

4 (f) No county board may reduce or otherwise impair the
5 compensation payable from county funds to a Clerk of the
6 Circuit Court if the reduction or impairment is the result of
7 the Clerk of the Circuit Court receiving an award or stipend
8 payable from State funds.

9 (Source: P.A. 92-114, eff. 1-1-02.)