

HB3498



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3498

by Rep. Mike Smiddy

SYNOPSIS AS INTRODUCED:

725 ILCS 5/110-14 rep.
725 ILCS 240/10

from Ch. 70, par. 510

Amends the Code of Criminal Procedure of 1963. Repeals provision giving a person incarcerated on a bailable offense who does not supply bail and against whom a fine is levied upon conviction a credit of \$5 towards the fine for each day incarcerated. Amends the Violent Crime Victims Assistance Act to make a conforming change. Effective immediately.

LRB099 07303 MRW 27411 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

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

4 (725 ILCS 5/110-14 rep.)

5 Section 5. The Code of Criminal Procedure of 1963 is
6 amended by repealing Section 110-14.

7 Section 10. The Violent Crime Victims Assistance Act is
8 amended by changing Section 10 as follows:

9 (725 ILCS 240/10) (from Ch. 70, par. 510)

10 Sec. 10. Violent Crime Victims Assistance Fund.

11 (a) The "Violent Crime Victims Assistance Fund" is created
12 as a special fund in the State Treasury to provide monies for
13 the grants to be awarded under this Act.

14 (b) When any person is convicted in Illinois of an offense
15 listed below, or placed on supervision for that offense on or
16 after July 1, 2012, the court shall impose the following fines:

17 (1) \$100 for any felony;

18 (2) \$50 for any offense under the Illinois Vehicle
19 Code, exclusive of offenses enumerated in paragraph (a) (2)
20 of Section 6-204 of that Code, and exclusive of any offense
21 enumerated in Article VI of Chapter 11 of that Code
22 relating to restrictions, regulations, and limitations on

1 the speed at which a motor vehicle is driven or operated;
2 and

3 (3) \$75 for any misdemeanor, excluding a conservation
4 offense.

5 Notwithstanding any other provision of this Section, the
6 penalty established in this Section shall be assessed for any
7 violation of Section 11-601.5, 11-605.2, or 11-605.3 of the
8 Illinois Vehicle Code.

9 The Clerk of the Circuit Court shall remit moneys collected
10 under this subsection (b) within one month after receipt to the
11 State Treasurer for deposit into the Violent Crime Victims
12 Assistance Fund, except as provided in subsection (g) of this
13 Section. Such additional penalty shall not be considered a part
14 of the fine for purposes of any reduction made in the fine for
15 time served either before or after sentencing. Not later than
16 March 1 of each year the Clerk of the Circuit Court shall
17 submit to the State Comptroller a report of the amount of funds
18 remitted by him to the State Treasurer under this Section
19 during the preceding calendar year.

20 (c) (Blank). ~~The charge imposed by subsection (b) shall not~~
21 ~~be subject to the provisions of Section 110-14 of the Code of~~
22 ~~Criminal Procedure of 1963.~~

23 (d) Monies forfeited, and proceeds from the sale of
24 property forfeited and seized, under the forfeiture provisions
25 set forth in Part 500 of Article 124B of the Code of Criminal
26 Procedure of 1963 shall be accepted for the Violent Crime

1 Victims Assistance Fund.

2 (e) Investment income which is attributable to the
3 investment of monies in the Violent Crime Victims Assistance
4 Fund shall be credited to that fund for uses specified in this
5 Act. The Treasurer shall provide the Attorney General a monthly
6 status report on the amount of money in the Fund.

7 (f) Monies from the fund may be granted on and after July
8 1, 1984.

9 (g) All amounts and charges imposed under this Section for
10 any violation of Chapters 3, 4, 6, and 11 of the Illinois
11 Vehicle Code, or a similar provision of a local ordinance, or
12 any violation of the Child Passenger Protection Act, or a
13 similar provision of a local ordinance, shall be collected and
14 disbursed by the circuit clerk as provided under Section 27.5
15 of the Clerks of Courts Act.

16 (Source: P.A. 96-712, eff. 1-1-10; 97-108, eff. 7-14-11;
17 97-816, eff. 7-16-12.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.