



Sen. Toi W. Hutchinson

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09800SB3558sam001

LRB098 20002 JLK 57047 a

1 AMENDMENT TO SENATE BILL 3558

2 AMENDMENT NO. _____. Amend Senate Bill 3558 by replacing
3 everything after the enacting clause with the following:

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)

1 Sec. 27.6. (a) All fees, fines, costs, additional
2 penalties, bail balances assessed or forfeited, and any other
3 amount paid by a person to the circuit clerk equalling an
4 amount of \$55 or more, except the fine imposed by Section
5 5-9-1.15 of the Unified Code of Corrections, the additional fee
6 required by subsections (b) and (c), restitution under Section
7 5-5-6 of the Unified Code of Corrections, contributions to a
8 local anti-crime program ordered pursuant to Section
9 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of
10 Corrections, reimbursement for the costs of an emergency
11 response as provided under Section 11-501 of the Illinois
12 Vehicle Code, any fees collected for attending a traffic safety
13 program under paragraph (c) of Supreme Court Rule 529, any fee
14 collected on behalf of a State's Attorney under Section 4-2002
15 of the Counties Code or a sheriff under Section 4-5001 of the
16 Counties Code, or any cost imposed under Section 124A-5 of the
17 Code of Criminal Procedure of 1963, for convictions, orders of
18 supervision, or any other disposition for a violation of
19 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a
20 similar provision of a local ordinance, and any violation of
21 the Child Passenger Protection Act, or a similar provision of a
22 local ordinance, and except as otherwise provided in this
23 Section shall be disbursed within 60 days after receipt by the
24 circuit clerk as follows: 44.5% shall be disbursed to the
25 entity authorized by law to receive the fine imposed in the
26 case; 16.825% shall be disbursed to the State Treasurer; and

1 38.675% shall be disbursed to the county's general corporate
2 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
3 shall be deposited by the State Treasurer into the Violent
4 Crime Victims Assistance Fund, 5.052/17 shall be deposited into
5 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall
6 be deposited into the Drivers Education Fund, and 6.948/17
7 shall be deposited into the Trauma Center Fund. Of the 6.948/17
8 deposited into the Trauma Center Fund from the 16.825%
9 disbursed to the State Treasurer, 50% shall be disbursed to the
10 Department of Public Health and 50% shall be disbursed to the
11 Department of Healthcare and Family Services. For fiscal year
12 1993, amounts deposited into the Violent Crime Victims
13 Assistance Fund, the Traffic and Criminal Conviction Surcharge
14 Fund, or the Drivers Education Fund shall not exceed 110% of
15 the amounts deposited into those funds in fiscal year 1991. Any
16 amount that exceeds the 110% limit shall be distributed as
17 follows: 50% shall be disbursed to the county's general
18 corporate fund and 50% shall be disbursed to the entity
19 authorized by law to receive the fine imposed in the case. Not
20 later than March 1 of each year the circuit clerk shall submit
21 a report of the amount of funds remitted to the State Treasurer
22 under this Section during the preceding year based upon
23 independent verification of fines and fees. All counties shall
24 be subject to this Section, except that counties with a
25 population under 2,000,000 may, by ordinance, elect not to be
26 subject to this Section. For offenses subject to this Section,

1 judges shall impose one total sum of money payable for
2 violations. The circuit clerk may add on no additional amounts
3 except for amounts that are required by Sections 27.3a and
4 27.3c of this Act, unless those amounts are specifically waived
5 by the judge. With respect to money collected by the circuit
6 clerk as a result of forfeiture of bail, ex parte judgment or
7 guilty plea pursuant to Supreme Court Rule 529, the circuit
8 clerk shall first deduct and pay amounts required by Sections
9 27.3a and 27.3c of this Act. This Section is a denial and
10 limitation of home rule powers and functions under subsection
11 (h) of Section 6 of Article VII of the Illinois Constitution.

12 (b) In addition to any other fines and court costs assessed
13 by the courts, any person convicted or receiving an order of
14 supervision for driving under the influence of alcohol or drugs
15 shall pay an additional fee of \$100 to the clerk of the circuit
16 court. This amount, less 2 1/2% that shall be used to defray
17 administrative costs incurred by the clerk, shall be remitted
18 by the clerk to the Treasurer within 60 days after receipt for
19 deposit into the Trauma Center Fund. This additional fee of
20 \$100 shall not be considered a part of the fine for purposes of
21 any reduction in the fine for time served either before or
22 after sentencing. Not later than March 1 of each year the
23 Circuit Clerk shall submit a report of the amount of funds
24 remitted to the State Treasurer under this subsection during
25 the preceding calendar year.

26 (b-1) In addition to any other fines and court costs

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

14 (c) In addition to any other fines and court costs assessed
15 by the courts, any person convicted for a violation of Sections
16 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the
17 Criminal Code of 2012 or a person sentenced for a violation of
18 the Cannabis Control Act, the Illinois Controlled Substances
19 Act, or the Methamphetamine Control and Community Protection
20 Act shall pay an additional fee of \$100 to the clerk of the
21 circuit court. This amount, less 2 1/2% that shall be used to
22 defray administrative costs incurred by the clerk, shall be
23 remitted by the clerk to the Treasurer within 60 days after
24 receipt for deposit into the Trauma Center Fund. This
25 additional fee of \$100 shall not be considered a part of the
26 fine for purposes of any reduction in the fine for time served

1 either before or after sentencing. Not later than March 1 of
2 each year the Circuit Clerk shall submit a report of the amount
3 of funds remitted to the State Treasurer under this subsection
4 during the preceding calendar year.

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

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

22 (1) 50% of the amounts collected for felony offenses
23 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
24 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
25 Animals Act and Section 26-5 or 48-1 of the Criminal Code
26 of 1961 or the Criminal Code of 2012;

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

6 (3) 50% of the amounts collected for Class C
7 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
8 for Animals Act and Section 26-5 or 48-1 of the Criminal
9 Code of 1961 or the Criminal Code of 2012.

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

22 (f) This Section does not apply to the additional child
23 pornography fines assessed and collected under Section
24 5-9-1.14 of the Unified Code of Corrections.

25 (g) (Blank).

26 (h) (Blank).

1 (i) Of the amounts collected as fines under subsection (b)
2 of Section 3-712 of the Illinois Vehicle Code, 99% shall be
3 deposited into the Illinois Military Family Relief Fund and 1%
4 shall be deposited into the Circuit Court Clerk Operation and
5 Administrative Fund created by the Clerk of the Circuit Court
6 to be used to offset the costs incurred by the Circuit Court
7 Clerk in performing the additional duties required to collect
8 and disburse funds to entities of State and local government as
9 provided by law.

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

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

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

24 (l) Any person who receives a disposition of court
25 supervision for a violation of Section 11-501 of the Illinois
26 Vehicle Code or a similar provision of a local ordinance shall,

1 in addition to any other fines, fees, and court costs, pay an
2 additional fee of \$50, which shall be collected by the circuit
3 clerk and then remitted to the State Treasurer for deposit into
4 the Roadside Memorial Fund, a special fund in the State
5 treasury. However, the court may waive the fee if full
6 restitution is complied with. Subject to appropriation, all
7 moneys in the Roadside Memorial Fund shall be used by the
8 Department of Transportation to pay fees imposed under
9 subsection (f) of Section 20 of the Roadside Memorial Act. The
10 fee shall be remitted by the circuit clerk within one month
11 after receipt to the State Treasurer for deposit into the
12 Roadside Memorial Fund.

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

23 (n) In addition to any other fines and court costs assessed
24 by the courts, any person who is convicted of or pleads guilty
25 to a violation of the Criminal Code of 1961 or the Criminal
26 Code of 2012, or a similar provision of a local ordinance, or

1 who is convicted of, pleads guilty to, or receives a
2 disposition of court supervision for a violation of the
3 Illinois Vehicle Code, or a similar provision of a local
4 ordinance, shall pay an additional fee of \$15 to the clerk of
5 the circuit court. This additional fee of \$15 shall not be
6 considered a part of the fine for purposes of any reduction in
7 the fine for time served either before or after sentencing.
8 This amount, less 2.5% that shall be used to defray
9 administrative costs incurred by the clerk, shall be remitted
10 by the clerk to the State Treasurer within 60 days after
11 receipt for deposit into the State Police Merit Board Public
12 Safety Fund.

13 (o) The amounts collected as fines under Sections 10-9,
14 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall
15 be collected by the circuit clerk and distributed as provided
16 under Section 5-9-1.21 of the Unified Code of Corrections in
17 lieu of any disbursement under subsection (a) of this Section.

18 (Source: P.A. 95-191, eff. 1-1-08; 95-291, eff. 1-1-08; 95-428,
19 eff. 8-24-07; 95-600, eff. 6-1-08; 95-876, eff. 8-21-08;
20 96-286, eff. 8-11-09; 96-576, eff. 8-18-09; 96-578, eff.
21 8-18-09; 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-1175,
22 eff. 9-20-10; 96-1342, eff. 1-1-11; 97-1051, eff. 1-1-13;
23 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

24 (Section as amended by P.A. 96-576, 96-578, 96-625, 96-667,
25 96-735, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, and

1 97-1150)

2 Sec. 27.6. (a) All fees, fines, costs, additional
3 penalties, bail balances assessed or forfeited, and any other
4 amount paid by a person to the circuit clerk equalling an
5 amount of \$55 or more, except the fine imposed by Section
6 5-9-1.15 of the Unified Code of Corrections, the additional fee
7 required by subsections (b) and (c), restitution under Section
8 5-5-6 of the Unified Code of Corrections, contributions to a
9 local anti-crime program ordered pursuant to Section
10 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of
11 Corrections, reimbursement for the costs of an emergency
12 response as provided under Section 11-501 of the Illinois
13 Vehicle Code, any fees collected for attending a traffic safety
14 program under paragraph (c) of Supreme Court Rule 529, any fee
15 collected on behalf of a State's Attorney under Section 4-2002
16 of the Counties Code or a sheriff under Section 4-5001 of the
17 Counties Code, or any cost imposed under Section 124A-5 of the
18 Code of Criminal Procedure of 1963, for convictions, orders of
19 supervision, or any other disposition for a violation of
20 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a
21 similar provision of a local ordinance, and any violation of
22 the Child Passenger Protection Act, or a similar provision of a
23 local ordinance, and except as otherwise provided in this
24 Section shall be disbursed within 60 days after receipt by the
25 circuit clerk as follows: 44.5% shall be disbursed to the
26 entity authorized by law to receive the fine imposed in the

1 case; 16.825% shall be disbursed to the State Treasurer; and
2 38.675% shall be disbursed to the county's general corporate
3 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
4 shall be deposited by the State Treasurer into the Violent
5 Crime Victims Assistance Fund, 5.052/17 shall be deposited into
6 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall
7 be deposited into the Drivers Education Fund, and 6.948/17
8 shall be deposited into the Trauma Center Fund. Of the 6.948/17
9 deposited into the Trauma Center Fund from the 16.825%
10 disbursed to the State Treasurer, 50% shall be disbursed to the
11 Department of Public Health and 50% shall be disbursed to the
12 Department of Healthcare and Family Services. For fiscal year
13 1993, amounts deposited into the Violent Crime Victims
14 Assistance Fund, the Traffic and Criminal Conviction Surcharge
15 Fund, or the Drivers Education Fund shall not exceed 110% of
16 the amounts deposited into those funds in fiscal year 1991. Any
17 amount that exceeds the 110% limit shall be distributed as
18 follows: 50% shall be disbursed to the county's general
19 corporate fund and 50% shall be disbursed to the entity
20 authorized by law to receive the fine imposed in the case. Not
21 later than March 1 of each year the circuit clerk shall submit
22 a report of the amount of funds remitted to the State Treasurer
23 under this Section during the preceding year based upon
24 independent verification of fines and fees. All counties shall
25 be subject to this Section, except that counties with a
26 population under 2,000,000 may, by ordinance, elect not to be

1 subject to this Section. For offenses subject to this Section,
2 judges shall impose one total sum of money payable for
3 violations. The circuit clerk may add on no additional amounts
4 except for amounts that are required by Sections 27.3a and
5 27.3c of this Act, Section 16-104c of the Illinois Vehicle
6 Code, and subsection (a) of Section 5-1101 of the Counties
7 Code, unless those amounts are specifically waived by the
8 judge. With respect to money collected by the circuit clerk as
9 a result of forfeiture of bail, ex parte judgment or guilty
10 plea pursuant to Supreme Court Rule 529, the circuit clerk
11 shall first deduct and pay amounts required by Sections 27.3a
12 and 27.3c of this Act. Unless a court ordered payment schedule
13 is implemented or fee requirements are waived pursuant to court
14 order, the clerk of the court may add to any unpaid fees and
15 costs a delinquency amount equal to 5% of the unpaid fees that
16 remain unpaid after 30 days, 10% of the unpaid fees that remain
17 unpaid after 60 days, and 15% of the unpaid fees that remain
18 unpaid after 90 days. Notice to those parties may be made by
19 signage posting or publication. The additional delinquency
20 amounts collected under this Section shall be deposited in the
21 Circuit Court Clerk Operation and Administrative Fund to be
22 used to defray administrative costs incurred by the circuit
23 clerk in performing the duties required to collect and disburse
24 funds. This Section is a denial and limitation of home rule
25 powers and functions under subsection (h) of Section 6 of
26 Article VII of the Illinois Constitution.

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

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

1 a report of the amount of funds remitted to the State Treasurer
2 under this subsection during the preceding calendar year.

3 (c) In addition to any other fines and court costs assessed
4 by the courts, any person convicted for a violation of Sections
5 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the
6 Criminal Code of 2012 or a person sentenced for a violation of
7 the Cannabis Control Act, the Illinois Controlled Substances
8 Act, or the Methamphetamine Control and Community Protection
9 Act shall pay an additional fee of \$100 to the clerk of the
10 circuit court. This amount, less 2 1/2% that shall be used to
11 defray administrative costs incurred by the clerk, shall be
12 remitted by the clerk to the Treasurer within 60 days after
13 receipt for deposit into the Trauma Center Fund. This
14 additional fee of \$100 shall not be considered a part of the
15 fine for purposes of any reduction in the fine for time served
16 either before or after sentencing. Not later than March 1 of
17 each year the Circuit Clerk shall submit a report of the amount
18 of funds remitted to the State Treasurer under this subsection
19 during the preceding calendar year.

20 (c-1) In addition to any other fines and court costs
21 assessed by the courts, any person sentenced for a violation of
22 the Cannabis Control Act, the Illinois Controlled Substances
23 Act, or the Methamphetamine Control and Community Protection
24 Act shall pay an additional fee of \$5 to the clerk of the
25 circuit court. This amount, less 2 1/2% that shall be used to
26 defray administrative costs incurred by the clerk, shall be

1 remitted by the clerk to the Treasurer within 60 days after
2 receipt for deposit into the Spinal Cord Injury Paralysis Cure
3 Research Trust Fund. This additional fee of \$5 shall not be
4 considered a part of the fine for purposes of any reduction in
5 the fine for time served either before or after sentencing. Not
6 later than March 1 of each year the Circuit Clerk shall submit
7 a report of the amount of funds remitted to the State Treasurer
8 under this subsection during the preceding calendar year.

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

11 (1) 50% of the amounts collected for felony offenses
12 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
13 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
14 Animals Act and Section 26-5 or 48-1 of the Criminal Code
15 of 1961 or the Criminal Code of 2012;

16 (2) 20% of the amounts collected for Class A and Class
17 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
18 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
19 for Animals Act and Section 26-5 or 48-1 of the Criminal
20 Code of 1961 or the Criminal Code of 2012; and

21 (3) 50% of the amounts collected for Class C
22 misdemeanors under Sections 4.01 and 7.1 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.

25 (e) Any person who receives a disposition of court
26 supervision for a violation of the Illinois Vehicle Code or a

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

11 (f) This Section does not apply to the additional child
12 pornography fines assessed and collected under Section
13 5-9-1.14 of the Unified Code of Corrections.

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

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

22 (1) A person who is found guilty of or pleads guilty to
23 violating subsection (a) of Section 11-501 of the Illinois
24 Vehicle Code, including any person placed on court
25 supervision for violating subsection (a), shall be fined
26 \$750 as provided for by subsection (f) of Section 11-501.01

1 of the Illinois Vehicle Code, payable to the circuit clerk,
2 who shall distribute the money pursuant to subsection (f)
3 of Section 11-501.01 of the Illinois Vehicle Code.

4 (2) When a crime laboratory DUI analysis fee of \$150,
5 provided for by Section 5-9-1.9 of the Unified Code of
6 Corrections is assessed, it shall be disbursed by the
7 circuit clerk as provided by subsection (f) of Section
8 5-9-1.9 of the Unified Code of Corrections.

9 (3) When a fine for a violation of Section 11-605.1 of
10 the Illinois Vehicle Code is \$250 or greater, the person
11 who violated that Section shall be charged an additional
12 \$125 as provided for by subsection (e) of Section 11-605.1
13 of the Illinois Vehicle Code, which shall be disbursed by
14 the circuit clerk to a State or county Transportation
15 Safety Highway Hire-back Fund as provided by subsection (e)
16 of Section 11-605.1 of the Illinois Vehicle Code.

17 (4) When a fine for a violation of subsection (a) of
18 Section 11-605 of the Illinois Vehicle Code is \$150 or
19 greater, the additional \$50 which is charged as provided
20 for by subsection (f) of Section 11-605 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 (f) of Section 11-605.

24 (5) When a fine for a violation of subsection (a) of
25 Section 11-1002.5 of the Illinois Vehicle Code is \$150 or
26 greater, the additional \$50 which is charged as provided

1 for by subsection (c) of Section 11-1002.5 of the Illinois
2 Vehicle Code shall be disbursed by the circuit clerk to a
3 school district or districts for school safety purposes as
4 provided by subsection (c) of Section 11-1002.5 of the
5 Illinois Vehicle Code.

6 (6) When a mandatory drug court fee of up to \$5 is
7 assessed as provided in subsection (f) of Section 5-1101 of
8 the Counties Code, it shall be disbursed by the circuit
9 clerk as provided in subsection (f) of Section 5-1101 of
10 the Counties Code.

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

17 (8) When a Children's Advocacy Center fee is assessed
18 pursuant to subsection (f-5) of Section 5-1101 of the
19 Counties Code, it shall be disbursed by the circuit clerk
20 as provided in subsection (f-5) of Section 5-1101 of the
21 Counties Code.

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

26 (10) When a new fee collected in traffic cases is

1 enacted after the effective date of this subsection (h), it
2 shall be excluded from the percentage disbursement
3 provisions of this Section unless otherwise indicated by
4 law.

5 (i) Of the amounts collected as fines under subsection (b)
6 of Section 3-712 of the Illinois Vehicle Code, 99% shall be
7 deposited into the Illinois Military Family Relief Fund and 1%
8 shall be deposited into the Circuit Court Clerk Operation and
9 Administrative Fund created by the Clerk of the Circuit Court
10 to be used to offset the costs incurred by the Circuit Court
11 Clerk in performing the additional duties required to collect
12 and disburse funds to entities of State and local government as
13 provided by law.

14 (j) (Blank).

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

20 (l) Any person who receives a disposition of court
21 supervision for a violation of Section 11-501 of the Illinois
22 Vehicle Code or a similar provision of a local ordinance shall,
23 in addition to any other fines, fees, and court costs, pay an
24 additional fee of \$50, which shall be collected by the circuit
25 clerk and then remitted to the State Treasurer for deposit into
26 the Roadside Memorial Fund, a special fund in the State

1 treasury. However, the court may waive the fee if full
2 restitution is complied with. Subject to appropriation, all
3 moneys in the Roadside Memorial Fund shall be used by the
4 Department of Transportation to pay fees imposed under
5 subsection (f) of Section 20 of the Roadside Memorial Act. The
6 fee shall be remitted by the circuit clerk within one month
7 after receipt to the State Treasurer for deposit into the
8 Roadside Memorial Fund.

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

19 (n) In addition to any other fines and court costs assessed
20 by the courts, any person who is convicted of or pleads guilty
21 to a violation of the Criminal Code of 1961 or the Criminal
22 Code of 2012, or a similar provision of a local ordinance, or
23 who is convicted of, pleads guilty to, or receives a
24 disposition of court supervision for a violation of the
25 Illinois Vehicle Code, or a similar provision of a local
26 ordinance, shall pay an additional fee of \$15 to the clerk of

1 the circuit court. This additional fee of \$15 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.
4 This amount, less 2.5% that shall be used to defray
5 administrative costs incurred by the clerk, shall be remitted
6 by the clerk to the State Treasurer within 60 days after
7 receipt for deposit into the State Police Merit Board Public
8 Safety Fund.

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

14 (Source: P.A. 96-576, eff. 8-18-09; 96-578, eff. 8-18-09;
15 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-735, eff. 1-1-10;
16 96-1175, eff. 9-20-10; 96-1342, eff. 1-1-11; 97-434, eff.
17 1-1-12; 97-1051, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1150,
18 eff. 1-25-13.)

19 Section 15. The Criminal Code of 2012 is amended by
20 changing Sections 11-14.1 and 36.5-5 as follows:

21 (720 ILCS 5/11-14.1)

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

23 (a) Any person who offers a person not his or her spouse
24 any money, property, token, object, or article or anything of

1 value for that person or any other person not his or her spouse
2 to perform any act of sexual penetration as defined in Section
3 11-0.1 of this Code, or any touching or fondling of the sex
4 organs of one person by another person for the purpose of
5 sexual arousal or gratification, commits solicitation of a
6 sexual act.

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

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

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

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

1 (Source: P.A. 96-1464, eff. 8-20-10; 96-1551, eff. 7-1-11;
2 97-227, eff. 1-1-12; 97-1109, eff. 1-1-13.)

3 (720 ILCS 5/36.5-5)

4 Sec. 36.5-5. Vehicle impoundment.

5 (a) In addition to any other penalty, fee or forfeiture
6 provided by law, a peace officer who arrests a person for a
7 violation of Section 10-9, 11-14, 11-14.1, 11-14.3, 11-14.4,
8 11-18, or 11-18.1 of this Code or related municipal ordinance,
9 may tow and impound any vehicle used by the person in the
10 commission of the violation. The person arrested for one or
11 more such violations shall be charged a \$1,000 fee, to be paid
12 to the law enforcement agency that made the arrest or its
13 designated representative. The person may recover the vehicle
14 from the impound after a minimum of 2 hours after arrest upon
15 payment of the fee.

16 (b) \$500 of the fee shall be distributed to the law
17 enforcement agency whose peace officers made the arrest, for
18 the costs incurred by the law enforcement agency to investigate
19 and to tow and impound the vehicle. Upon the defendant's
20 conviction of one or more of the violations in connection with
21 which the vehicle was impounded and the fee imposed under this
22 Section, the remaining \$500 of the fee shall be deposited into
23 the Specialized Services for Survivors of Human Trafficking
24 Fund and disbursed in accordance with subsections (d), (e), and
25 (f) of Section 5-9-1.21 of the Unified Code of Corrections. ~~DHS~~

1 ~~State Projects Fund and shall be used by the Department of~~
2 ~~Human Services to make grants to non-governmental~~
3 ~~organizations to provide services for persons encountered~~
4 ~~during the course of an investigation into any violation of~~
5 ~~Section 10 9, 11 14, 11 14.1, 11 14.3, 11 14.4, 11 15,~~
6 ~~11 15.1, 11 16, 11 17, 11 17.1, 11 18, 11 18.1, 11 19,~~
7 ~~11 19.1, or 11 19.2 of this Code, provided such persons~~
8 ~~constitute prostituted persons or other victims of human~~
9 ~~trafficking.~~

10 (c) Upon the presentation by the defendant of a signed
11 court order showing that the defendant has been acquitted of
12 all of the violations in connection with which a vehicle was
13 impounded and a fee imposed under this Section, or that the
14 charges against the defendant for those violations have been
15 dismissed, the law enforcement agency shall refund the \$1,000
16 fee to the defendant.

17 (Source: P.A. 96-1551, eff. 7-1-11; incorporates 96-1503, eff.
18 1-27-11, and 97-333, eff. 8-12-11; 97-897, eff. 1-1-13;
19 97-1109, eff. 1-1-13; 98-463, eff. 8-16-13.)

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

23 (725 ILCS 5/124B-300)

24 Sec. 124B-300. Persons and property subject to forfeiture.

1 A person who commits the offense of involuntary servitude,
2 involuntary servitude of a minor, or trafficking of persons ~~for~~
3 ~~forced labor or services~~ under Section 10A-10 or Section 10-9
4 of the Criminal Code of 1961 or the Criminal Code of 2012,
5 promoting juvenile prostitution, keeping a place of juvenile
6 prostitution, or promoting prostitution that involves keeping
7 a place of prostitution under subsection (a)(1) or (a)(4) of
8 Section 11-14.4 or under Section 11-14.3, 11-17.1, or 11-19.2
9 of the Criminal Code of 1961 or of the Criminal Code of 2012
10 shall forfeit to the State of Illinois any profits or proceeds
11 and any property he or she has acquired or maintained in
12 violation of Section 10A-10 or Section 10-9 of the Criminal
13 Code of 1961 or the Criminal Code of 2012,
14 promoting juvenile prostitution, keeping a place of juvenile prostitution, or
15 promoting prostitution that involves keeping a place of
16 prostitution under subsection (a)(1) or (a)(4) of Section
17 11-14.4 or under Section 11-14.3, 11-17.1, or 11-19.2 of the
18 Criminal Code of 1961 or of the Criminal Code of 2012 that the
19 sentencing court determines, after a forfeiture hearing under
20 this Article, to have been acquired or maintained as a result
21 of maintaining a person in involuntary servitude or
22 participating in trafficking of persons ~~for forced labor or~~
23 ~~services~~.

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

1 Sec. 124B-305. Distribution of property and sale proceeds.
2 All moneys and the sale proceeds of all other property
3 forfeited and seized under this Part 300 shall be distributed
4 as follows:

5 (1) 45% ~~50%~~ shall be divided equally between all State
6 agencies and units of local government whose officers or
7 employees conducted the investigation or initiated the
8 hearing that resulted in the forfeiture.

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

16 (3) 5% shall be paid to the Office of the State's
17 Attorneys Appellate Prosecutor to train State's Attorneys
18 on forfeiture proceedings and topics related to human
19 trafficking.

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

21 (725 ILCS 5/124B-500)

22 Sec. 124B-500. Persons and property subject to forfeiture.
23 A person who commits the offense of ~~promoting juvenile~~
24 ~~prostitution, keeping a place of juvenile prostitution,~~
25 ~~exploitation of a child,~~ child pornography, or aggravated child

1 pornography under ~~subdivision (a)(1) or (a)(4) of Section~~
2 ~~11-14.4 or under~~ Section ~~11-17.1, 11-19.2,~~ 11-20.1, 11-20.1B,
3 or 11-20.3 of the Criminal Code of 1961 or the Criminal Code of
4 2012 shall forfeit the following property to the State of
5 Illinois:

6 (1) Any profits or proceeds and any property the person
7 has acquired or maintained ~~in violation of subdivision~~
8 ~~(a)(1) or (a)(4) of Section 11-14.4 or~~ in violation of
9 Section ~~11-17.1, 11-19.2,~~ 11-20.1, 11-20.1B, or 11-20.3 of
10 the Criminal Code of 1961 or the Criminal Code of 2012 that
11 the sentencing court determines, after a forfeiture
12 hearing under this Article, to have been acquired or
13 maintained as a result of ~~keeping a place of juvenile~~
14 ~~prostitution, exploitation of a child,~~ child pornography,
15 or aggravated child pornography.

16 (2) Any interest in, securities of, claim against, or
17 property or contractual right of any kind affording a
18 source of influence over any enterprise that the person has
19 established, operated, controlled, or conducted ~~in~~
20 ~~violation of subdivision (a)(1) or (a)(4) of Section~~
21 ~~11-14.4 or~~ in violation of Section ~~11-17.1, 11-19.2,~~
22 11-20.1, 11-20.1B, or 11-20.3 of the Criminal Code of 1961
23 or the Criminal Code of 2012 that the sentencing court
24 determines, after a forfeiture hearing under this Article,
25 to have been acquired or maintained as a result of ~~keeping~~
26 ~~a place of juvenile prostitution, exploitation of a child,~~

1 child pornography~~7~~ or aggravated child pornography.

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

8 (Source: P.A. 96-712, eff. 1-1-10; 96-1551, eff. 7-1-11;
9 97-1150, eff. 1-25-13.)

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

12 (730 ILCS 5/5-9-1.21 new)

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

15 (a) There is created in the State treasury a Specialized
16 Services for Survivors of Human Trafficking Fund. Moneys
17 deposited into the Fund under this Section shall be available
18 for the Department of Human Services for the purposes in this
19 Section.

20 (b) Each plea of guilty, stipulation of facts, or finding
21 of guilt resulting in a judgment of conviction or order of
22 supervision for an offense under Section 10-9, 11-14.1,
23 11-14.3, or 11-18 of the Criminal Code of 2012 that results in
24 the imposition of a fine shall have a portion of that fine

1 deposited into the Specialized Services for Survivors of Human
2 Trafficking Fund.

3 (c) If imposed, the fine shall be collected by the circuit
4 court clerk in addition to any other imposed fee. The circuit
5 court clerk shall retain \$50 to cover the costs in
6 administering and enforcing this Section. The circuit court
7 clerk shall remit the remainder of the fine within one month of
8 its receipt as follows:

9 (1) \$300 shall be distributed equally between all State
10 law enforcement agencies whose officers or employees
11 conducted the investigation or prosecution that resulted
12 in the finding of guilt; and

13 (2) the remainder of the fine shall be remitted to the
14 Department of Human Services for deposit into the
15 Specialized Services for Survivors of Human Trafficking
16 Fund.

17 (d) Upon appropriation of moneys from the Specialized
18 Services for Survivors of Human Trafficking Fund, the
19 Department of Human Services shall use these moneys to make
20 grants to non-governmental organizations to provide
21 specialized, trauma-informed services specifically designed to
22 address the priority service needs associated with
23 prostitution and human trafficking. Priority services include,
24 but are not limited to, community based drop-in centers,
25 emergency housing, and long-term safe homes. The Department
26 shall consult with prostitution and human trafficking

1 advocates, survivors, and service providers to identify
2 priority service needs in their respective communities.

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

6 (f) Notwithstanding any other law to the contrary, the
7 Specialized Services for Survivors of Human Trafficking Fund is
8 not subject to sweeps, administrative charge-backs, or any
9 other fiscal maneuver that would in any way transfer any
10 amounts from the Specialized Services for Survivors of Human
11 Trafficking Fund into any other fund of the State."