



Sen. Toi W. Hutchinson

Filed: 4/3/2014

09800SB3558sam002

LRB098 20002 JLK 57988 a

1 AMENDMENT TO SENATE BILL 3558

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

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

7 (30 ILCS 105/5.855 new)

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

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

12 (705 ILCS 105/27.6)

13 (Section as amended by P.A. 96-286, 96-576, 96-578, 96-625,
14 96-667, 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, unless those amounts are specifically waived
6 by the judge. With respect to money collected by the circuit
7 clerk as a result of forfeiture of bail, ex parte judgment or
8 guilty plea pursuant to Supreme Court Rule 529, the circuit
9 clerk shall first deduct and pay amounts required by Sections
10 27.3a and 27.3c of this Act. This Section is a denial and
11 limitation of home rule powers and functions under subsection
12 (h) of Section 6 of Article VII of the Illinois Constitution.

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

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

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

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

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

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

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

1 of 1961 or the Criminal Code of 2012;

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

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

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

23 (f) This Section does not apply to the additional child
24 pornography fines assessed and collected under Section
25 5-9-1.14 of the Unified Code of Corrections.

26 (g) (Blank).

1 (h) (Blank).

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

11 (j) Any person convicted of, pleading guilty to, or placed
12 on supervision for a serious traffic violation, as defined in
13 Section 1-187.001 of the Illinois Vehicle Code, a violation of
14 Section 11-501 of the Illinois Vehicle Code, or a violation of
15 a similar provision of a local ordinance shall pay an
16 additional fee of \$35, to be disbursed as provided in Section
17 16-104d of that Code.

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

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

25 (l) Any person who receives a disposition of court
26 supervision for a violation of Section 11-501 of the Illinois

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

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

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

1 Code of 2012, or a similar provision of a local ordinance, or
2 who is convicted of, pleads guilty to, or receives a
3 disposition of court supervision for a violation of the
4 Illinois Vehicle Code, or a similar provision of a local
5 ordinance, shall pay an additional fee of \$15 to the clerk of
6 the circuit court. This additional fee of \$15 shall not be
7 considered a part of the fine for purposes of any reduction in
8 the fine for time served either before or after sentencing.
9 This amount, less 2.5% that shall be used to defray
10 administrative costs incurred by the clerk, shall be remitted
11 by the clerk to the State Treasurer within 60 days after
12 receipt for deposit into the State Police Merit Board Public
13 Safety Fund.

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

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

25 (Section as amended by P.A. 96-576, 96-578, 96-625, 96-667,

1 96-735, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, and
2 97-1150)

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

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

1 population under 2,000,000 may, by ordinance, elect not to be
2 subject to this Section. For offenses subject to this Section,
3 judges shall impose one total sum of money payable for
4 violations. The circuit clerk may add on no additional amounts
5 except for amounts that are required by Sections 27.3a and
6 27.3c of this Act, Section 16-104c of the Illinois Vehicle
7 Code, and subsection (a) of Section 5-1101 of the Counties
8 Code, unless those amounts are specifically waived by the
9 judge. With respect to money collected by the circuit clerk as
10 a result of forfeiture of bail, ex parte judgment or guilty
11 plea pursuant to Supreme Court Rule 529, the circuit clerk
12 shall first deduct and pay amounts required by Sections 27.3a
13 and 27.3c of this Act. Unless a court ordered payment schedule
14 is implemented or fee requirements are waived pursuant to court
15 order, the clerk of the court may add to any unpaid fees and
16 costs a delinquency amount equal to 5% of the unpaid fees that
17 remain unpaid after 30 days, 10% of the unpaid fees that remain
18 unpaid after 60 days, and 15% of the unpaid fees that remain
19 unpaid after 90 days. Notice to those parties may be made by
20 signage posting or publication. The additional delinquency
21 amounts collected under this Section shall be deposited in the
22 Circuit Court Clerk Operation and Administrative Fund to be
23 used to defray administrative costs incurred by the circuit
24 clerk in performing the duties required to collect and disburse
25 funds. This Section is a denial and limitation of home rule
26 powers and functions under subsection (h) of Section 6 of

1 Article VII of the Illinois Constitution.

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

16 (b-1) In addition to any other fines and court costs
17 assessed by the courts, any person convicted or receiving an
18 order of supervision for driving under the influence of alcohol
19 or drugs shall pay an additional fee of \$5 to the clerk of the
20 circuit court. This amount, less 2 1/2% that shall be used to
21 defray administrative costs incurred by the clerk, shall be
22 remitted by the clerk to the Treasurer within 60 days after
23 receipt for deposit into the Spinal Cord Injury Paralysis Cure
24 Research Trust Fund. This additional fee of \$5 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. Not

1 later than March 1 of each year the Circuit Clerk shall submit
2 a report of the amount of funds remitted to the State Treasurer
3 under this subsection during the preceding calendar year.

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

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

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

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

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

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

22 (3) 50% of the amounts collected for Class C
23 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
24 for Animals Act and Section 26-5 or 48-1 of the Criminal
25 Code of 1961 or the Criminal Code of 2012.

26 (e) Any person who receives a disposition of court

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

12 (f) This Section does not apply to the additional child
13 pornography fines assessed and collected under Section
14 5-9-1.14 of the Unified Code of Corrections.

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

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

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

1 \$750 as provided for by subsection (f) of Section 11-501.01
2 of the Illinois Vehicle Code, payable to the circuit clerk,
3 who shall distribute the money pursuant to subsection (f)
4 of Section 11-501.01 of the Illinois Vehicle Code.

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

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

18 (4) When a fine for a violation of subsection (a) of
19 Section 11-605 of the Illinois Vehicle Code is \$150 or
20 greater, the additional \$50 which is charged as provided
21 for by subsection (f) of Section 11-605 of the Illinois
22 Vehicle Code shall be disbursed by the circuit clerk to a
23 school district or districts for school safety purposes as
24 provided by subsection (f) of Section 11-605.

25 (5) When a fine for a violation of subsection (a) of
26 Section 11-1002.5 of the Illinois Vehicle Code is \$150 or

1 greater, the additional \$50 which is charged as provided
2 for by subsection (c) of Section 11-1002.5 of the Illinois
3 Vehicle Code shall be disbursed by the circuit clerk to a
4 school district or districts for school safety purposes as
5 provided by subsection (c) of Section 11-1002.5 of the
6 Illinois Vehicle Code.

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

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

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

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

1 (10) When a new fee collected in traffic cases is
2 enacted after the effective date of this subsection (h), it
3 shall be excluded from the percentage disbursement
4 provisions of this Section unless otherwise indicated by
5 law.

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

15 (j) (Blank).

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

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

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

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

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

1 ordinance, shall pay an additional fee of \$15 to the clerk of
2 the circuit court. This additional fee of \$15 shall not be
3 considered a part of the fine for purposes of any reduction in
4 the fine for time served either before or after sentencing.
5 This amount, less 2.5% that shall be used to defray
6 administrative costs incurred by the clerk, shall be remitted
7 by the clerk to the State Treasurer within 60 days after
8 receipt for deposit into the State Police Merit Board Public
9 Safety Fund.

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

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

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

23 (720 ILCS 5/10-9)

24 Sec. 10-9. Trafficking in persons, involuntary servitude,

1 and related offenses.

2 (a) Definitions. In this Section:

3 (1) "Intimidation" has the meaning prescribed in
4 Section 12-6.

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

8 (3) "Financial harm" includes intimidation that brings
9 about financial loss, criminal usury, or employment
10 contracts that violate the Frauds Act.

11 (4) (Blank). "

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

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

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

19 (7.5) "Serious harm" means any harm, whether physical
20 or nonphysical, including psychological, financial, or
21 reputational harm, that is sufficiently serious, under all
22 the surrounding circumstances, to compel a reasonable
23 person of the same background and in the same circumstances
24 to perform or to continue performing labor or services in
25 order to avoid incurring that harm.

26 (8) "Services" means activities resulting from a

1 relationship between a person and the actor in which the
2 person performs activities under the supervision of or for
3 the benefit of the actor. Commercial sexual activity and
4 sexually-explicit performances are forms of activities
5 that are "services" under this Section. Nothing in this
6 definition may be construed to legitimize or legalize
7 prostitution.

8 (9) "Sexually-explicit performance" means a live,
9 recorded, broadcast (including over the Internet), or
10 public act or show intended to arouse or satisfy the sexual
11 desires or appeal to the prurient interests of patrons.

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

14 (b) Involuntary servitude. A person commits involuntary
15 servitude when he or she knowingly subjects, attempts to
16 subject, or engages in a conspiracy to subject another person
17 to labor or services obtained or maintained through any of the
18 following means, or any combination of these means:

19 (1) causes or threatens to cause physical harm to any
20 person;

21 (2) physically restrains or threatens to physically
22 restrain another person;

23 (3) abuses or threatens to abuse the law or legal
24 process;

25 (4) knowingly destroys, conceals, removes,
26 confiscates, or possesses any actual or purported passport

1 or other immigration document, or any other actual or
2 purported government identification document, of another
3 person;

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

6 (6) uses any scheme, plan, or pattern intended to cause
7 the person to believe that, if the person did not perform
8 the labor or services, that person or another person would
9 suffer serious harm or physical restraint.

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

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

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

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

1 (3) there is overt force or threat.

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

5 (d) Trafficking in persons. A person commits trafficking in
6 persons when he or she knowingly: (1) recruits, entices,
7 harbors, transports, provides, or obtains by any means, or
8 attempts to recruit, entice, harbor, transport, provide, or
9 obtain by any means, another person, intending or knowing that
10 the person will be subjected to involuntary servitude; or (2)
11 benefits, financially or by receiving anything of value, from
12 participation in a venture that has engaged in an act of
13 involuntary servitude or involuntary sexual servitude of a
14 minor.

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

17 (e) Aggravating factors. A violation of this Section
18 involving kidnapping or an attempt to kidnap, aggravated
19 criminal sexual assault or an attempt to commit aggravated
20 criminal sexual assault, or an attempt to commit first degree
21 murder is a Class X felony.

22 (f) Sentencing considerations.

23 (1) Bodily injury. If, pursuant to a violation of this
24 Section, a victim suffered bodily injury, the defendant may
25 be sentenced to an extended-term sentence under Section
26 5-8-2 of the Unified Code of Corrections. The sentencing

1 court must take into account the time in which the victim
2 was held in servitude, with increased penalties for cases
3 in which the victim was held for between 180 days and one
4 year, and increased penalties for cases in which the victim
5 was held for more than one year.

6 (2) Number of victims. In determining sentences within
7 statutory maximums, the sentencing court should take into
8 account the number of victims, and may provide for
9 substantially increased sentences in cases involving more
10 than 10 victims.

11 (g) Restitution. Restitution is mandatory under this
12 Section. In addition to any other amount of loss identified,
13 the court shall order restitution including the greater of (1)
14 the gross income or value to the defendant of the victim's
15 labor or services or (2) the value of the victim's labor as
16 guaranteed under the Minimum Wage Law and overtime provisions
17 of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law,
18 whichever is greater.

19 (g-5) Fine distribution. If the court imposes a fine under
20 subsection (b), (c), or (d) of this Section, it shall be
21 collected and distributed to the Specialized Services for
22 Survivors of Human Trafficking Fund in accordance with Section
23 5-9-1.21 of the Unified Code of Corrections.

24 (h) Trafficking victim services. Subject to the
25 availability of funds, the Department of Human Services may
26 provide or fund emergency services and assistance to

1 individuals who are victims of one or more offenses defined in
2 this Section.

3 (i) Certification. The Attorney General, a State's
4 Attorney, or any law enforcement official shall certify in
5 writing to the United States Department of Justice or other
6 federal agency, such as the United States Department of
7 Homeland Security, that an investigation or prosecution under
8 this Section has begun and the individual who is a likely
9 victim of a crime described in this Section is willing to
10 cooperate or is cooperating with the investigation to enable
11 the individual, if eligible under federal law, to qualify for
12 an appropriate special immigrant visa and to access available
13 federal benefits. Cooperation with law enforcement shall not be
14 required of victims of a crime described in this Section who
15 are under 18 years of age. This certification shall be made
16 available to the victim and his or her designated legal
17 representative.

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

23 (Source: P.A. 96-710, eff. 1-1-10; incorporates 96-712, eff.
24 1-1-10; 96-1000, eff. 7-2-10; 97-897, eff. 1-1-13; revised
25 11-12-13.)

1 (720 ILCS 5/11-14.1)

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

3 (a) Any person who offers a person not his or her spouse
4 any money, property, token, object, or article or anything of
5 value for that person or any other person not his or her spouse
6 to perform any act of sexual penetration as defined in Section
7 11-0.1 of this Code, or any touching or fondling of the sex
8 organs of one person by another person for the purpose of
9 sexual arousal or gratification, commits solicitation of a
10 sexual act.

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

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

26 (c) This Section does not apply to a person engaged in

1 prostitution who is under 18 years of age.

2 (d) A person cannot be convicted under this Section if the
3 practice of prostitution underlying the offense consists
4 exclusively of the accused's own acts of prostitution under
5 Section 11-14 of this Code.

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

8 (720 ILCS 5/11-14.3)

9 Sec. 11-14.3. Promoting prostitution.

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

12 (1) advances prostitution as defined in Section
13 11-0.1;

14 (2) profits from prostitution by:

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

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

18 (C) any means other than those described in
19 subparagraph (A) or (B), including from a person who
20 patronizes a prostitute. This paragraph (C) does not
21 apply to a person engaged in prostitution who is under
22 18 years of age. A person cannot be convicted of
23 promoting prostitution under this paragraph (C) if the
24 practice of prostitution underlying the offense
25 consists exclusively of the accused's own acts of

1 prostitution under Section 11-14 of this Code.

2 (b) Sentence.

3 (1) A violation of subdivision (a)(1) is a Class 4
4 felony, unless committed within 1,000 feet of real property
5 comprising a school, in which case it is a Class 3 felony.
6 A second or subsequent violation of subdivision (a)(1), or
7 any combination of convictions under subdivision (a)(1),
8 (a)(2)(A), or (a)(2)(B) and Section 11-14 (prostitution),
9 11-14.1 (solicitation of a sexual act), 11-14.4 (promoting
10 juvenile prostitution), 11-15 (soliciting for a
11 prostitute), 11-15.1 (soliciting for a juvenile
12 prostitute), 11-16 (pandering), 11-17 (keeping a place of
13 prostitution), 11-17.1 (keeping a place of juvenile
14 prostitution), 11-18 (patronizing a prostitute), 11-18.1
15 (patronizing a juvenile prostitute), 11-19 (pimping),
16 11-19.1 (juvenile pimping or aggravated juvenile pimping),
17 or 11-19.2 (exploitation of a child), is a Class 3 felony.

18 (2) A violation of subdivision (a)(2)(A) or (a)(2)(B)
19 is a Class 4 felony, unless committed within 1,000 feet of
20 real property comprising a school, in which case it is a
21 Class 3 felony.

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

1 (a) (2) (C) and subdivision (a) (1), (a) (2) (A), or (a) (2) (B)
2 of this Section (promoting prostitution), 11-14
3 (prostitution), 11-14.1 (solicitation of a sexual act),
4 11-14.4 (promoting juvenile prostitution), 11-15
5 (soliciting for a prostitute), 11-15.1 (soliciting for a
6 juvenile prostitute), 11-16 (pandering), 11-17 (keeping a
7 place of prostitution), 11-17.1 (keeping a place of
8 juvenile prostitution), 11-18 (patronizing a prostitute),
9 11-18.1 (patronizing a juvenile prostitute), 11-19
10 (pimping), 11-19.1 (juvenile pimping or aggravated
11 juvenile pimping), or 11-19.2 (exploitation of a child), is
12 a Class 3 felony.

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

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

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

19 Sec. 11-18. Patronizing a prostitute.

20 (a) Any person who knowingly performs any of the following
21 acts with a person not his or her spouse commits patronizing a
22 prostitute:

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

25 (2) Enters or remains in a place of prostitution with

1 intent to engage in an act of sexual penetration as defined
2 in Section 11-0.1 of this Code; or

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

7 (b) Sentence.

8 Patronizing a prostitute is a Class 4 felony, unless
9 committed within 1,000 feet of real property comprising a
10 school, in which case it is a Class 3 felony. A person
11 convicted of a second or subsequent violation of this Section,
12 or of any combination of such number of convictions under this
13 Section and Sections 11-14 (prostitution), 11-14.1
14 (solicitation of a sexual act), 11-14.3 (promoting
15 prostitution), 11-14.4 (promoting juvenile prostitution),
16 11-15 (soliciting for a prostitute), 11-15.1 (soliciting for a
17 juvenile prostitute), 11-16 (pandering), 11-17 (keeping a
18 place of prostitution), 11-17.1 (keeping a place of juvenile
19 prostitution), 11-18.1 (patronizing a juvenile prostitute),
20 11-19 (pimping), 11-19.1 (juvenile pimping or aggravated
21 juvenile pimping), or 11-19.2 (exploitation of a child) of this
22 Code, is guilty of a Class 3 felony. If the court imposes a
23 fine under this subsection (b), it shall be collected and
24 distributed to the Specialized Services for Survivors of Human
25 Trafficking Fund in accordance with Section 5-9-1.21 of the
26 Unified Code of Corrections.

1 (c) (Blank).

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

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."