

1 AN ACT concerning human trafficking.

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

4 Section 5. The State Finance Act is amended by adding
5 Section 5.855 as follows:

6 (30 ILCS 105/5.855 new)

7 Sec. 5.855. The Specialized Services for Survivors of Human
8 Trafficking Fund.

9 Section 10. The Clerks of Courts Act is amended by changing
10 Section 27.6 as follows:

11 (705 ILCS 105/27.6)

12 (Section as amended by P.A. 96-286, 96-576, 96-578, 96-625,
13 96-667, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, and
14 97-1150)

15 Sec. 27.6. (a) All fees, fines, costs, additional
16 penalties, bail balances assessed or forfeited, and any other
17 amount paid by a person to the circuit clerk equalling an
18 amount of \$55 or more, except the fine imposed by Section
19 5-9-1.15 of the Unified Code of Corrections, the additional fee
20 required by subsections (b) and (c), restitution under Section
21 5-5-6 of the Unified Code of Corrections, contributions to a

1 local anti-crime program ordered pursuant to Section
2 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of
3 Corrections, reimbursement for the costs of an emergency
4 response as provided under Section 11-501 of the Illinois
5 Vehicle Code, any fees collected for attending a traffic safety
6 program under paragraph (c) of Supreme Court Rule 529, any fee
7 collected on behalf of a State's Attorney under Section 4-2002
8 of the Counties Code or a sheriff under Section 4-5001 of the
9 Counties Code, or any cost imposed under Section 124A-5 of the
10 Code of Criminal Procedure of 1963, for convictions, orders of
11 supervision, or any other disposition for a violation of
12 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a
13 similar provision of a local ordinance, and any violation of
14 the Child Passenger Protection Act, or a similar provision of a
15 local ordinance, and except as otherwise provided in this
16 Section shall be disbursed within 60 days after receipt by the
17 circuit clerk as follows: 44.5% shall be disbursed to the
18 entity authorized by law to receive the fine imposed in the
19 case; 16.825% shall be disbursed to the State Treasurer; and
20 38.675% shall be disbursed to the county's general corporate
21 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
22 shall be deposited by the State Treasurer into the Violent
23 Crime Victims Assistance Fund, 5.052/17 shall be deposited into
24 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall
25 be deposited into the Drivers Education Fund, and 6.948/17
26 shall be deposited into the Trauma Center Fund. Of the 6.948/17

1 deposited into the Trauma Center Fund from the 16.825%
2 disbursed to the State Treasurer, 50% shall be disbursed to the
3 Department of Public Health and 50% shall be disbursed to the
4 Department of Healthcare and Family Services. For fiscal year
5 1993, amounts deposited into the Violent Crime Victims
6 Assistance Fund, the Traffic and Criminal Conviction Surcharge
7 Fund, or the Drivers Education Fund shall not exceed 110% of
8 the amounts deposited into those funds in fiscal year 1991. Any
9 amount that exceeds the 110% limit shall be distributed as
10 follows: 50% shall be disbursed to the county's general
11 corporate fund and 50% shall be disbursed to the entity
12 authorized by law to receive the fine imposed in the case. Not
13 later than March 1 of each year the circuit clerk shall submit
14 a report of the amount of funds remitted to the State Treasurer
15 under this Section during the preceding year based upon
16 independent verification of fines and fees. All counties shall
17 be subject to this Section, except that counties with a
18 population under 2,000,000 may, by ordinance, elect not to be
19 subject to this Section. For offenses subject to this Section,
20 judges shall impose one total sum of money payable for
21 violations. The circuit clerk may add on no additional amounts
22 except for amounts that are required by Sections 27.3a and
23 27.3c of this Act, unless those amounts are specifically waived
24 by the judge. With respect to money collected by the circuit
25 clerk as a result of forfeiture of bail, ex parte judgment or
26 guilty plea pursuant to Supreme Court Rule 529, the circuit

1 clerk shall first deduct and pay amounts required by Sections
2 27.3a and 27.3c of this Act. This Section is a denial and
3 limitation of home rule powers and functions under subsection
4 (h) of Section 6 of Article VII of the Illinois Constitution.

5 (b) In addition to any other fines and court costs assessed
6 by the courts, any person convicted or receiving an order of
7 supervision for driving under the influence of alcohol or drugs
8 shall pay an additional fee of \$100 to the clerk of the circuit
9 court. This amount, less 2 1/2% that shall be used to defray
10 administrative costs incurred by the clerk, shall be remitted
11 by the clerk to the Treasurer within 60 days after receipt for
12 deposit into the Trauma Center Fund. This additional fee of
13 \$100 shall not be considered a part of the fine for purposes of
14 any reduction in the fine for time served either before or
15 after sentencing. Not later than March 1 of each year the
16 Circuit Clerk shall submit a report of the amount of funds
17 remitted to the State Treasurer under this subsection during
18 the preceding calendar year.

19 (b-1) In addition to any other fines and court costs
20 assessed by the courts, any person convicted or receiving an
21 order of supervision for driving under the influence of alcohol
22 or drugs shall pay an additional fee of \$5 to the clerk of the
23 circuit court. This amount, less 2 1/2% that shall be used to
24 defray administrative costs incurred by the clerk, shall be
25 remitted by the clerk to the Treasurer within 60 days after
26 receipt for deposit into the Spinal Cord Injury Paralysis Cure

1 Research Trust Fund. This additional fee of \$5 shall not be
2 considered a part of the fine for purposes of any reduction in
3 the fine for time served either before or after sentencing. Not
4 later than March 1 of each year the Circuit Clerk shall submit
5 a report of the amount of funds remitted to the State Treasurer
6 under this subsection during the preceding calendar year.

7 (c) In addition to any other fines and court costs assessed
8 by the courts, any person convicted for a violation of Sections
9 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the
10 Criminal Code of 2012 or a person sentenced for a violation of
11 the Cannabis Control Act, the Illinois Controlled Substances
12 Act, or the Methamphetamine Control and Community Protection
13 Act shall pay an additional fee of \$100 to the clerk of the
14 circuit court. This amount, less 2 1/2% that shall be used to
15 defray administrative costs incurred by the clerk, shall be
16 remitted by the clerk to the Treasurer within 60 days after
17 receipt for deposit into the Trauma Center Fund. This
18 additional fee of \$100 shall not be considered a part of the
19 fine for purposes of any reduction in the fine for time served
20 either before or after sentencing. Not later than March 1 of
21 each year the Circuit Clerk shall submit a report of the amount
22 of funds remitted to the State Treasurer under this subsection
23 during the preceding calendar year.

24 (c-1) In addition to any other fines and court costs
25 assessed by the courts, any person sentenced for a violation of
26 the Cannabis Control Act, the Illinois Controlled Substances

1 Act, or the Methamphetamine Control and Community Protection
2 Act shall pay an additional fee of \$5 to the clerk of the
3 circuit court. This amount, less 2 1/2% that shall be used to
4 defray administrative costs incurred by the clerk, shall be
5 remitted by the clerk to the Treasurer within 60 days after
6 receipt for deposit into the Spinal Cord Injury Paralysis Cure
7 Research Trust Fund. This additional fee of \$5 shall not be
8 considered a part of the fine for purposes of any reduction in
9 the fine for time served either before or after sentencing. Not
10 later than March 1 of each year the Circuit Clerk shall submit
11 a report of the amount of funds remitted to the State Treasurer
12 under this subsection during the preceding calendar year.

13 (d) The following amounts must be remitted to the State
14 Treasurer for deposit into the Illinois Animal Abuse Fund:

15 (1) 50% of the amounts collected for felony offenses
16 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
17 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
18 Animals Act and Section 26-5 or 48-1 of the Criminal Code
19 of 1961 or the Criminal Code of 2012;

20 (2) 20% of the amounts collected for Class A and Class
21 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
22 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
23 for Animals Act and Section 26-5 or 48-1 of the Criminal
24 Code of 1961 or the Criminal Code of 2012; and

25 (3) 50% of the amounts collected for Class C
26 misdemeanors under Sections 4.01 and 7.1 of the Humane Care

1 for Animals Act and Section 26-5 or 48-1 of the Criminal
2 Code of 1961 or the Criminal Code of 2012.

3 (e) Any person who receives a disposition of court
4 supervision for a violation of the Illinois Vehicle Code or a
5 similar provision of a local ordinance shall, in addition to
6 any other fines, fees, and court costs, pay an additional fee
7 of \$29, to be disbursed as provided in Section 16-104c of the
8 Illinois Vehicle Code. In addition to the fee of \$29, the
9 person shall also pay a fee of \$6, if not waived by the court.
10 If this \$6 fee is collected, \$5.50 of the fee shall be
11 deposited into the Circuit Court Clerk Operation and
12 Administrative Fund created by the Clerk of the Circuit Court
13 and 50 cents of the fee shall be deposited into the Prisoner
14 Review Board Vehicle and Equipment Fund in the State treasury.

15 (f) This Section does not apply to the additional child
16 pornography fines assessed and collected under Section
17 5-9-1.14 of the Unified Code of Corrections.

18 (g) (Blank).

19 (h) (Blank).

20 (i) Of the amounts collected as fines under subsection (b)
21 of Section 3-712 of the Illinois Vehicle Code, 99% shall be
22 deposited into the Illinois Military Family Relief Fund and 1%
23 shall be deposited into the Circuit Court Clerk Operation and
24 Administrative Fund created by the Clerk of the Circuit Court
25 to be used to offset the costs incurred by the Circuit Court
26 Clerk in performing the additional duties required to collect

1 and disburse funds to entities of State and local government as
2 provided by law.

3 (j) Any person convicted of, pleading guilty to, or placed
4 on supervision for a serious traffic violation, as defined in
5 Section 1-187.001 of the Illinois Vehicle Code, a violation of
6 Section 11-501 of the Illinois Vehicle Code, or a violation of
7 a similar provision of a local ordinance shall pay an
8 additional fee of \$35, to be disbursed as provided in Section
9 16-104d of that Code.

10 This subsection (j) becomes inoperative 7 years after the
11 effective date of Public Act 95-154.

12 (k) For any conviction or disposition of court supervision
13 for a violation of Section 11-1429 of the Illinois Vehicle
14 Code, the circuit clerk shall distribute the fines paid by the
15 person as specified by subsection (h) of Section 11-1429 of the
16 Illinois Vehicle Code.

17 (l) Any person who receives a disposition of court
18 supervision for a violation of Section 11-501 of the Illinois
19 Vehicle Code or a similar provision of a local ordinance shall,
20 in addition to any other fines, fees, and court costs, pay an
21 additional fee of \$50, which shall be collected by the circuit
22 clerk and then remitted to the State Treasurer for deposit into
23 the Roadside Memorial Fund, a special fund in the State
24 treasury. However, the court may waive the fee if full
25 restitution is complied with. Subject to appropriation, all
26 moneys in the Roadside Memorial Fund shall be used by the

1 Department of Transportation to pay fees imposed under
2 subsection (f) of Section 20 of the Roadside Memorial Act. The
3 fee shall be remitted by the circuit clerk within one month
4 after receipt to the State Treasurer for deposit into the
5 Roadside Memorial Fund.

6 (m) Of the amounts collected as fines under subsection (c)
7 of Section 411.4 of the Illinois Controlled Substances Act or
8 subsection (c) of Section 90 of the Methamphetamine Control and
9 Community Protection Act, 99% shall be deposited to the law
10 enforcement agency or fund specified and 1% shall be deposited
11 into the Circuit Court Clerk Operation and Administrative Fund
12 to be used to offset the costs incurred by the Circuit Court
13 Clerk in performing the additional duties required to collect
14 and disburse funds to entities of State and local government as
15 provided by law.

16 (n) In addition to any other fines and court costs assessed
17 by the courts, any person who is convicted of or pleads guilty
18 to a violation of the Criminal Code of 1961 or the Criminal
19 Code of 2012, or a similar provision of a local ordinance, or
20 who is convicted of, pleads guilty to, or receives a
21 disposition of court supervision for a violation of the
22 Illinois Vehicle Code, or a similar provision of a local
23 ordinance, shall pay an additional fee of \$15 to the clerk of
24 the circuit court. This additional fee of \$15 shall not be
25 considered a part of the fine for purposes of any reduction in
26 the fine for time served either before or after sentencing.

1 This amount, less 2.5% that shall be used to defray
2 administrative costs incurred by the clerk, shall be remitted
3 by the clerk to the State Treasurer within 60 days after
4 receipt for deposit into the State Police Merit Board Public
5 Safety Fund.

6 (o) The amounts collected as fines under Sections 10-9,
7 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall
8 be collected by the circuit clerk and distributed as provided
9 under Section 5-9-1.21 of the Unified Code of Corrections in
10 lieu of any disbursement under subsection (a) of this Section.

11 (Source: P.A. 95-191, eff. 1-1-08; 95-291, eff. 1-1-08; 95-428,
12 eff. 8-24-07; 95-600, eff. 6-1-08; 95-876, eff. 8-21-08;
13 96-286, eff. 8-11-09; 96-576, eff. 8-18-09; 96-578, eff.
14 8-18-09; 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-1175,
15 eff. 9-20-10; 96-1342, eff. 1-1-11; 97-1051, eff. 1-1-13;
16 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

17 (Section as amended by P.A. 96-576, 96-578, 96-625, 96-667,
18 96-735, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, and
19 97-1150)

20 Sec. 27.6. (a) All fees, fines, costs, additional
21 penalties, bail balances assessed or forfeited, and any other
22 amount paid by a person to the circuit clerk equalling an
23 amount of \$55 or more, except the fine imposed by Section
24 5-9-1.15 of the Unified Code of Corrections, the additional fee
25 required by subsections (b) and (c), restitution under Section

1 5-5-6 of the Unified Code of Corrections, contributions to a
2 local anti-crime program ordered pursuant to Section
3 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of
4 Corrections, reimbursement for the costs of an emergency
5 response as provided under Section 11-501 of the Illinois
6 Vehicle Code, any fees collected for attending a traffic safety
7 program under paragraph (c) of Supreme Court Rule 529, any fee
8 collected on behalf of a State's Attorney under Section 4-2002
9 of the Counties Code or a sheriff under Section 4-5001 of the
10 Counties Code, or any cost imposed under Section 124A-5 of the
11 Code of Criminal Procedure of 1963, for convictions, orders of
12 supervision, or any other disposition for a violation of
13 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a
14 similar provision of a local ordinance, and any violation of
15 the Child Passenger Protection Act, or a similar provision of a
16 local ordinance, and except as otherwise provided in this
17 Section shall be disbursed within 60 days after receipt by the
18 circuit clerk as follows: 44.5% shall be disbursed to the
19 entity authorized by law to receive the fine imposed in the
20 case; 16.825% shall be disbursed to the State Treasurer; and
21 38.675% shall be disbursed to the county's general corporate
22 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
23 shall be deposited by the State Treasurer into the Violent
24 Crime Victims Assistance Fund, 5.052/17 shall be deposited into
25 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall
26 be deposited into the Drivers Education Fund, and 6.948/17

1 shall be deposited into the Trauma Center Fund. Of the 6.948/17
2 deposited into the Trauma Center Fund from the 16.825%
3 disbursed to the State Treasurer, 50% shall be disbursed to the
4 Department of Public Health and 50% shall be disbursed to the
5 Department of Healthcare and Family Services. For fiscal year
6 1993, amounts deposited into the Violent Crime Victims
7 Assistance Fund, the Traffic and Criminal Conviction Surcharge
8 Fund, or the Drivers Education Fund shall not exceed 110% of
9 the amounts deposited into those funds in fiscal year 1991. Any
10 amount that exceeds the 110% limit shall be distributed as
11 follows: 50% shall be disbursed to the county's general
12 corporate fund and 50% shall be disbursed to the entity
13 authorized by law to receive the fine imposed in the case. Not
14 later than March 1 of each year the circuit clerk shall submit
15 a report of the amount of funds remitted to the State Treasurer
16 under this Section during the preceding year based upon
17 independent verification of fines and fees. All counties shall
18 be subject to this Section, except that counties with a
19 population under 2,000,000 may, by ordinance, elect not to be
20 subject to this Section. For offenses subject to this Section,
21 judges shall impose one total sum of money payable for
22 violations. The circuit clerk may add on no additional amounts
23 except for amounts that are required by Sections 27.3a and
24 27.3c of this Act, Section 16-104c of the Illinois Vehicle
25 Code, and subsection (a) of Section 5-1101 of the Counties
26 Code, unless those amounts are specifically waived by the

1 judge. With respect to money collected by the circuit clerk as
2 a result of forfeiture of bail, ex parte judgment or guilty
3 plea pursuant to Supreme Court Rule 529, the circuit clerk
4 shall first deduct and pay amounts required by Sections 27.3a
5 and 27.3c of this Act. Unless a court ordered payment schedule
6 is implemented or fee requirements are waived pursuant to court
7 order, the clerk of the court may add to any unpaid fees and
8 costs a delinquency amount equal to 5% of the unpaid fees that
9 remain unpaid after 30 days, 10% of the unpaid fees that remain
10 unpaid after 60 days, and 15% of the unpaid fees that remain
11 unpaid after 90 days. Notice to those parties may be made by
12 signage posting or publication. The additional delinquency
13 amounts collected under this Section shall be deposited in the
14 Circuit Court Clerk Operation and Administrative Fund to be
15 used to defray administrative costs incurred by the circuit
16 clerk in performing the duties required to collect and disburse
17 funds. This Section is a denial and limitation of home rule
18 powers and functions under subsection (h) of Section 6 of
19 Article VII of the Illinois Constitution.

20 (b) In addition to any other fines and court costs assessed
21 by the courts, any person convicted or receiving an order of
22 supervision for driving under the influence of alcohol or drugs
23 shall pay an additional fee of \$100 to the clerk of the circuit
24 court. This amount, less 2 1/2% that shall be used to defray
25 administrative costs incurred by the clerk, shall be remitted
26 by the clerk to the Treasurer within 60 days after receipt for

1 deposit into the Trauma Center Fund. This additional fee of
2 \$100 shall not be considered a part of the fine for purposes of
3 any reduction in the fine for time served either before or
4 after sentencing. Not later than March 1 of each year the
5 Circuit Clerk shall submit a report of the amount of funds
6 remitted to the State Treasurer under this subsection during
7 the preceding calendar year.

8 (b-1) In addition to any other fines and court costs
9 assessed by the courts, any person convicted or receiving an
10 order of supervision for driving under the influence of alcohol
11 or drugs shall pay an additional fee of \$5 to the clerk of the
12 circuit court. This amount, less 2 1/2% that shall be used to
13 defray administrative costs incurred by the clerk, shall be
14 remitted by the clerk to the Treasurer within 60 days after
15 receipt for deposit into the Spinal Cord Injury Paralysis Cure
16 Research Trust Fund. This additional fee of \$5 shall not be
17 considered a part of the fine for purposes of any reduction in
18 the fine for time served either before or after sentencing. Not
19 later than March 1 of each year the Circuit Clerk shall submit
20 a report of the amount of funds remitted to the State Treasurer
21 under this subsection during the preceding calendar year.

22 (c) In addition to any other fines and court costs assessed
23 by the courts, any person convicted for a violation of Sections
24 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the
25 Criminal Code of 2012 or a person sentenced for a violation of
26 the Cannabis Control Act, the Illinois Controlled Substances

1 Act, or the Methamphetamine Control and Community Protection
2 Act shall pay an additional fee of \$100 to the clerk of the
3 circuit court. This amount, less 2 1/2% that shall be used to
4 defray administrative costs incurred by the clerk, shall be
5 remitted by the clerk to the Treasurer within 60 days after
6 receipt for deposit into the Trauma Center Fund. This
7 additional fee of \$100 shall not be considered a part of the
8 fine for purposes of any reduction in the fine for time served
9 either before or after sentencing. Not later than March 1 of
10 each year the Circuit Clerk shall submit a report of the amount
11 of funds remitted to the State Treasurer under this subsection
12 during the preceding calendar year.

13 (c-1) In addition to any other fines and court costs
14 assessed by the courts, any person sentenced for a violation of
15 the Cannabis Control Act, the Illinois Controlled Substances
16 Act, or the Methamphetamine Control and Community Protection
17 Act shall pay an additional fee of \$5 to the clerk of the
18 circuit court. This amount, less 2 1/2% that shall be used to
19 defray administrative costs incurred by the clerk, shall be
20 remitted by the clerk to the Treasurer within 60 days after
21 receipt for deposit into the Spinal Cord Injury Paralysis Cure
22 Research Trust Fund. This additional fee of \$5 shall not be
23 considered a part of the fine for purposes of any reduction in
24 the fine for time served either before or after sentencing. Not
25 later than March 1 of each year the Circuit Clerk shall submit
26 a report of the amount of funds remitted to the State Treasurer

1 under this subsection during the preceding calendar year.

2 (d) The following amounts must be remitted to the State
3 Treasurer for deposit into the Illinois Animal Abuse Fund:

4 (1) 50% of the amounts collected for felony offenses
5 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
6 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
7 Animals Act and Section 26-5 or 48-1 of the Criminal Code
8 of 1961 or the Criminal Code of 2012;

9 (2) 20% of the amounts collected for Class A and Class
10 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
11 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
12 for Animals Act and Section 26-5 or 48-1 of the Criminal
13 Code of 1961 or the Criminal Code of 2012; and

14 (3) 50% of the amounts collected for Class C
15 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
16 for Animals Act and Section 26-5 or 48-1 of the Criminal
17 Code of 1961 or the Criminal Code of 2012.

18 (e) Any person who receives a disposition of court
19 supervision for a violation of the Illinois Vehicle Code or a
20 similar provision of a local ordinance shall, in addition to
21 any other fines, fees, and court costs, pay an additional fee
22 of \$29, to be disbursed as provided in Section 16-104c of the
23 Illinois Vehicle Code. In addition to the fee of \$29, the
24 person shall also pay a fee of \$6, if not waived by the court.
25 If this \$6 fee is collected, \$5.50 of the fee shall be
26 deposited into the Circuit Court Clerk Operation and

1 Administrative Fund created by the Clerk of the Circuit Court
2 and 50 cents of the fee shall be deposited into the Prisoner
3 Review Board Vehicle and Equipment Fund in the State treasury.

4 (f) This Section does not apply to the additional child
5 pornography fines assessed and collected under Section
6 5-9-1.14 of the Unified Code of Corrections.

7 (g) Any person convicted of or pleading guilty to a serious
8 traffic violation, as defined in Section 1-187.001 of the
9 Illinois Vehicle Code, shall pay an additional fee of \$35, to
10 be disbursed as provided in Section 16-104d of that Code. This
11 subsection (g) becomes inoperative 7 years after the effective
12 date of Public Act 95-154.

13 (h) In all counties having a population of 3,000,000 or
14 more inhabitants,

15 (1) A person who is found guilty of or pleads guilty to
16 violating subsection (a) of Section 11-501 of the Illinois
17 Vehicle Code, including any person placed on court
18 supervision for violating subsection (a), shall be fined
19 \$750 as provided for by subsection (f) of Section 11-501.01
20 of the Illinois Vehicle Code, payable to the circuit clerk,
21 who shall distribute the money pursuant to subsection (f)
22 of Section 11-501.01 of the Illinois Vehicle Code.

23 (2) When a crime laboratory DUI analysis fee of \$150,
24 provided for by Section 5-9-1.9 of the Unified Code of
25 Corrections is assessed, it shall be disbursed by the
26 circuit clerk as provided by subsection (f) of Section

1 5-9-1.9 of the Unified Code of Corrections.

2 (3) When a fine for a violation of Section 11-605.1 of
3 the Illinois Vehicle Code is \$250 or greater, the person
4 who violated that Section shall be charged an additional
5 \$125 as provided for by subsection (e) of Section 11-605.1
6 of the Illinois Vehicle Code, which shall be disbursed by
7 the circuit clerk to a State or county Transportation
8 Safety Highway Hire-back Fund as provided by subsection (e)
9 of Section 11-605.1 of the Illinois Vehicle Code.

10 (4) When a fine for a violation of subsection (a) of
11 Section 11-605 of the Illinois Vehicle Code is \$150 or
12 greater, the additional \$50 which is charged as provided
13 for by subsection (f) of Section 11-605 of the Illinois
14 Vehicle Code shall be disbursed by the circuit clerk to a
15 school district or districts for school safety purposes as
16 provided by subsection (f) of Section 11-605.

17 (5) When a fine for a violation of subsection (a) of
18 Section 11-1002.5 of the Illinois Vehicle Code is \$150 or
19 greater, the additional \$50 which is charged as provided
20 for by subsection (c) of Section 11-1002.5 of the Illinois
21 Vehicle Code shall be disbursed by the circuit clerk to a
22 school district or districts for school safety purposes as
23 provided by subsection (c) of Section 11-1002.5 of the
24 Illinois Vehicle Code.

25 (6) When a mandatory drug court fee of up to \$5 is
26 assessed as provided in subsection (f) of Section 5-1101 of

1 the Counties Code, it shall be disbursed by the circuit
2 clerk as provided in subsection (f) of Section 5-1101 of
3 the Counties Code.

4 (7) When a mandatory teen court, peer jury, youth
5 court, or other youth diversion program fee is assessed as
6 provided in subsection (e) of Section 5-1101 of the
7 Counties Code, it shall be disbursed by the circuit clerk
8 as provided in subsection (e) of Section 5-1101 of the
9 Counties Code.

10 (8) When a Children's Advocacy Center fee is assessed
11 pursuant to subsection (f-5) of Section 5-1101 of the
12 Counties Code, it shall be disbursed by the circuit clerk
13 as provided in subsection (f-5) of Section 5-1101 of the
14 Counties Code.

15 (9) When a victim impact panel fee is assessed pursuant
16 to subsection (b) of Section 11-501.01 of the Vehicle Code,
17 it shall be disbursed by the circuit clerk to the victim
18 impact panel to be attended by the defendant.

19 (10) When a new fee collected in traffic cases is
20 enacted after the effective date of this subsection (h), it
21 shall be excluded from the percentage disbursement
22 provisions of this Section unless otherwise indicated by
23 law.

24 (i) Of the amounts collected as fines under subsection (b)
25 of Section 3-712 of the Illinois Vehicle Code, 99% shall be
26 deposited into the Illinois Military Family Relief Fund and 1%

1 shall be deposited into the Circuit Court Clerk Operation and
2 Administrative Fund created by the Clerk of the Circuit Court
3 to be used to offset the costs incurred by the Circuit Court
4 Clerk in performing the additional duties required to collect
5 and disburse funds to entities of State and local government as
6 provided by law.

7 (j) (Blank).

8 (k) For any conviction or disposition of court supervision
9 for a violation of Section 11-1429 of the Illinois Vehicle
10 Code, the circuit clerk shall distribute the fines paid by the
11 person as specified by subsection (h) of Section 11-1429 of the
12 Illinois Vehicle Code.

13 (l) Any person who receives a disposition of court
14 supervision for a violation of Section 11-501 of the Illinois
15 Vehicle Code or a similar provision of a local ordinance shall,
16 in addition to any other fines, fees, and court costs, pay an
17 additional fee of \$50, which shall be collected by the circuit
18 clerk and then remitted to the State Treasurer for deposit into
19 the Roadside Memorial Fund, a special fund in the State
20 treasury. However, the court may waive the fee if full
21 restitution is complied with. Subject to appropriation, all
22 moneys in the Roadside Memorial Fund shall be used by the
23 Department of Transportation to pay fees imposed under
24 subsection (f) of Section 20 of the Roadside Memorial Act. The
25 fee shall be remitted by the circuit clerk within one month
26 after receipt to the State Treasurer for deposit into the

1 Roadside Memorial Fund.

2 (m) Of the amounts collected as fines under subsection (c)
3 of Section 411.4 of the Illinois Controlled Substances Act or
4 subsection (c) of Section 90 of the Methamphetamine Control and
5 Community Protection Act, 99% shall be deposited to the law
6 enforcement agency or fund specified and 1% shall be deposited
7 into the Circuit Court Clerk Operation and Administrative Fund
8 to be used to offset the costs incurred by the Circuit Court
9 Clerk in performing the additional duties required to collect
10 and disburse funds to entities of State and local government as
11 provided by law.

12 (n) In addition to any other fines and court costs assessed
13 by the courts, any person who is convicted of or pleads guilty
14 to a violation of the Criminal Code of 1961 or the Criminal
15 Code of 2012, or a similar provision of a local ordinance, or
16 who is convicted of, pleads guilty to, or receives a
17 disposition of court supervision for a violation of the
18 Illinois Vehicle Code, or a similar provision of a local
19 ordinance, shall pay an additional fee of \$15 to the clerk of
20 the circuit court. This additional fee of \$15 shall not be
21 considered a part of the fine for purposes of any reduction in
22 the fine for time served either before or after sentencing.
23 This amount, less 2.5% that shall be used to defray
24 administrative costs incurred by the clerk, shall be remitted
25 by the clerk to the State Treasurer within 60 days after
26 receipt for deposit into the State Police Merit Board Public

1 Safety Fund.

2 (o) The amounts collected as fines under Sections 10-9,
3 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall
4 be collected by the circuit clerk and distributed as provided
5 under Section 5-9-1.21 of the Unified Code of Corrections in
6 lieu of any disbursement under subsection (a) of this Section.

7 (Source: P.A. 96-576, eff. 8-18-09; 96-578, eff. 8-18-09;
8 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-735, eff. 1-1-10;
9 96-1175, eff. 9-20-10; 96-1342, eff. 1-1-11; 97-434, eff.
10 1-1-12; 97-1051, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1150,
11 eff. 1-25-13.)

12 Section 15. The Criminal Code of 2012 is amended by
13 changing Sections 10-9, 11-14.1, 11-14.3, 11-18, and 36.5-5 as
14 follows:

15 (720 ILCS 5/10-9)

16 Sec. 10-9. Trafficking in persons, involuntary servitude,
17 and related offenses.

18 (a) Definitions. In this Section:

19 (1) "Intimidation" has the meaning prescribed in
20 Section 12-6.

21 (2) "Commercial sexual activity" means any sex act on
22 account of which anything of value is given, promised to,
23 or received by any person.

24 (3) "Financial harm" includes intimidation that brings

1 about financial loss, criminal usury, or employment
2 contracts that violate the Frauds Act.

3 (4) (Blank). "

4 (5) "Labor" means work of economic or financial value.

5 (6) "Maintain" means, in relation to labor or services,
6 to secure continued performance thereof, regardless of any
7 initial agreement on the part of the victim to perform that
8 type of service.

9 (7) "Obtain" means, in relation to labor or services,
10 to secure performance thereof.

11 (7.5) "Serious harm" means any harm, whether physical
12 or nonphysical, including psychological, financial, or
13 reputational harm, that is sufficiently serious, under all
14 the surrounding circumstances, to compel a reasonable
15 person of the same background and in the same circumstances
16 to perform or to continue performing labor or services in
17 order to avoid incurring that harm.

18 (8) "Services" means activities resulting from a
19 relationship between a person and the actor in which the
20 person performs activities under the supervision of or for
21 the benefit of the actor. Commercial sexual activity and
22 sexually-explicit performances are forms of activities
23 that are "services" under this Section. Nothing in this
24 definition may be construed to legitimize or legalize
25 prostitution.

26 (9) "Sexually-explicit performance" means a live,

1 recorded, broadcast (including over the Internet), or
2 public act or show intended to arouse or satisfy the sexual
3 desires or appeal to the prurient interests of patrons.

4 (10) "Trafficking victim" means a person subjected to
5 the practices set forth in subsection (b), (c), or (d).

6 (b) Involuntary servitude. A person commits involuntary
7 servitude when he or she knowingly subjects, attempts to
8 subject, or engages in a conspiracy to subject another person
9 to labor or services obtained or maintained through any of the
10 following means, or any combination of these means:

11 (1) causes or threatens to cause physical harm to any
12 person;

13 (2) physically restrains or threatens to physically
14 restrain another person;

15 (3) abuses or threatens to abuse the law or legal
16 process;

17 (4) knowingly destroys, conceals, removes,
18 confiscates, or possesses any actual or purported passport
19 or other immigration document, or any other actual or
20 purported government identification document, of another
21 person;

22 (5) uses intimidation, or exerts financial control
23 over any person; or

24 (6) uses any scheme, plan, or pattern intended to cause
25 the person to believe that, if the person did not perform
26 the labor or services, that person or another person would

1 suffer serious harm or physical restraint.

2 Sentence. Except as otherwise provided in subsection (e) or
3 (f), a violation of subsection (b)(1) is a Class X felony,
4 (b)(2) is a Class 1 felony, (b)(3) is a Class 2 felony, (b)(4)
5 is a Class 3 felony, (b)(5) and (b)(6) is a Class 4 felony.

6 (c) Involuntary sexual servitude of a minor. A person
7 commits involuntary sexual servitude of a minor when he or she
8 knowingly recruits, entices, harbors, transports, provides, or
9 obtains by any means, or attempts to recruit, entice, harbor,
10 provide, or obtain by any means, another person under 18 years
11 of age, knowing that the minor will engage in commercial sexual
12 activity, a sexually-explicit performance, or the production
13 of pornography, or causes or attempts to cause a minor to
14 engage in one or more of those activities and:

15 (1) there is no overt force or threat and the minor is
16 between the ages of 17 and 18 years;

17 (2) there is no overt force or threat and the minor is
18 under the age of 17 years; or

19 (3) there is overt force or threat.

20 Sentence. Except as otherwise provided in subsection (e) or
21 (f), a violation of subsection (c)(1) is a Class 1 felony,
22 (c)(2) is a Class X felony, and (c)(3) is a Class X felony.

23 (d) Trafficking in persons. A person commits trafficking in
24 persons when he or she knowingly: (1) recruits, entices,
25 harbors, transports, provides, or obtains by any means, or
26 attempts to recruit, entice, harbor, transport, provide, or

1 obtain by any means, another person, intending or knowing that
2 the person will be subjected to involuntary servitude; or (2)
3 benefits, financially or by receiving anything of value, from
4 participation in a venture that has engaged in an act of
5 involuntary servitude or involuntary sexual servitude of a
6 minor.

7 Sentence. Except as otherwise provided in subsection (e) or
8 (f), a violation of this subsection is a Class 1 felony.

9 (e) Aggravating factors. A violation of this Section
10 involving kidnapping or an attempt to kidnap, aggravated
11 criminal sexual assault or an attempt to commit aggravated
12 criminal sexual assault, or an attempt to commit first degree
13 murder is a Class X felony.

14 (f) Sentencing considerations.

15 (1) Bodily injury. If, pursuant to a violation of this
16 Section, a victim suffered bodily injury, the defendant may
17 be sentenced to an extended-term sentence under Section
18 5-8-2 of the Unified Code of Corrections. The sentencing
19 court must take into account the time in which the victim
20 was held in servitude, with increased penalties for cases
21 in which the victim was held for between 180 days and one
22 year, and increased penalties for cases in which the victim
23 was held for more than one year.

24 (2) Number of victims. In determining sentences within
25 statutory maximums, the sentencing court should take into
26 account the number of victims, and may provide for

1 substantially increased sentences in cases involving more
2 than 10 victims.

3 (g) Restitution. Restitution is mandatory under this
4 Section. In addition to any other amount of loss identified,
5 the court shall order restitution including the greater of (1)
6 the gross income or value to the defendant of the victim's
7 labor or services or (2) the value of the victim's labor as
8 guaranteed under the Minimum Wage Law and overtime provisions
9 of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law,
10 whichever is greater.

11 (g-5) Fine distribution. If the court imposes a fine under
12 subsection (b), (c), or (d) of this Section, it shall be
13 collected and distributed to the Specialized Services for
14 Survivors of Human Trafficking Fund in accordance with Section
15 5-9-1.21 of the Unified Code of Corrections.

16 (h) Trafficking victim services. Subject to the
17 availability of funds, the Department of Human Services may
18 provide or fund emergency services and assistance to
19 individuals who are victims of one or more offenses defined in
20 this Section.

21 (i) Certification. The Attorney General, a State's
22 Attorney, or any law enforcement official shall certify in
23 writing to the United States Department of Justice or other
24 federal agency, such as the United States Department of
25 Homeland Security, that an investigation or prosecution under
26 this Section has begun and the individual who is a likely

1 victim of a crime described in this Section is willing to
2 cooperate or is cooperating with the investigation to enable
3 the individual, if eligible under federal law, to qualify for
4 an appropriate special immigrant visa and to access available
5 federal benefits. Cooperation with law enforcement shall not be
6 required of victims of a crime described in this Section who
7 are under 18 years of age. This certification shall be made
8 available to the victim and his or her designated legal
9 representative.

10 (j) A person who commits involuntary servitude,
11 involuntary sexual servitude of a minor, or trafficking in
12 persons under subsection (b), (c), or (d) of this Section is
13 subject to the property forfeiture provisions set forth in
14 Article 124B of the Code of Criminal Procedure of 1963.

15 (Source: P.A. 96-710, eff. 1-1-10; incorporates 96-712, eff.
16 1-1-10; 96-1000, eff. 7-2-10; 97-897, eff. 1-1-13; revised
17 11-12-13.)

18 (720 ILCS 5/11-14.1)

19 Sec. 11-14.1. Solicitation of a sexual act.

20 (a) Any person who offers a person not his or her spouse
21 any money, property, token, object, or article or anything of
22 value for that person or any other person not his or her spouse
23 to perform any act of sexual penetration as defined in Section
24 11-0.1 of this Code, or any touching or fondling of the sex
25 organs of one person by another person for the purpose of

1 sexual arousal or gratification, commits solicitation of a
2 sexual act.

3 (b) Sentence. Solicitation of a sexual act is a Class A
4 misdemeanor. Solicitation of a sexual act from a person who is
5 under the age of 18 or who is severely or profoundly
6 intellectually disabled is a Class 4 felony. If the court
7 imposes a fine under this subsection (b), it shall be collected
8 and distributed to the Specialized Services for Survivors of
9 Human Trafficking Fund in accordance with Section 5-9-1.21 of
10 the Unified Code of Corrections.

11 (b-5) It is an affirmative defense to a charge of
12 solicitation of a sexual act with a person who is under the age
13 of 18 or who is severely or profoundly intellectually disabled
14 that the accused reasonably believed the person was of the age
15 of 18 years or over or was not a severely or profoundly
16 intellectually disabled person at the time of the act giving
17 rise to the charge.

18 (c) This Section does not apply to a person engaged in
19 prostitution who is under 18 years of age.

20 (d) A person cannot be convicted under this Section if the
21 practice of prostitution underlying the offense consists
22 exclusively of the accused's own acts of prostitution under
23 Section 11-14 of this Code.

24 (Source: P.A. 96-1464, eff. 8-20-10; 96-1551, eff. 7-1-11;
25 97-227, eff. 1-1-12; 97-1109, eff. 1-1-13.)

1 (720 ILCS 5/11-14.3)

2 Sec. 11-14.3. Promoting prostitution.

3 (a) Any person who knowingly performs any of the following
4 acts commits promoting prostitution:

5 (1) advances prostitution as defined in Section
6 11-0.1;

7 (2) profits from prostitution by:

8 (A) compelling a person to become a prostitute;

9 (B) arranging or offering to arrange a situation in
10 which a person may practice prostitution; or

11 (C) any means other than those described in
12 subparagraph (A) or (B), including from a person who
13 patronizes a prostitute. This paragraph (C) does not
14 apply to a person engaged in prostitution who is under
15 18 years of age. A person cannot be convicted of
16 promoting prostitution under this paragraph (C) if the
17 practice of prostitution underlying the offense
18 consists exclusively of the accused's own acts of
19 prostitution under Section 11-14 of this Code.

20 (b) Sentence.

21 (1) A violation of subdivision (a)(1) is a Class 4
22 felony, unless committed within 1,000 feet of real property
23 comprising a school, in which case it is a Class 3 felony.
24 A second or subsequent violation of subdivision (a)(1), or
25 any combination of convictions under subdivision (a)(1),
26 (a)(2)(A), or (a)(2)(B) and Section 11-14 (prostitution),

1 11-14.1 (solicitation of a sexual act), 11-14.4 (promoting
2 juvenile prostitution), 11-15 (soliciting for a
3 prostitute), 11-15.1 (soliciting for a juvenile
4 prostitute), 11-16 (pandering), 11-17 (keeping a place of
5 prostitution), 11-17.1 (keeping a place of juvenile
6 prostitution), 11-18 (patronizing a prostitute), 11-18.1
7 (patronizing a juvenile prostitute), 11-19 (pimping),
8 11-19.1 (juvenile pimping or aggravated juvenile pimping),
9 or 11-19.2 (exploitation of a child), is a Class 3 felony.

10 (2) A violation of subdivision (a) (2) (A) or (a) (2) (B)
11 is a Class 4 felony, unless committed within 1,000 feet of
12 real property comprising a school, in which case it is a
13 Class 3 felony.

14 (3) A violation of subdivision (a) (2) (C) is a Class 4
15 felony, unless committed within 1,000 feet of real property
16 comprising a school, in which case it is a Class 3 felony.
17 A second or subsequent violation of subdivision (a) (2) (C),
18 or any combination of convictions under subdivision
19 (a) (2) (C) and subdivision (a) (1), (a) (2) (A), or (a) (2) (B)
20 of this Section (promoting prostitution), 11-14
21 (prostitution), 11-14.1 (solicitation of a sexual act),
22 11-14.4 (promoting juvenile prostitution), 11-15
23 (soliciting for a prostitute), 11-15.1 (soliciting for a
24 juvenile prostitute), 11-16 (pandering), 11-17 (keeping a
25 place of prostitution), 11-17.1 (keeping a place of
26 juvenile prostitution), 11-18 (patronizing a prostitute),

1 11-18.1 (patronizing a juvenile prostitute), 11-19
2 (pimping), 11-19.1 (juvenile pimping or aggravated
3 juvenile pimping), or 11-19.2 (exploitation of a child), is
4 a Class 3 felony.

5 If the court imposes a fine under this subsection (b), it
6 shall be collected and distributed to the Specialized Services
7 for Survivors of Human Trafficking Fund in accordance with
8 Section 5-9-1.21 of the Unified Code of Corrections.

9 (Source: P.A. 96-1551, eff. 7-1-11.)

10 (720 ILCS 5/11-18) (from Ch. 38, par. 11-18)

11 Sec. 11-18. Patronizing a prostitute.

12 (a) Any person who knowingly performs any of the following
13 acts with a person not his or her spouse commits patronizing a
14 prostitute:

15 (1) Engages in an act of sexual penetration as defined
16 in Section 11-0.1 of this Code with a prostitute; or

17 (2) Enters or remains in a place of prostitution with
18 intent to engage in an act of sexual penetration as defined
19 in Section 11-0.1 of this Code; or

20 (3) Engages in any touching or fondling with a
21 prostitute of the sex organs of one person by the other
22 person, with the intent to achieve sexual arousal or
23 gratification.

24 (b) Sentence.

25 Patronizing a prostitute is a Class 4 felony, unless

1 committed within 1,000 feet of real property comprising a
2 school, in which case it is a Class 3 felony. A person
3 convicted of a second or subsequent violation of this Section,
4 or of any combination of such number of convictions under this
5 Section and Sections 11-14 (prostitution), 11-14.1
6 (solicitation of a sexual act), 11-14.3 (promoting
7 prostitution), 11-14.4 (promoting juvenile prostitution),
8 11-15 (soliciting for a prostitute), 11-15.1 (soliciting for a
9 juvenile prostitute), 11-16 (pandering), 11-17 (keeping a
10 place of prostitution), 11-17.1 (keeping a place of juvenile
11 prostitution), 11-18.1 (patronizing a juvenile prostitute),
12 11-19 (pimping), 11-19.1 (juvenile pimping or aggravated
13 juvenile pimping), or 11-19.2 (exploitation of a child) of this
14 Code, is guilty of a Class 3 felony. If the court imposes a
15 fine under this subsection (b), it shall be collected and
16 distributed to the Specialized Services for Survivors of Human
17 Trafficking Fund in accordance with Section 5-9-1.21 of the
18 Unified Code of Corrections.

19 (c) (Blank).

20 (Source: P.A. 96-1464, eff. 8-20-10; 96-1551, eff. 7-1-11.)

21 (720 ILCS 5/36.5-5)

22 Sec. 36.5-5. Vehicle impoundment.

23 (a) In addition to any other penalty, fee or forfeiture
24 provided by law, a peace officer who arrests a person for a
25 violation of Section 10-9, 11-14, 11-14.1, 11-14.3, 11-14.4,

1 11-18, or 11-18.1 of this Code or related municipal ordinance,
2 may tow and impound any vehicle used by the person in the
3 commission of the violation. The person arrested for one or
4 more such violations shall be charged a \$1,000 fee, to be paid
5 to the law enforcement agency that made the arrest or its
6 designated representative. The person may recover the vehicle
7 from the impound after a minimum of 2 hours after arrest upon
8 payment of the fee.

9 (b) \$500 of the fee shall be distributed to the law
10 enforcement agency whose peace officers made the arrest, for
11 the costs incurred by the law enforcement agency to investigate
12 and to tow and impound the vehicle. Upon the defendant's
13 conviction of one or more of the violations in connection with
14 which the vehicle was impounded and the fee imposed under this
15 Section, the remaining \$500 of the fee shall be deposited into
16 the Specialized Services for Survivors of Human Trafficking
17 Fund and disbursed in accordance with subsections (d), (e), and
18 (f) of Section 5-9-1.21 of the Unified Code of Corrections. ~~DHS~~
19 ~~State Projects Fund and shall be used by the Department of~~
20 ~~Human Services to make grants to non-governmental~~
21 ~~organizations to provide services for persons encountered~~
22 ~~during the course of an investigation into any violation of~~
23 ~~Section 10-9, 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15,~~
24 ~~11-15.1, 11-16, 11-17, 11-17.1, 11-18, 11-18.1, 11-19,~~
25 ~~11-19.1, or 11-19.2 of this Code, provided such persons~~
26 ~~constitute prostituted persons or other victims of human~~

1 ~~trafficking.~~

2 (c) Upon the presentation by the defendant of a signed
3 court order showing that the defendant has been acquitted of
4 all of the violations in connection with which a vehicle was
5 impounded and a fee imposed under this Section, or that the
6 charges against the defendant for those violations have been
7 dismissed, the law enforcement agency shall refund the \$1,000
8 fee to the defendant.

9 (Source: P.A. 96-1551, eff. 7-1-11; incorporates 96-1503, eff.
10 1-27-11, and 97-333, eff. 8-12-11; 97-897, eff. 1-1-13;
11 97-1109, eff. 1-1-13; 98-463, eff. 8-16-13.)

12 Section 20. The Code of Criminal Procedure of 1963 is
13 amended by changing Sections 124B-300, 124B-305, and 124B-500
14 as follows:

15 (725 ILCS 5/124B-300)

16 Sec. 124B-300. Persons and property subject to forfeiture.
17 A person who commits the offense of involuntary servitude,
18 involuntary servitude of a minor, or trafficking of persons ~~for~~
19 ~~forced labor or services~~ under Section 10A-10 or Section 10-9
20 of the Criminal Code of 1961 or the Criminal Code of 2012,
21 promoting juvenile prostitution, keeping a place of juvenile
22 prostitution, or promoting prostitution that involves keeping
23 a place of prostitution under subsection (a)(1) or (a)(4) of
24 Section 11-14.4 or under Section 11-14.3, 11-17.1, or 11-19.2

1 of the Criminal Code of 1961 or of the Criminal Code of 2012
2 shall forfeit to the State of Illinois any profits or proceeds
3 and any property he or she has acquired or maintained in
4 violation of Section 10A-10 or Section 10-9 of the Criminal
5 Code of 1961 or the Criminal Code of 2012, promoting juvenile
6 prostitution, keeping a place of juvenile prostitution, or
7 promoting prostitution that involves keeping a place of
8 prostitution under subsection (a)(1) or (a)(4) of Section
9 11-14.4 or under Section 11-14.3, 11-17.1, or 11-19.2 of the
10 Criminal Code of 1961 or of the Criminal Code of 2012 that the
11 sentencing court determines, after a forfeiture hearing under
12 this Article, to have been acquired or maintained as a result
13 of maintaining a person in involuntary servitude or
14 participating in trafficking of persons ~~for forced labor or~~
15 ~~services.~~

16 (Source: P.A. 96-712, eff. 1-1-10; 97-1150, eff. 1-25-13.)

17 (725 ILCS 5/124B-305)

18 Sec. 124B-305. Distribution of property and sale proceeds.
19 All moneys and the sale proceeds of all other property
20 forfeited and seized under this Part 300 shall be distributed
21 as follows:

22 (1) 45% ~~50%~~ shall be divided equally between all State
23 agencies and units of local government whose officers or
24 employees conducted the investigation or initiated the
25 hearing that resulted in the forfeiture.

1 (2) 50% shall be deposited into the Specialized
2 Services for Survivors of Human Trafficking Fund and
3 disbursed in accordance with subsections (d), (e), and (f)
4 of Section 5-9-1.21 of the Unified Code of Corrections ~~DHS~~
5 ~~State Projects Fund and targeted to services for victims of~~
6 ~~the offenses of involuntary servitude, involuntary sexual~~
7 ~~servitude of a minor, and trafficking in persons.~~

8 (3) 5% shall be paid to the Office of the State's
9 Attorneys Appellate Prosecutor to train State's Attorneys
10 on forfeiture proceedings and topics related to human
11 trafficking.

12 (Source: P.A. 96-712, eff. 1-1-10; 97-897, eff. 1-1-13.)

13 (725 ILCS 5/124B-500)

14 Sec. 124B-500. Persons and property subject to forfeiture.
15 A person who commits the offense of ~~promoting juvenile~~
16 ~~prostitution, keeping a place of juvenile prostitution,~~
17 ~~exploitation of a child,~~ child pornography, or aggravated child
18 pornography under ~~subdivision (a)(1) or (a)(4) of Section~~
19 ~~11-14.4 or under~~ Section ~~11-17.1, 11-19.2,~~ 11-20.1, 11-20.1B,
20 or 11-20.3 of the Criminal Code of 1961 or the Criminal Code of
21 2012 shall forfeit the following property to the State of
22 Illinois:

23 (1) Any profits or proceeds and any property the person
24 has acquired or maintained ~~in violation of subdivision~~
25 ~~(a)(1) or (a)(4) of Section 11-14.4 or~~ in violation of

1 Section ~~11-17.1, 11-19.2,~~ 11-20.1, 11-20.1B, or 11-20.3 of
2 the Criminal Code of 1961 or the Criminal Code of 2012 that
3 the sentencing court determines, after a forfeiture
4 hearing under this Article, to have been acquired or
5 maintained as a result of ~~keeping a place of juvenile~~
6 ~~prostitution, exploitation of a child,~~ child pornography,
7 or aggravated child pornography.

8 (2) Any interest in, securities of, claim against, or
9 property or contractual right of any kind affording a
10 source of influence over any enterprise that the person has
11 established, operated, controlled, or conducted ~~in~~
12 ~~violation of subdivision (a)(1) or (a)(4) of Section~~
13 ~~11-14.4 or~~ in violation of Section ~~11-17.1, 11-19.2,~~
14 11-20.1, 11-20.1B, or 11-20.3 of the Criminal Code of 1961
15 or the Criminal Code of 2012 that the sentencing court
16 determines, after a forfeiture hearing under this Article,
17 to have been acquired or maintained as a result of ~~keeping~~
18 ~~a place of juvenile prostitution, exploitation of a child,~~
19 child pornography, or aggravated child pornography.

20 (3) Any computer that contains a depiction of child
21 pornography in any encoded or decoded format in violation
22 of Section 11-20.1, 11-20.1B, or 11-20.3 of the Criminal
23 Code of 1961 or the Criminal Code of 2012. For purposes of
24 this paragraph (3), "computer" has the meaning ascribed to
25 it in Section 17-0.5 of the Criminal Code of 2012.

26 (Source: P.A. 96-712, eff. 1-1-10; 96-1551, eff. 7-1-11;

1 97-1150, eff. 1-25-13.)

2 Section 25. The Unified Code of Corrections is amended by
3 adding Section 5-9-1.21 as follows:

4 (730 ILCS 5/5-9-1.21 new)

5 Sec. 5-9-1.21. Specialized Services for Survivors of Human
6 Trafficking Fund.

7 (a) There is created in the State treasury a Specialized
8 Services for Survivors of Human Trafficking Fund. Moneys
9 deposited into the Fund under this Section shall be available
10 for the Department of Human Services for the purposes in this
11 Section.

12 (b) Each plea of guilty, stipulation of facts, or finding
13 of guilt resulting in a judgment of conviction or order of
14 supervision for an offense under Section 10-9, 11-14.1,
15 11-14.3, or 11-18 of the Criminal Code of 2012 that results in
16 the imposition of a fine shall have a portion of that fine
17 deposited into the Specialized Services for Survivors of Human
18 Trafficking Fund.

19 (c) If imposed, the fine shall be collected by the circuit
20 court clerk in addition to any other imposed fee. The circuit
21 court clerk shall retain \$50 to cover the costs in
22 administering and enforcing this Section. The circuit court
23 clerk shall remit the remainder of the fine within one month of
24 its receipt as follows:

1 (1) \$300 shall be distributed equally between all State
2 law enforcement agencies whose officers or employees
3 conducted the investigation or prosecution that resulted
4 in the finding of guilt; and

5 (2) the remainder of the fine shall be remitted to the
6 Department of Human Services for deposit into the
7 Specialized Services for Survivors of Human Trafficking
8 Fund.

9 (d) Upon appropriation of moneys from the Specialized
10 Services for Survivors of Human Trafficking Fund, the
11 Department of Human Services shall use these moneys to make
12 grants to non-governmental organizations to provide
13 specialized, trauma-informed services specifically designed to
14 address the priority service needs associated with
15 prostitution and human trafficking. Priority services include,
16 but are not limited to, community based drop-in centers,
17 emergency housing, and long-term safe homes. The Department
18 shall consult with prostitution and human trafficking
19 advocates, survivors, and service providers to identify
20 priority service needs in their respective communities.

21 (e) Grants made under this Section are in addition to, and
22 not substitutes for, other grants authorized and made by the
23 Department.

24 (f) Notwithstanding any other law to the contrary, the
25 Specialized Services for Survivors of Human Trafficking Fund is
26 not subject to sweeps, administrative charge-backs, or any

1 other fiscal maneuver that would in any way transfer any
2 amounts from the Specialized Services for Survivors of Human
3 Trafficking Fund into any other fund of the State.