



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4010

by Rep. Christian L. Mitchell

SYNOPSIS AS INTRODUCED:

See Index

Creates a new regulatory offense classification of offense, which is not to be considered a criminal offense and is fine only for the amount specified in the offense. Amends the Cannabis Control Act. Provides that the knowing possession of not more than 30 grams of any substance containing cannabis is a regulatory offense charged by a Uniform Cannabis Ticket with a fine of \$100 (rather than a Class C misdemeanor for 2.5 grams or less, a Class B misdemeanor for more than 2.5 grams to 10 grams, and a Class A misdemeanor for more than 10 grams to 30 grams). Amends the Clerks of Courts Act. Provides the same court cost on a Uniform Cannabis Ticket as a minor traffic ticket. Requires the clerk of the court to seek a sealing order from the court for records related to a Uniform Cannabis Ticket upon the final disposition of the case. Provides for distribution of fines collected on a Uniform Cannabis Ticket. Amends various other Acts to make conforming changes.

LRB099 11225 RLC 31759 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Criminal Identification Act is amended by
5 changing Sections 5 and 5.2 as follows:

6 (20 ILCS 2630/5) (from Ch. 38, par. 206-5)

7 Sec. 5. Arrest reports. All policing bodies of this State
8 shall furnish to the Department, daily, in the form and detail
9 the Department requires, fingerprints, descriptions, and
10 ethnic and racial background data as provided in Section 4.5 of
11 this Act of all persons who are arrested on charges of
12 violating any penal statute of this State for offenses that are
13 classified as felonies and Class A or B misdemeanors and of all
14 minors of the age of 10 and over who have been arrested for an
15 offense which would be a felony if committed by an adult, and
16 may forward such fingerprints and descriptions for minors
17 arrested for Class A or B misdemeanors. An offense classified
18 as a regulatory offense, as defined in the Unified Code of
19 Corrections, shall not be reported. Moving or nonmoving traffic
20 violations under the Illinois Vehicle Code shall not be
21 reported except for violations of Chapter 4, Section 11-204.1,
22 or Section 11-501 of that Code. In addition, conservation
23 offenses, as defined in the Supreme Court Rule 501(c), that are

1 classified as Class B misdemeanors shall not be reported. Those
2 law enforcement records maintained by the Department for minors
3 arrested for an offense prior to their 17th birthday, or minors
4 arrested for a non-felony offense, if committed by an adult,
5 prior to their 18th birthday, shall not be forwarded to the
6 Federal Bureau of Investigation unless those records relate to
7 an arrest in which a minor was charged as an adult under any of
8 the transfer provisions of the Juvenile Court Act of 1987.

9 (Source: P.A. 98-528, eff. 1-1-15.)

10 (20 ILCS 2630/5.2)

11 Sec. 5.2. Expungement and sealing.

12 (a) General Provisions.

13 (1) Definitions. In this Act, words and phrases have
14 the meanings set forth in this subsection, except when a
15 particular context clearly requires a different meaning.

16 (A) The following terms shall have the meanings
17 ascribed to them in the Unified Code of Corrections,
18 730 ILCS 5/5-1-2 through 5/5-1-22:

19 (i) Business Offense (730 ILCS 5/5-1-2),

20 (ii) Charge (730 ILCS 5/5-1-3),

21 (iii) Court (730 ILCS 5/5-1-6),

22 (iv) Defendant (730 ILCS 5/5-1-7),

23 (v) Felony (730 ILCS 5/5-1-9),

24 (vi) Imprisonment (730 ILCS 5/5-1-10),

25 (vii) Judgment (730 ILCS 5/5-1-12),

- 1 (viii) Misdemeanor (730 ILCS 5/5-1-14),
2 (ix) Offense (730 ILCS 5/5-1-15),
3 (x) Parole (730 ILCS 5/5-1-16),
4 (xi) Petty Offense (730 ILCS 5/5-1-17),
5 (xii) Probation (730 ILCS 5/5-1-18),
6 (xii-1) Regulatory offense (730 ILCS
7 5/5-1-18.1-1),
8 (xiii) Sentence (730 ILCS 5/5-1-19),
9 (xiv) Supervision (730 ILCS 5/5-1-21), and
10 (xv) Victim (730 ILCS 5/5-1-22).

11 (B) As used in this Section, "charge not initiated
12 by arrest" means a charge (as defined by 730 ILCS
13 5/5-1-3) brought against a defendant where the
14 defendant is not arrested prior to or as a direct
15 result of the charge.

16 (C) "Conviction" means a judgment of conviction or
17 sentence entered upon a plea of guilty or upon a
18 verdict or finding of guilty of an offense, rendered by
19 a legally constituted jury or by a court of competent
20 jurisdiction authorized to try the case without a jury.
21 An order of supervision successfully completed by the
22 petitioner is not a conviction. An order of qualified
23 probation (as defined in subsection (a)(1)(J))
24 successfully completed by the petitioner is not a
25 conviction. An order of supervision or an order of
26 qualified probation that is terminated

1 unsatisfactorily is a conviction, unless the
2 unsatisfactory termination is reversed, vacated, or
3 modified and the judgment of conviction, if any, is
4 reversed or vacated.

5 (D) "Criminal offense" means a petty offense,
6 business offense, misdemeanor, felony, or municipal
7 ordinance violation (as defined in subsection
8 (a)(1)(H)). As used in this Section, a minor traffic
9 offense (as defined in subsection (a)(1)(G)) and a
10 regulatory offense shall not be considered a criminal
11 offense.

12 (E) "Expunge" means to physically destroy the
13 records or return them to the petitioner and to
14 obliterate the petitioner's name from any official
15 index or public record, or both. Nothing in this Act
16 shall require the physical destruction of the circuit
17 court file, but such records relating to arrests or
18 charges, or both, ordered expunged shall be impounded
19 as required by subsections (d)(9)(A)(ii) and
20 (d)(9)(B)(ii).

21 (F) As used in this Section, "last sentence" means
22 the sentence, order of supervision, or order of
23 qualified probation (as defined by subsection
24 (a)(1)(J)), for a criminal offense (as defined by
25 subsection (a)(1)(D)) that terminates last in time in
26 any jurisdiction, regardless of whether the petitioner

1 has included the criminal offense for which the
2 sentence or order of supervision or qualified
3 probation was imposed in his or her petition. If
4 multiple sentences, orders of supervision, or orders
5 of qualified probation terminate on the same day and
6 are last in time, they shall be collectively considered
7 the "last sentence" regardless of whether they were
8 ordered to run concurrently.

9 (G) "Minor traffic offense" means a petty offense,
10 business offense, or Class C misdemeanor under the
11 Illinois Vehicle Code or a similar provision of a
12 municipal or local ordinance.

13 (H) "Municipal ordinance violation" means an
14 offense defined by a municipal or local ordinance that
15 is criminal in nature and with which the petitioner was
16 charged or for which the petitioner was arrested and
17 released without charging.

18 (I) "Petitioner" means an adult or a minor
19 prosecuted as an adult who has applied for relief under
20 this Section.

21 (J) "Qualified probation" means an order of
22 probation under Section 10 of the Cannabis Control Act,
23 Section 410 of the Illinois Controlled Substances Act,
24 Section 70 of the Methamphetamine Control and
25 Community Protection Act, Section 5-6-3.3 or 5-6-3.4
26 of the Unified Code of Corrections, Section

1 12-4.3(b) (1) and (2) of the Criminal Code of 1961 (as
2 those provisions existed before their deletion by
3 Public Act 89-313), Section 10-102 of the Illinois
4 Alcoholism and Other Drug Dependency Act, Section
5 40-10 of the Alcoholism and Other Drug Abuse and
6 Dependency Act, or Section 10 of the Steroid Control
7 Act. For the purpose of this Section, "successful
8 completion" of an order of qualified probation under
9 Section 10-102 of the Illinois Alcoholism and Other
10 Drug Dependency Act and Section 40-10 of the Alcoholism
11 and Other Drug Abuse and Dependency Act means that the
12 probation was terminated satisfactorily and the
13 judgment of conviction was vacated.

14 (K) "Seal" means to physically and electronically
15 maintain the records, unless the records would
16 otherwise be destroyed due to age, but to make the
17 records unavailable without a court order, subject to
18 the exceptions in Sections 12 and 13 of this Act. The
19 petitioner's name shall also be obliterated from the
20 official index required to be kept by the circuit court
21 clerk under Section 16 of the Clerks of Courts Act, but
22 any index issued by the circuit court clerk before the
23 entry of the order to seal shall not be affected.

24 (L) "Sexual offense committed against a minor"
25 includes but is not limited to the offenses of indecent
26 solicitation of a child or criminal sexual abuse when

1 the victim of such offense is under 18 years of age.

2 (M) "Terminate" as it relates to a sentence or
3 order of supervision or qualified probation includes
4 either satisfactory or unsatisfactory termination of
5 the sentence, unless otherwise specified in this
6 Section.

7 (2) Minor Traffic Offenses. Orders of supervision or
8 convictions for minor traffic offenses shall not affect a
9 petitioner's eligibility to expunge or seal records
10 pursuant to this Section.

11 (2.5) Regulatory Offenses. Convictions or pleas of
12 guilty for regulatory offenses shall not affect a
13 petitioner's eligibility to expunge or seal records under
14 this Section.

15 (3) Exclusions. Except as otherwise provided in
16 subsections (b) (5), (b) (6), (b) (8), (e), (e-5), and (e-6)
17 of this Section, the court shall not order:

18 (A) the sealing or expungement of the records of
19 arrests or charges not initiated by arrest that result
20 in an order of supervision for or conviction of: (i)
21 any sexual offense committed against a minor; (ii)
22 Section 11-501 of the Illinois Vehicle Code or a
23 similar provision of a local ordinance; or (iii)
24 Section 11-503 of the Illinois Vehicle Code or a
25 similar provision of a local ordinance, unless the
26 arrest or charge is for a misdemeanor violation of

1 subsection (a) of Section 11-503 or a similar provision
2 of a local ordinance, that occurred prior to the
3 offender reaching the age of 25 years and the offender
4 has no other conviction for violating Section 11-501 or
5 11-503 of the Illinois Vehicle Code or a similar
6 provision of a local ordinance.

7 (B) the sealing or expungement of records of minor
8 traffic offenses (as defined in subsection (a)(1)(G)),
9 unless the petitioner was arrested and released
10 without charging.

11 (C) the sealing of the records of arrests or
12 charges not initiated by arrest which result in an
13 order of supervision or a conviction for the following
14 offenses:

15 (i) offenses included in Article 11 of the
16 Criminal Code of 1961 or the Criminal Code of 2012
17 or a similar provision of a local ordinance, except
18 Section 11-14 of the Criminal Code of 1961 or the
19 Criminal Code of 2012, or a similar provision of a
20 local ordinance;

21 (ii) Section 11-1.50, 12-3.4, 12-15, 12-30,
22 26-5, or 48-1 of the Criminal Code of 1961 or the
23 Criminal Code of 2012, or a similar provision of a
24 local ordinance;

25 (iii) Sections 12-3.1 or 12-3.2 of the
26 Criminal Code of 1961 or the Criminal Code of 2012,

1 or Section 125 of the Stalking No Contact Order
2 Act, or Section 219 of the Civil No Contact Order
3 Act, or a similar provision of a local ordinance;

4 (iv) offenses which are Class A misdemeanors
5 under the Humane Care for Animals Act; or

6 (v) any offense or attempted offense that
7 would subject a person to registration under the
8 Sex Offender Registration Act.

9 (D) the sealing of the records of an arrest which
10 results in the petitioner being charged with a felony
11 offense or records of a charge not initiated by arrest
12 for a felony offense unless:

13 (i) the charge is amended to a misdemeanor and
14 is otherwise eligible to be sealed pursuant to
15 subsection (c);

16 (ii) the charge is brought along with another
17 charge as a part of one case and the charge results
18 in acquittal, dismissal, or conviction when the
19 conviction was reversed or vacated, and another
20 charge brought in the same case results in a
21 disposition for a misdemeanor offense that is
22 eligible to be sealed pursuant to subsection (c) or
23 a disposition listed in paragraph (i), (iii), or
24 (iv) of this subsection;

25 (iii) the charge results in first offender
26 probation as set forth in subsection (c) (2) (E);

1 (iv) the charge is for a felony offense listed
2 in subsection (c) (2) (F) or the charge is amended to
3 a felony offense listed in subsection (c) (2) (F);

4 (v) the charge results in acquittal,
5 dismissal, or the petitioner's release without
6 conviction; or

7 (vi) the charge results in a conviction, but
8 the conviction was reversed or vacated.

9 (b) Expungement.

10 (1) A petitioner may petition the circuit court to
11 expunge the records of his or her arrests and charges not
12 initiated by arrest when:

13 (A) He or she has never been convicted of a
14 criminal offense; and

15 (B) Each arrest or charge not initiated by arrest
16 sought to be expunged resulted in: (i) acquittal,
17 dismissal, or the petitioner's release without
18 charging, unless excluded by subsection (a) (3) (B);
19 (ii) a conviction which was vacated or reversed, unless
20 excluded by subsection (a) (3) (B); (iii) an order of
21 supervision and such supervision was successfully
22 completed by the petitioner, unless excluded by
23 subsection (a) (3) (A) or (a) (3) (B); or (iv) an order of
24 qualified probation (as defined in subsection
25 (a) (1) (J)) and such probation was successfully
26 completed by the petitioner.

1 (2) Time frame for filing a petition to expunge.

2 (A) When the arrest or charge not initiated by
3 arrest sought to be expunged resulted in an acquittal,
4 dismissal, the petitioner's release without charging,
5 or the reversal or vacation of a conviction, there is
6 no waiting period to petition for the expungement of
7 such records.

8 (B) When the arrest or charge not initiated by
9 arrest sought to be expunged resulted in an order of
10 supervision, successfully completed by the petitioner,
11 the following time frames will apply:

12 (i) Those arrests or charges that resulted in
13 orders of supervision under Section 3-707, 3-708,
14 3-710, or 5-401.3 of the Illinois Vehicle Code or a
15 similar provision of a local ordinance, or under
16 Section 11-1.50, 12-3.2, or 12-15 of the Criminal
17 Code of 1961 or the Criminal Code of 2012, or a
18 similar provision of a local ordinance, shall not
19 be eligible for expungement until 5 years have
20 passed following the satisfactory termination of
21 the supervision.

22 (i-5) Those arrests or charges that resulted
23 in orders of supervision for a misdemeanor
24 violation of subsection (a) of Section 11-503 of
25 the Illinois Vehicle Code or a similar provision of
26 a local ordinance, that occurred prior to the

1 offender reaching the age of 25 years and the
2 offender has no other conviction for violating
3 Section 11-501 or 11-503 of the Illinois Vehicle
4 Code or a similar provision of a local ordinance
5 shall not be eligible for expungement until the
6 petitioner has reached the age of 25 years.

7 (ii) Those arrests or charges that resulted in
8 orders of supervision for any other offenses shall
9 not be eligible for expungement until 2 years have
10 passed following the satisfactory termination of
11 the supervision.

12 (C) When the arrest or charge not initiated by
13 arrest sought to be expunged resulted in an order of
14 qualified probation, successfully completed by the
15 petitioner, such records shall not be eligible for
16 expungement until 5 years have passed following the
17 satisfactory termination of the probation.

18 (3) Those records maintained by the Department for
19 persons arrested prior to their 17th birthday shall be
20 expunged as provided in Section 5-915 of the Juvenile Court
21 Act of 1987.

22 (4) Whenever a person has been arrested for or
23 convicted of any offense, in the name of a person whose
24 identity he or she has stolen or otherwise come into
25 possession of, the aggrieved person from whom the identity
26 was stolen or otherwise obtained without authorization,

1 upon learning of the person having been arrested using his
2 or her identity, may, upon verified petition to the chief
3 judge of the circuit wherein the arrest was made, have a
4 court order entered nunc pro tunc by the Chief Judge to
5 correct the arrest record, conviction record, if any, and
6 all official records of the arresting authority, the
7 Department, other criminal justice agencies, the
8 prosecutor, and the trial court concerning such arrest, if
9 any, by removing his or her name from all such records in
10 connection with the arrest and conviction, if any, and by
11 inserting in the records the name of the offender, if known
12 or ascertainable, in lieu of the aggrieved's name. The
13 records of the circuit court clerk shall be sealed until
14 further order of the court upon good cause shown and the
15 name of the aggrieved person obliterated on the official
16 index required to be kept by the circuit court clerk under
17 Section 16 of the Clerks of Courts Act, but the order shall
18 not affect any index issued by the circuit court clerk
19 before the entry of the order. Nothing in this Section
20 shall limit the Department of State Police or other
21 criminal justice agencies or prosecutors from listing
22 under an offender's name the false names he or she has
23 used.

24 (5) Whenever a person has been convicted of criminal
25 sexual assault, aggravated criminal sexual assault,
26 predatory criminal sexual assault of a child, criminal

1 sexual abuse, or aggravated criminal sexual abuse, the
2 victim of that offense may request that the State's
3 Attorney of the county in which the conviction occurred
4 file a verified petition with the presiding trial judge at
5 the petitioner's trial to have a court order entered to
6 seal the records of the circuit court clerk in connection
7 with the proceedings of the trial court concerning that
8 offense. However, the records of the arresting authority
9 and the Department of State Police concerning the offense
10 shall not be sealed. The court, upon good cause shown,
11 shall make the records of the circuit court clerk in
12 connection with the proceedings of the trial court
13 concerning the offense available for public inspection.

14 (6) If a conviction has been set aside on direct review
15 or on collateral attack and the court determines by clear
16 and convincing evidence that the petitioner was factually
17 innocent of the charge, the court that finds the petitioner
18 factually innocent of the charge shall enter an expungement
19 order for the conviction for which the petitioner has been
20 determined to be innocent as provided in subsection (b) of
21 Section 5-5-4 of the Unified Code of Corrections.

22 (7) Nothing in this Section shall prevent the
23 Department of State Police from maintaining all records of
24 any person who is admitted to probation upon terms and
25 conditions and who fulfills those terms and conditions
26 pursuant to Section 10 of the Cannabis Control Act, Section

1 410 of the Illinois Controlled Substances Act, Section 70
2 of the Methamphetamine Control and Community Protection
3 Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of
4 Corrections, Section 12-4.3 or subdivision (b)(1) of
5 Section 12-3.05 of the Criminal Code of 1961 or the
6 Criminal Code of 2012, Section 10-102 of the Illinois
7 Alcoholism and Other Drug Dependency Act, Section 40-10 of
8 the Alcoholism and Other Drug Abuse and Dependency Act, or
9 Section 10 of the Steroid Control Act.

10 (8) If the petitioner has been granted a certificate of
11 innocence under Section 2-702 of the Code of Civil
12 Procedure, the court that grants the certificate of
13 innocence shall also enter an order expunging the
14 conviction for which the petitioner has been determined to
15 be innocent as provided in subsection (h) of Section 2-702
16 of the Code of Civil Procedure.

17 (c) Sealing.

18 (1) Applicability. Notwithstanding any other provision
19 of this Act to the contrary, and cumulative with any rights
20 to expungement of criminal records, this subsection
21 authorizes the sealing of criminal records of adults and of
22 minors prosecuted as adults.

23 (2) Eligible Records. The following records may be
24 sealed:

25 (A) All arrests resulting in release without
26 charging;

1 (B) Arrests or charges not initiated by arrest
2 resulting in acquittal, dismissal, or conviction when
3 the conviction was reversed or vacated, except as
4 excluded by subsection (a) (3) (B);

5 (C) Arrests or charges not initiated by arrest
6 resulting in orders of supervision, including orders
7 of supervision for municipal ordinance violations,
8 successfully completed by the petitioner, unless
9 excluded by subsection (a) (3);

10 (D) Arrests or charges not initiated by arrest
11 resulting in convictions, including convictions on
12 municipal ordinance violations, unless excluded by
13 subsection (a) (3);

14 (E) Arrests or charges not initiated by arrest
15 resulting in orders of first offender probation under
16 Section 10 of the Cannabis Control Act, Section 410 of
17 the Illinois Controlled Substances Act, Section 70 of
18 the Methamphetamine Control and Community Protection
19 Act, or Section 5-6-3.3 of the Unified Code of
20 Corrections; and

21 (F) Arrests or charges not initiated by arrest
22 resulting in felony convictions for the following
23 offenses:

24 (i) Class 4 felony convictions for:

25 Prostitution under Section 11-14 of the
26 Criminal Code of 1961 or the Criminal Code of

1 2012.

2 Possession of cannabis under Section 4 of
3 the Cannabis Control Act.

4 Possession of a controlled substance under
5 Section 402 of the Illinois Controlled
6 Substances Act.

7 Offenses under the Methamphetamine
8 Precursor Control Act.

9 Offenses under the Steroid Control Act.

10 Theft under Section 16-1 of the Criminal
11 Code of 1961 or the Criminal Code of 2012.

12 Retail theft under Section 16A-3 or
13 paragraph (a) of 16-25 of the Criminal Code of
14 1961 or the Criminal Code of 2012.

15 Deceptive practices under Section 17-1 of
16 the Criminal Code of 1961 or the Criminal Code
17 of 2012.

18 Forgery under Section 17-3 of the Criminal
19 Code of 1961 or the Criminal Code of 2012.

20 Possession of burglary tools under Section
21 19-2 of the Criminal Code of 1961 or the
22 Criminal Code of 2012.

23 (ii) Class 3 felony convictions for:

24 Theft under Section 16-1 of the Criminal
25 Code of 1961 or the Criminal Code of 2012.

26 Retail theft under Section 16A-3 or

1 paragraph (a) of 16-25 of the Criminal Code of
2 1961 or the Criminal Code of 2012.

3 Deceptive practices under Section 17-1 of
4 the Criminal Code of 1961 or the Criminal Code
5 of 2012.

6 Forgery under Section 17-3 of the Criminal
7 Code of 1961 or the Criminal Code of 2012.

8 Possession with intent to manufacture or
9 deliver a controlled substance under Section
10 401 of the Illinois Controlled Substances Act.

11 (3) When Records Are Eligible to Be Sealed. Records
12 identified as eligible under subsection (c)(2) may be
13 sealed as follows:

14 (A) Records identified as eligible under
15 subsection (c)(2)(A) and (c)(2)(B) may be sealed at any
16 time.

17 (B) Records identified as eligible under
18 subsection (c)(2)(C) may be sealed (i) 3 years after
19 the termination of petitioner's last sentence (as
20 defined in subsection (a)(1)(F)) if the petitioner has
21 never been convicted of a criminal offense (as defined
22 in subsection (a)(1)(D)); or (ii) 4 years after the
23 termination of the petitioner's last sentence (as
24 defined in subsection (a)(1)(F)) if the petitioner has
25 ever been convicted of a criminal offense (as defined
26 in subsection (a)(1)(D)).

1 (C) Records identified as eligible under
2 subsections (c) (2) (D), (c) (2) (E), and (c) (2) (F) may be
3 sealed 4 years after the termination of the
4 petitioner's last sentence (as defined in subsection
5 (a) (1) (F)).

6 (D) Records identified in subsection
7 (a) (3) (A) (iii) may be sealed after the petitioner has
8 reached the age of 25 years.

9 (4) Subsequent felony convictions. A person may not
10 have subsequent felony conviction records sealed as
11 provided in this subsection (c) if he or she is convicted
12 of any felony offense after the date of the sealing of
13 prior felony convictions as provided in this subsection
14 (c). The court may, upon conviction for a subsequent felony
15 offense, order the unsealing of prior felony conviction
16 records previously ordered sealed by the court.

17 (5) Notice of eligibility for sealing. Upon entry of a
18 disposition for an eligible record under this subsection
19 (c), the petitioner shall be informed by the court of the
20 right to have the records sealed and the procedures for the
21 sealing of the records.

22 (d) Procedure. The following procedures apply to
23 expungement under subsections (b), (e), and (e-6) and sealing
24 under subsections (c) and (e-5):

25 (1) Filing the petition. Upon becoming eligible to
26 petition for the expungement or sealing of records under

1 this Section, the petitioner shall file a petition
2 requesting the expungement or sealing of records with the
3 clerk of the court where the arrests occurred or the
4 charges were brought, or both. If arrests occurred or
5 charges were brought in multiple jurisdictions, a petition
6 must be filed in each such jurisdiction. The petitioner
7 shall pay the applicable fee, if not waived.

8 (2) Contents of petition. The petition shall be
9 verified and shall contain the petitioner's name, date of
10 birth, current address and, for each arrest or charge not
11 initiated by arrest sought to be sealed or expunged, the
12 case number, the date of arrest (if any), the identity of
13 the arresting authority, and such other information as the
14 court may require. During the pendency of the proceeding,
15 the petitioner shall promptly notify the circuit court
16 clerk of any change of his or her address. If the
17 petitioner has received a certificate of eligibility for
18 sealing from the Prisoner Review Board under paragraph (10)
19 of subsection (a) of Section 3-3-2 of the Unified Code of
20 Corrections, the certificate shall be attached to the
21 petition.

22 (3) Drug test. The petitioner must attach to the
23 petition proof that the petitioner has passed a test taken
24 within 30 days before the filing of the petition showing
25 the absence within his or her body of all illegal
26 substances as defined by the Illinois Controlled

1 Substances Act, the Methamphetamine Control and Community
2 Protection Act, and the Cannabis Control Act if he or she
3 is petitioning to:

4 (A) seal felony records under clause (c) (2) (E);

5 (B) seal felony records for a violation of the
6 Illinois Controlled Substances Act, the
7 Methamphetamine Control and Community Protection Act,
8 or the Cannabis Control Act under clause (c) (2) (F);

9 (C) seal felony records under subsection (e-5); or

10 (D) expunge felony records of a qualified
11 probation under clause (b) (1) (B) (iv).

12 (4) Service of petition. The circuit court clerk shall
13 promptly serve a copy of the petition and documentation to
14 support the petition under subsection (e-5) or (e-6) on the
15 State's Attorney or prosecutor charged with the duty of
16 prosecuting the offense, the Department of State Police,
17 the arresting agency and the chief legal officer of the
18 unit of local government effecting the arrest.

19 (5) Objections.

20 (A) Any party entitled to notice of the petition
21 may file an objection to the petition. All objections
22 shall be in writing, shall be filed with the circuit
23 court clerk, and shall state with specificity the basis
24 of the objection. Whenever a person who has been
25 convicted of an offense is granted a pardon by the
26 Governor which specifically authorizes expungement, an

1 objection to the petition may not be filed.

2 (B) Objections to a petition to expunge or seal
3 must be filed within 60 days of the date of service of
4 the petition.

5 (6) Entry of order.

6 (A) The Chief Judge of the circuit wherein the
7 charge was brought, any judge of that circuit
8 designated by the Chief Judge, or in counties of less
9 than 3,000,000 inhabitants, the presiding trial judge
10 at the petitioner's trial, if any, shall rule on the
11 petition to expunge or seal as set forth in this
12 subsection (d) (6).

13 (B) Unless the State's Attorney or prosecutor, the
14 Department of State Police, the arresting agency, or
15 the chief legal officer files an objection to the
16 petition to expunge or seal within 60 days from the
17 date of service of the petition, the court shall enter
18 an order granting or denying the petition.

19 (7) Hearings. If an objection is filed, the court shall
20 set a date for a hearing and notify the petitioner and all
21 parties entitled to notice of the petition of the hearing
22 date at least 30 days prior to the hearing. Prior to the
23 hearing, the State's Attorney shall consult with the
24 Department as to the appropriateness of the relief sought
25 in the petition to expunge or seal. At the hearing, the
26 court shall hear evidence on whether the petition should or

1 should not be granted, and shall grant or deny the petition
2 to expunge or seal the records based on the evidence
3 presented at the hearing. The court may consider the
4 following:

5 (A) the strength of the evidence supporting the
6 defendant's conviction;

7 (B) the reasons for retention of the conviction
8 records by the State;

9 (C) the petitioner's age, criminal record history,
10 and employment history;

11 (D) the period of time between the petitioner's
12 arrest on the charge resulting in the conviction and
13 the filing of the petition under this Section; and

14 (E) the specific adverse consequences the
15 petitioner may be subject to if the petition is denied.

16 (8) Service of order. After entering an order to
17 expunge or seal records, the court must provide copies of
18 the order to the Department, in a form and manner
19 prescribed by the Department, to the petitioner, to the
20 State's Attorney or prosecutor charged with the duty of
21 prosecuting the offense, to the arresting agency, to the
22 chief legal officer of the unit of local government
23 effecting the arrest, and to such other criminal justice
24 agencies as may be ordered by the court.

25 (9) Implementation of order.

26 (A) Upon entry of an order to expunge records

1 pursuant to (b) (2) (A) or (b) (2) (B) (ii), or both:

2 (i) the records shall be expunged (as defined
3 in subsection (a) (1) (E)) by the arresting agency,
4 the Department, and any other agency as ordered by
5 the court, within 60 days of the date of service of
6 the order, unless a motion to vacate, modify, or
7 reconsider the order is filed pursuant to
8 paragraph (12) of subsection (d) of this Section;

9 (ii) the records of the circuit court clerk
10 shall be impounded until further order of the court
11 upon good cause shown and the name of the
12 petitioner obliterated on the official index
13 required to be kept by the circuit court clerk
14 under Section 16 of the Clerks of Courts Act, but
15 the order shall not affect any index issued by the
16 circuit court clerk before the entry of the order;
17 and

18 (iii) in response to an inquiry for expunged
19 records, the court, the Department, or the agency
20 receiving such inquiry, shall reply as it does in
21 response to inquiries when no records ever
22 existed.

23 (B) Upon entry of an order to expunge records
24 pursuant to (b) (2) (B) (i) or (b) (2) (C), or both:

25 (i) the records shall be expunged (as defined
26 in subsection (a) (1) (E)) by the arresting agency

1 and any other agency as ordered by the court,
2 within 60 days of the date of service of the order,
3 unless a motion to vacate, modify, or reconsider
4 the order is filed pursuant to paragraph (12) of
5 subsection (d) of this Section;

6 (ii) the records of the circuit court clerk
7 shall be impounded until further order of the court
8 upon good cause shown and the name of the
9 petitioner obliterated on the official index
10 required to be kept by the circuit court clerk
11 under Section 16 of the Clerks of Courts Act, but
12 the order shall not affect any index issued by the
13 circuit court clerk before the entry of the order;

14 (iii) the records shall be impounded by the
15 Department within 60 days of the date of service of
16 the order as ordered by the court, unless a motion
17 to vacate, modify, or reconsider the order is filed
18 pursuant to paragraph (12) of subsection (d) of
19 this Section;

20 (iv) records impounded by the Department may
21 be disseminated by the Department only as required
22 by law or to the arresting authority, the State's
23 Attorney, and the court upon a later arrest for the
24 same or a similar offense or for the purpose of
25 sentencing for any subsequent felony, and to the
26 Department of Corrections upon conviction for any

1 offense; and

2 (v) in response to an inquiry for such records
3 from anyone not authorized by law to access such
4 records, the court, the Department, or the agency
5 receiving such inquiry shall reply as it does in
6 response to inquiries when no records ever
7 existed.

8 (B-5) Upon entry of an order to expunge records
9 under subsection (e-6):

10 (i) the records shall be expunged (as defined
11 in subsection (a)(1)(E)) by the arresting agency
12 and any other agency as ordered by the court,
13 within 60 days of the date of service of the order,
14 unless a motion to vacate, modify, or reconsider
15 the order is filed under paragraph (12) of
16 subsection (d) of this Section;

17 (ii) the records of the circuit court clerk
18 shall be impounded until further order of the court
19 upon good cause shown and the name of the
20 petitioner obliterated on the official index
21 required to be kept by the circuit court clerk
22 under Section 16 of the Clerks of Courts Act, but
23 the order shall not affect any index issued by the
24 circuit court clerk before the entry of the order;

25 (iii) the records shall be impounded by the
26 Department within 60 days of the date of service of

1 the order as ordered by the court, unless a motion
2 to vacate, modify, or reconsider the order is filed
3 under paragraph (12) of subsection (d) of this
4 Section;

5 (iv) records impounded by the Department may
6 be disseminated by the Department only as required
7 by law or to the arresting authority, the State's
8 Attorney, and the court upon a later arrest for the
9 same or a similar offense or for the purpose of
10 sentencing for any subsequent felony, and to the
11 Department of Corrections upon conviction for any
12 offense; and

13 (v) in response to an inquiry for these records
14 from anyone not authorized by law to access the
15 records, the court, the Department, or the agency
16 receiving the inquiry shall reply as it does in
17 response to inquiries when no records ever
18 existed.

19 (C) Upon entry of an order to seal records under
20 subsection (c), the arresting agency, any other agency
21 as ordered by the court, the Department, and the court
22 shall seal the records (as defined in subsection
23 (a)(1)(K)). In response to an inquiry for such records
24 from anyone not authorized by law to access such
25 records, the court, the Department, or the agency
26 receiving such inquiry shall reply as it does in

1 response to inquiries when no records ever existed.

2 (D) The Department shall send written notice to the
3 petitioner of its compliance with each order to expunge
4 or seal records within 60 days of the date of service
5 of that order or, if a motion to vacate, modify, or
6 reconsider is filed, within 60 days of service of the
7 order resolving the motion, if that order requires the
8 Department to expunge or seal records. In the event of
9 an appeal from the circuit court order, the Department
10 shall send written notice to the petitioner of its
11 compliance with an Appellate Court or Supreme Court
12 judgment to expunge or seal records within 60 days of
13 the issuance of the court's mandate. The notice is not
14 required while any motion to vacate, modify, or
15 reconsider, or any appeal or petition for
16 discretionary appellate review, is pending.

17 (10) Fees. The Department may charge the petitioner a
18 fee equivalent to the cost of processing any order to
19 expunge or seal records. Notwithstanding any provision of
20 the Clerks of Courts Act to the contrary, the circuit court
21 clerk may charge a fee equivalent to the cost associated
22 with the sealing or expungement of records by the circuit
23 court clerk. From the total filing fee collected for the
24 petition to seal or expunge, the circuit court clerk shall
25 deposit \$10 into the Circuit Court Clerk Operation and
26 Administrative Fund, to be used to offset the costs

1 incurred by the circuit court clerk in performing the
2 additional duties required to serve the petition to seal or
3 expunge on all parties. The circuit court clerk shall
4 collect and forward the Department of State Police portion
5 of the fee to the Department and it shall be deposited in
6 the State Police Services Fund.

7 (11) Final Order. No court order issued under the
8 expungement or sealing provisions of this Section shall
9 become final for purposes of appeal until 30 days after
10 service of the order on the petitioner and all parties
11 entitled to notice of the petition.

12 (12) Motion to Vacate, Modify, or Reconsider. Under
13 Section 2-1203 of the Code of Civil Procedure, the
14 petitioner or any party entitled to notice may file a
15 motion to vacate, modify, or reconsider the order granting
16 or denying the petition to expunge or seal within 60 days
17 of service of the order. If filed more than 60 days after
18 service of the order, a petition to vacate, modify, or
19 reconsider shall comply with subsection (c) of Section
20 2-1401 of the Code of Civil Procedure. Upon filing of a
21 motion to vacate, modify, or reconsider, notice of the
22 motion shall be served upon the petitioner and all parties
23 entitled to notice of the petition.

24 (13) Effect of Order. An order granting a petition
25 under the expungement or sealing provisions of this Section
26 shall not be considered void because it fails to comply

1 with the provisions of this Section or because of any error
2 asserted in a motion to vacate, modify, or reconsider. The
3 circuit court retains jurisdiction to determine whether
4 the order is voidable and to vacate, modify, or reconsider
5 its terms based on a motion filed under paragraph (12) of
6 this subsection (d).

7 (14) Compliance with Order Granting Petition to Seal
8 Records. Unless a court has entered a stay of an order
9 granting a petition to seal, all parties entitled to notice
10 of the petition must fully comply with the terms of the
11 order within 60 days of service of the order even if a
12 party is seeking relief from the order through a motion
13 filed under paragraph (12) of this subsection (d) or is
14 appealing the order.

15 (15) Compliance with Order Granting Petition to
16 Expunge Records. While a party is seeking relief from the
17 order granting the petition to expunge through a motion
18 filed under paragraph (12) of this subsection (d) or is
19 appealing the order, and unless a court has entered a stay
20 of that order, the parties entitled to notice of the
21 petition must seal, but need not expunge, the records until
22 there is a final order on the motion for relief or, in the
23 case of an appeal, the issuance of that court's mandate.

24 (16) The changes to this subsection (d) made by Public
25 Act 98-163 apply to all petitions pending on August 5, 2013
26 (the effective date of Public Act 98-163) and to all orders

1 ruling on a petition to expunge or seal on or after August
2 5, 2013 (the effective date of Public Act 98-163).

3 (e) Whenever a person who has been convicted of an offense
4 is granted a pardon by the Governor which specifically
5 authorizes expungement, he or she may, upon verified petition
6 to the Chief Judge of the circuit where the person had been
7 convicted, any judge of the circuit designated by the Chief
8 Judge, or in counties of less than 3,000,000 inhabitants, the
9 presiding trial judge at the defendant's trial, have a court
10 order entered expunging the record of arrest from the official
11 records of the arresting authority and order that the records
12 of the circuit court clerk and the Department be sealed until
13 further order of the court upon good cause shown or as
14 otherwise provided herein, and the name of the defendant
15 obliterated from the official index requested to be kept by the
16 circuit court clerk under Section 16 of the Clerks of Courts
17 Act in connection with the arrest and conviction for the
18 offense for which he or she had been pardoned but the order
19 shall not affect any index issued by the circuit court clerk
20 before the entry of the order. All records sealed by the
21 Department may be disseminated by the Department only to the
22 arresting authority, the State's Attorney, and the court upon a
23 later arrest for the same or similar offense or for the purpose
24 of sentencing for any subsequent felony. Upon conviction for
25 any subsequent offense, the Department of Corrections shall
26 have access to all sealed records of the Department pertaining

1 to that individual. Upon entry of the order of expungement, the
2 circuit court clerk shall promptly mail a copy of the order to
3 the person who was pardoned.

4 (e-5) Whenever a person who has been convicted of an
5 offense is granted a certificate of eligibility for sealing by
6 the Prisoner Review Board which specifically authorizes
7 sealing, he or she may, upon verified petition to the Chief
8 Judge of the circuit where the person had been convicted, any
9 judge of the circuit designated by the Chief Judge, or in
10 counties of less than 3,000,000 inhabitants, the presiding
11 trial judge at the petitioner's trial, have a court order
12 entered sealing the record of arrest from the official records
13 of the arresting authority and order that the records of the
14 circuit court clerk and the Department be sealed until further
15 order of the court upon good cause shown or as otherwise
16 provided herein, and the name of the petitioner obliterated
17 from the official index requested to be kept by the circuit
18 court clerk under Section 16 of the Clerks of Courts Act in
19 connection with the arrest and conviction for the offense for
20 which he or she had been granted the certificate but the order
21 shall not affect any index issued by the circuit court clerk
22 before the entry of the order. All records sealed by the
23 Department may be disseminated by the Department only as
24 required by this Act or to the arresting authority, a law
25 enforcement agency, the State's Attorney, and the court upon a
26 later arrest for the same or similar offense or for the purpose

1 of sentencing for any subsequent felony. Upon conviction for
2 any subsequent offense, the Department of Corrections shall
3 have access to all sealed records of the Department pertaining
4 to that individual. Upon entry of the order of sealing, the
5 circuit court clerk shall promptly mail a copy of the order to
6 the person who was granted the certificate of eligibility for
7 sealing.

8 (e-6) Whenever a person who has been convicted of an
9 offense is granted a certificate of eligibility for expungement
10 by the Prisoner Review Board which specifically authorizes
11 expungement, he or she may, upon verified petition to the Chief
12 Judge of the circuit where the person had been convicted, any
13 judge of the circuit designated by the Chief Judge, or in
14 counties of less than 3,000,000 inhabitants, the presiding
15 trial judge at the petitioner's trial, have a court order
16 entered expunging the record of arrest from the official
17 records of the arresting authority and order that the records
18 of the circuit court clerk and the Department be sealed until
19 further order of the court upon good cause shown or as
20 otherwise provided herein, and the name of the petitioner
21 obliterated from the official index requested to be kept by the
22 circuit court clerk under Section 16 of the Clerks of Courts
23 Act in connection with the arrest and conviction for the
24 offense for which he or she had been granted the certificate
25 but the order shall not affect any index issued by the circuit
26 court clerk before the entry of the order. All records sealed

1 by the Department may be disseminated by the Department only as
2 required by this Act or to the arresting authority, a law
3 enforcement agency, the State's Attorney, and the court upon a
4 later arrest for the same or similar offense or for the purpose
5 of sentencing for any subsequent felony. Upon conviction for
6 any subsequent offense, the Department of Corrections shall
7 have access to all expunged records of the Department
8 pertaining to that individual. Upon entry of the order of
9 expungement, the circuit court clerk shall promptly mail a copy
10 of the order to the person who was granted the certificate of
11 eligibility for expungement.

12 (f) Subject to available funding, the Illinois Department
13 of Corrections shall conduct a study of the impact of sealing,
14 especially on employment and recidivism rates, utilizing a
15 random sample of those who apply for the sealing of their
16 criminal records under Public Act 93-211. At the request of the
17 Illinois Department of Corrections, records of the Illinois
18 Department of Employment Security shall be utilized as
19 appropriate to assist in the study. The study shall not
20 disclose any data in a manner that would allow the
21 identification of any particular individual or employing unit.
22 The study shall be made available to the General Assembly no
23 later than September 1, 2010.

24 (Source: P.A. 97-443, eff. 8-19-11; 97-698, eff. 1-1-13;
25 97-1026, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1109, eff.
26 1-1-13; 97-1118, eff. 1-1-13; 97-1120, eff. 1-1-13; 97-1150,

1 eff. 1-25-13; 98-133, eff. 1-1-14; 98-142, eff. 1-1-14; 98-163,
 2 eff. 8-5-13; 98-164, eff. 1-1-14; 98-399, eff. 8-16-13; 98-635,
 3 eff. 1-1-15; 98-637, eff. 1-1-15; 98-756, eff. 7-16-14;
 4 98-1009, eff. 1-1-15; revised 9-30-14.)

5 Section 10. The Clerks of Courts Act is amended by changing
 6 Sections 16, 27.1a, 27.2a, and 27.3b as follows:

7 (705 ILCS 105/16) (from Ch. 25, par. 16)

8 Sec. 16. Records kept by the clerks of the circuit courts
 9 are subject to the provisions of "The Local Records Act",
 10 approved August 18, 1961, as amended.

11 Unless otherwise provided by rule or administrative order
 12 of the Supreme Court, the respective clerks of the circuit
 13 courts shall keep in their offices the following books:

14 1. A general docket, upon which shall be entered all suits,
 15 in the order in which they are commenced.

16 2. Two well-bound books, to be denominated "Plaintiff's
 17 Index to Court Records," and "Defendant's Index to Court
 18 Records" to be ruled and printed substantially in the following
 19 manner:

20

21	Plaintiffs	Defendants	Kind of	Date	Record	Pages
22			Action	Commenced	Book	
23					
24					

1
2

Date of Judgment

judgment docket

4
5

Book Page

6
7

CertificateSatisfied

Certificate Certificate of or not Number

of levy of sale redemption satisfied of case

10
11

Fee Book Book Page Book Page Book Page

12
13

All cases shall be entered in such books, in alphabetical order, by the name of each plaintiff and defendant. The books shall set forth the names of the parties, kind of action, date commenced, the record books and pages on which the cases are recorded, the date of judgment, books and pages of the judgment dockets, fee book, certificates of levy, sale and redemption records on which they are entered satisfied or not satisfied, and number of case. The defendant's index shall be ruled and printed in the same manner as the plaintiff's except the parties shall be reversed.

23 3. Proper books of record, with indices, showing the names
24 of all parties to any action or judgment therein recorded, with
25 a reference to the page where it is recorded.

26 4. A judgment docket, in which all final judgments (except

1 child support orders as hereinafter provided) shall be minuted
2 at the time they are entered, or within 60 days thereafter in
3 alphabetical order, by the name of every person against whom
4 the judgment is entered, showing, in the proper columns ruled
5 for that purpose, the names of the parties, the date, nature of
6 the judgment, amount of the judgment and costs in separate
7 items, for which it is issued, to whom issued, when returned,
8 and the manner of its enforcement; a blank column shall be kept
9 in which may be entered a note of the satisfaction or other
10 disposition of the judgment or order and when satisfied by
11 enforcement or otherwise, or set aside or enjoined; the clerk
12 shall enter a minute thereof in such column, showing how
13 disposed of, the date and the book and page, where the evidence
14 thereof is to be found. In the case of child support orders or
15 modifications of such orders entered on or after May 1, 1987,
16 the clerk shall minute such orders or modifications in the
17 manner and form provided herein but shall not minute every
18 child support installment when due or every child support
19 payment when made. Such dockets may be searched by persons, at
20 all reasonable times without fee.

21 5. A fee book, in which shall be distinctly set down, in
22 items, the proper title of the cause and heads, the cost of
23 each action, including clerk's, sheriff's and witness' fees,
24 stating the name of each witness having claimed attendance in
25 respect of the trial or hearing of such action with the number
26 of days attended. It shall not be necessary to insert the cost

1 in the judgment; but whenever an action is determined and final
2 judgment entered, the costs of each party litigant shall be
3 made up and entered in such fee book, which shall be considered
4 a part of the record and judgment, subject, however, at all
5 times to be corrected by the court; and the prevailing party
6 shall be considered as having recovered judgment for the amount
7 of the costs so taxed in his or her favor, and the same shall be
8 included in the certified copy of such judgment, and a bill
9 thereof accompanying certified copy of the judgment. If any
10 clerk shall issue a fee bill or a bill of costs, with the
11 certified copy of the judgment without first entering the same
12 in the fee book, or if any such bill of costs or fee bill shall
13 be issued which shall not be in substance a copy of the
14 recorded bill, the same shall be void. Any person having paid
15 such bill of costs or fee bill, may recover from the clerk the
16 amount thereof, with costs of the action, in any circuit court.

17 6. Such other books of record and entry as are provided by
18 law, or may be required in the proper performance of their
19 duties. All records, dockets and books required by law to be
20 kept by such clerks shall be deemed public records, and shall
21 at all times be open to inspection without fee or reward, and
22 all persons shall have free access for inspection and
23 examination to such records, docket and books, and also to all
24 papers on file in the different clerks' offices and shall have
25 the right to take memoranda and abstracts thereto.

26 7. Upon final disposition and payment of all fines and

1 costs in relation to a regulatory offense after a court
2 appearance before a judge, the judge shall order the sealing of
3 the records of or relating to the regulatory offense from the
4 official records kept by the circuit court clerk, as well as
5 the obliteration of the name of the defendant from the official
6 index requested to be kept by the circuit court clerk under
7 this Section. Upon final disposition and payment of all fines
8 and costs in relation to a regulatory offense when a court
9 appearance before a judge did not occur, the circuit court
10 clerk shall immediately seek a court order to seal the records
11 of or relating to the regulatory offense from the official
12 records kept by the circuit court clerk, as well as the
13 obliteration of the name of the defendant from the official
14 index requested to be kept by the circuit court clerk under
15 this Section. Upon entry of a sealing order, no information of
16 any character relating to its records shall be given or
17 furnished by the circuit court clerk to any person, bureau, or
18 institution other than as provided in this Act or other State
19 law, or when a governmental unit is required by state or
20 federal law to consider this information in the performance of
21 its duties. The circuit court clerk shall retain the records
22 sealed under this clause 7. The sealed records maintained under
23 this clause; however, are exempt from disclosure under the
24 Freedom of Information Act.

25 (Source: P.A. 85-1156.)

1 (705 ILCS 105/27.1a) (from Ch. 25, par. 27.1a)

2 Sec. 27.1a. The fees of the clerks of the circuit court in
3 all counties having a population of not more than 500,000
4 inhabitants in the instances described in this Section shall be
5 as provided in this Section. In those instances where a minimum
6 and maximum fee is stated, the clerk of the circuit court must
7 charge the minimum fee listed and may charge up to the maximum
8 fee if the county board has by resolution increased the fee.
9 The fees shall be paid in advance and shall be as follows:

10 (a) Civil Cases.

11 The fee for filing a complaint, petition, or other
12 pleading initiating a civil action, with the following
13 exceptions, shall be a minimum of \$40 and a maximum of
14 \$160.

15 (A) When the amount of money or damages or the
16 value of personal property claimed does not exceed
17 \$250, \$10.

18 (B) When that amount exceeds \$250 but does not
19 exceed \$500, a minimum of \$10 and a maximum of \$20.

20 (C) When that amount exceeds \$500 but does not
21 exceed \$2500, a minimum of \$25 and a maximum of \$40.

22 (D) When that amount exceeds \$2500 but does not
23 exceed \$15,000, a minimum of \$25 and a maximum of \$75.

24 (E) For the exercise of eminent domain, a minimum
25 of \$45 and a maximum of \$150. For each additional lot
26 or tract of land or right or interest therein subject

1 to be condemned, the damages in respect to which shall
2 require separate assessment by a jury, a minimum of \$45
3 and a maximum of \$150.

4 (a-1) Family.

5 For filing a petition under the Juvenile Court Act of
6 1987, \$25.

7 For filing a petition for a marriage license, \$10.

8 For performing a marriage in court, \$10.

9 For filing a petition under the Illinois Parentage Act
10 of 1984, \$40.

11 (b) Forcible Entry and Detainer.

12 In each forcible entry and detainer case when the
13 plaintiff seeks possession only or unites with his or her
14 claim for possession of the property a claim for rent or
15 damages or both in the amount of \$15,000 or less, a minimum
16 of \$10 and a maximum of \$50. When the plaintiff unites his
17 or her claim for possession with a claim for rent or
18 damages or both exceeding \$15,000, a minimum of \$40 and a
19 maximum of \$160.

20 (c) Counterclaim or Joining Third Party Defendant.

21 When any defendant files a counterclaim as part of his
22 or her answer or otherwise or joins another party as a
23 third party defendant, or both, the defendant shall pay a
24 fee for each counterclaim or third party action in an
25 amount equal to the fee he or she would have had to pay had
26 he or she brought a separate action for the relief sought

1 in the counterclaim or against the third party defendant,
2 less the amount of the appearance fee, if that has been
3 paid.

4 (d) Confession of Judgment.

5 In a confession of judgment when the amount does not
6 exceed \$1500, a minimum of \$20 and a maximum of \$50. When
7 the amount exceeds \$1500, but does not exceed \$15,000, a
8 minimum of \$40 and a maximum of \$115. When the amount
9 exceeds \$15,000, a minimum of \$40 and a maximum of \$200.

10 (e) Appearance.

11 The fee for filing an appearance in each civil case
12 shall be a minimum of \$15 and a maximum of \$60, except as
13 follows:

14 (A) When the plaintiff in a forcible entry and
15 detainer case seeks possession only, a minimum of \$10
16 and a maximum of \$50.

17 (B) When the amount in the case does not exceed
18 \$1500, a minimum of \$10 and a maximum of \$30.

19 (C) When that amount exceeds \$1500 but does not
20 exceed \$15,000, a minimum of \$15 and a maximum of \$60.

21 (f) Garnishment, Wage Deduction, and Citation.

22 In garnishment affidavit, wage deduction affidavit,
23 and citation petition when the amount does not exceed
24 \$1,000, a minimum of \$5 and a maximum of \$15; when the
25 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
26 of \$5 and a maximum of \$30; and when the amount exceeds

1 \$5,000, a minimum of \$5 and a maximum of \$50.

2 (g) Petition to Vacate or Modify.

3 (1) Petition to vacate or modify any final judgment or
4 order of court, except in forcible entry and detainer cases
5 and small claims cases or a petition to reopen an estate,
6 to modify, terminate, or enforce a judgment or order for
7 child or spousal support, or to modify, suspend, or
8 terminate an order for withholding, if filed before 30 days
9 after the entry of the judgment or order, a minimum of \$20
10 and a maximum of \$50.

11 (2) Petition to vacate or modify any final judgment or
12 order of court, except a petition to modify, terminate, or
13 enforce a judgment or order for child or spousal support or
14 to modify, suspend, or terminate an order for withholding,
15 if filed later than 30 days after the entry of the judgment
16 or order, a minimum of \$20 and a maximum of \$75.

17 (3) Petition to vacate order of bond forfeiture, a
18 minimum of \$10 and a maximum of \$40.

19 (h) Mailing.

20 When the clerk is required to mail, the fee will be a
21 minimum of \$2 and a maximum of \$10, plus the cost of
22 postage.

23 (i) Certified Copies.

24 Each certified copy of a judgment after the first,
25 except in small claims and forcible entry and detainer
26 cases, a minimum of \$2 and a maximum of \$10.

1 (j) Habeas Corpus.

2 For filing a petition for relief by habeas corpus, a
3 minimum of \$60 and a maximum of \$100.

4 (k) Certification, Authentication, and Reproduction.

5 (1) Each certification or authentication for taking
6 the acknowledgment of a deed or other instrument in writing
7 with the seal of office, a minimum of \$2 and a maximum of
8 \$6.

9 (2) Court appeals when original documents are
10 forwarded, under 100 pages, plus delivery and costs, a
11 minimum of \$20 and a maximum of \$60.

12 (3) Court appeals when original documents are
13 forwarded, over 100 pages, plus delivery and costs, a
14 minimum of \$50 and a maximum of \$150.

15 (4) Court appeals when original documents are
16 forwarded, over 200 pages, an additional fee of a minimum
17 of 20 cents and a maximum of 25 cents per page.

18 (5) For reproduction of any document contained in the
19 clerk's files:

20 (A) First page, a minimum of \$1 and a maximum of
21 \$2.

22 (B) Next 19 pages, 50 cents per page.

23 (C) All remaining pages, 25 cents per page.

24 (l) Remands.

25 In any cases remanded to the Circuit Court from the
26 Supreme Court or the Appellate Court for a new trial, the

1 clerk shall file the remanding order and reinstate the case
2 with either its original number or a new number. The Clerk
3 shall not charge any new or additional fee for the
4 reinstatement. Upon reinstatement the Clerk shall advise
5 the parties of the reinstatement. A party shall have the
6 same right to a jury trial on remand and reinstatement as
7 he or she had before the appeal, and no additional or new
8 fee or charge shall be made for a jury trial after remand.

9 (m) Record Search.

10 For each record search, within a division or municipal
11 district, the clerk shall be entitled to a search fee of a
12 minimum of \$4 and a maximum of \$6 for each year searched.

13 (n) Hard Copy.

14 For each page of hard copy print output, when case
15 records are maintained on an automated medium, the clerk
16 shall be entitled to a fee of a minimum of \$4 and a maximum
17 of \$6.

18 (o) Index Inquiry and Other Records.

19 No fee shall be charged for a single
20 plaintiff/defendant index inquiry or single case record
21 inquiry when this request is made in person and the records
22 are maintained in a current automated medium, and when no
23 hard copy print output is requested. The fees to be charged
24 for management records, multiple case records, and
25 multiple journal records may be specified by the Chief
26 Judge pursuant to the guidelines for access and

1 dissemination of information approved by the Supreme
2 Court.

3 (p) (Blank).

4 (q) Alias Summons.

5 For each alias summons or citation issued by the clerk,
6 a minimum of \$2 and a maximum of \$5.

7 (r) Other Fees.

8 Any fees not covered in this Section shall be set by
9 rule or administrative order of the Circuit Court with the
10 approval of the Administrative Office of the Illinois
11 Courts.

12 The clerk of the circuit court may provide additional
13 services for which there is no fee specified by statute in
14 connection with the operation of the clerk's office as may
15 be requested by the public and agreed to by the clerk and
16 approved by the chief judge of the circuit court. Any
17 charges for additional services shall be as agreed to
18 between the clerk and the party making the request and
19 approved by the chief judge of the circuit court. Nothing
20 in this subsection shall be construed to require any clerk
21 to provide any service not otherwise required by law.

22 (s) Jury Services.

23 The clerk shall be entitled to receive, in addition to
24 other fees allowed by law, the sum of a minimum of \$62.50
25 and a maximum of \$212.50, as a fee for the services of a
26 jury in every civil action not quasi-criminal in its nature

1 and not a proceeding for the exercise of the right of
2 eminent domain and in every other action wherein the right
3 of trial by jury is or may be given by law. The jury fee
4 shall be paid by the party demanding a jury at the time of
5 filing the jury demand. If the fee is not paid by either
6 party, no jury shall be called in the action or proceeding,
7 and the same shall be tried by the court without a jury.

8 (t) Voluntary Assignment.

9 For filing each deed of voluntary assignment, a minimum
10 of \$10 and a maximum of \$20; for recording the same, a
11 minimum of 25 cents and a maximum of 50 cents for each 100
12 words. Exceptions filed to claims presented to an assignee
13 of a debtor who has made a voluntary assignment for the
14 benefit of creditors shall be considered and treated, for
15 the purpose of taxing costs therein, as actions in which
16 the party or parties filing the exceptions shall be
17 considered as party or parties plaintiff, and the claimant
18 or claimants as party or parties defendant, and those
19 parties respectively shall pay to the clerk the same fees
20 as provided by this Section to be paid in other actions.

21 (u) Expungement Petition.

22 The clerk shall be entitled to receive a fee of a
23 minimum of \$15 and a maximum of \$60 for each expungement
24 petition filed and an additional fee of a minimum of \$2 and
25 a maximum of \$4 for each certified copy of an order to
26 expunge arrest records.

1 (v) Probate.

2 The clerk is entitled to receive the fees specified in
3 this subsection (v), which shall be paid in advance, except
4 that, for good cause shown, the court may suspend, reduce,
5 or release the costs payable under this subsection:

6 (1) For administration of the estate of a decedent
7 (whether testate or intestate) or of a missing person, a
8 minimum of \$50 and a maximum of \$150, plus the fees
9 specified in subsection (v) (3), except:

10 (A) When the value of the real and personal
11 property does not exceed \$15,000, the fee shall be a
12 minimum of \$25 and a maximum of \$40.

13 (B) When (i) proof of heirship alone is made, (ii)
14 a domestic or foreign will is admitted to probate
15 without administration (including proof of heirship),
16 or (iii) letters of office are issued for a particular
17 purpose without administration of the estate, the fee
18 shall be a minimum of \$10 and a maximum of \$40.

19 (C) For filing a petition to sell Real Estate, \$50.

20 (2) For administration of the estate of a ward, a
21 minimum of \$50 and a maximum of \$75, plus the fees
22 specified in subsection (v) (3), except:

23 (A) When the value of the real and personal
24 property does not exceed \$15,000, the fee shall be a
25 minimum of \$25 and a maximum of \$40.

26 (B) When (i) letters of office are issued to a

1 guardian of the person or persons, but not of the
2 estate or (ii) letters of office are issued in the
3 estate of a ward without administration of the estate,
4 including filing or joining in the filing of a tax
5 return or releasing a mortgage or consenting to the
6 marriage of the ward, the fee shall be a minimum of \$10
7 and a maximum of \$20.

8 (C) For filing a Petition to sell Real Estate, \$50.

9 (3) In addition to the fees payable under subsection
10 (v) (1) or (v) (2) of this Section, the following fees are
11 payable:

12 (A) For each account (other than one final account)
13 filed in the estate of a decedent, or ward, a minimum
14 of \$10 and a maximum of \$25.

15 (B) For filing a claim in an estate when the amount
16 claimed is \$150 or more but less than \$500, a minimum
17 of \$10 and a maximum of \$25; when the amount claimed is
18 \$500 or more but less than \$10,000, a minimum of \$10
19 and a maximum of \$40; when the amount claimed is
20 \$10,000 or more, a minimum of \$10 and a maximum of \$60;
21 provided that the court in allowing a claim may add to
22 the amount allowed the filing fee paid by the claimant.

23 (C) For filing in an estate a claim, petition, or
24 supplemental proceeding based upon an action seeking
25 equitable relief including the construction or contest
26 of a will, enforcement of a contract to make a will,

1 and proceedings involving testamentary trusts or the
2 appointment of testamentary trustees, a minimum of \$40
3 and a maximum of \$60.

4 (D) For filing in an estate (i) the appearance of
5 any person for the purpose of consent or (ii) the
6 appearance of an executor, administrator,
7 administrator to collect, guardian, guardian ad litem,
8 or special administrator, no fee.

9 (E) Except as provided in subsection (v) (3) (D),
10 for filing the appearance of any person or persons, a
11 minimum of \$10 and a maximum of \$30.

12 (F) For each jury demand, a minimum of \$62.50 and a
13 maximum of \$137.50.

14 (G) For disposition of the collection of a judgment
15 or settlement of an action or claim for wrongful death
16 of a decedent or of any cause of action of a ward, when
17 there is no other administration of the estate, a
18 minimum of \$30 and a maximum of \$50, less any amount
19 paid under subsection (v) (1) (B) or (v) (2) (B) except
20 that if the amount involved does not exceed \$5,000, the
21 fee, including any amount paid under subsection
22 (v) (1) (B) or (v) (2) (B), shall be a minimum of \$10 and a
23 maximum of \$20.

24 (H) For each certified copy of letters of office,
25 of court order or other certification, a minimum of \$1
26 and a maximum of \$2, plus a minimum of 50 cents and a

1 maximum of \$1 per page in excess of 3 pages for the
2 document certified.

3 (I) For each exemplification, a minimum of \$1 and a
4 maximum of \$2, plus the fee for certification.

5 (4) The executor, administrator, guardian, petitioner,
6 or other interested person or his or her attorney shall pay
7 the cost of publication by the clerk directly to the
8 newspaper.

9 (5) The person on whose behalf a charge is incurred for
10 witness, court reporter, appraiser, or other miscellaneous
11 fee shall pay the same directly to the person entitled
12 thereto.

13 (6) The executor, administrator, guardian, petitioner,
14 or other interested person or his or her attorney shall pay
15 to the clerk all postage charges incurred by the clerk in
16 mailing petitions, orders, notices, or other documents
17 pursuant to the provisions of the Probate Act of 1975.

18 (w) Criminal and Quasi-Criminal Costs and Fees.

19 (1) The clerk shall be entitled to costs in all
20 criminal and quasi-criminal cases from each person
21 convicted or sentenced to supervision therein as follows:

22 (A) Felony complaints, a minimum of \$40 and a
23 maximum of \$100.

24 (B) Misdemeanor complaints, a minimum of \$25 and a
25 maximum of \$75.

26 (C) Business offense complaints, a minimum of \$25

1 and a maximum of \$75.

2 (D) Petty offense complaints, a minimum of \$25 and
3 a maximum of \$75.

4 (E) Minor traffic or ordinance violations, \$10.

5 (E-5) Regulatory offense violations, \$10.

6 (F) When court appearance required, \$15.

7 (G) Motions to vacate or amend final orders, a
8 minimum of \$20 and a maximum of \$40.

9 (H) Motions to vacate bond forfeiture orders, a
10 minimum of \$20 and a maximum of \$40.

11 (I) Motions to vacate ex parte judgments, whenever
12 filed, a minimum of \$20 and a maximum of \$40.

13 (J) Motions to vacate judgment on forfeitures,
14 whenever filed, a minimum of \$20 and a maximum of \$40.

15 (K) Motions to vacate "failure to appear" or
16 "failure to comply" notices sent to the Secretary of
17 State, a minimum of \$20 and a maximum of \$40.

18 (2) In counties having a population of not more than
19 500,000 inhabitants, when the violation complaint is
20 issued by a municipal police department, the clerk shall be
21 entitled to costs from each person convicted therein as
22 follows:

23 (A) Minor traffic or ordinance violations, \$10.

24 (A-5) Regulatory offense violations, \$10.

25 (B) When court appearance required, \$15.

26 (3) In ordinance violation cases punishable by fine

1 only, the clerk of the circuit court shall be entitled to
2 receive, unless the fee is excused upon a finding by the
3 court that the defendant is indigent, in addition to other
4 fees or costs allowed or imposed by law, the sum of a
5 minimum of \$62.50 and a maximum of \$137.50 as a fee for the
6 services of a jury. The jury fee shall be paid by the
7 defendant at the time of filing his or her jury demand. If
8 the fee is not so paid by the defendant, no jury shall be
9 called, and the case shall be tried by the court without a
10 jury.

11 (x) Transcripts of Judgment.

12 For the filing of a transcript of judgment, the clerk
13 shall be entitled to the same fee as if it were the
14 commencement of a new suit.

15 (y) Change of Venue.

16 (1) For the filing of a change of case on a change of
17 venue, the clerk shall be entitled to the same fee as if it
18 were the commencement of a new suit.

19 (2) The fee for the preparation and certification of a
20 record on a change of venue to another jurisdiction, when
21 original documents are forwarded, a minimum of \$10 and a
22 maximum of \$40.

23 (z) Tax objection complaints.

24 For each tax objection complaint containing one or more
25 tax objections, regardless of the number of parcels
26 involved or the number of taxpayers joining on the

1 complaint, a minimum of \$10 and a maximum of \$50.

2 (aa) Tax Deeds.

3 (1) Petition for tax deed, if only one parcel is
4 involved, a minimum of \$45 and a maximum of \$200.

5 (2) For each additional parcel, add a fee of a minimum
6 of \$10 and a maximum of \$60.

7 (bb) Collections.

8 (1) For all collections made of others, except the
9 State and county and except in maintenance or child support
10 cases, a sum equal to a minimum of 2% and a maximum of 2.5%
11 of the amount collected and turned over.

12 (2) Interest earned on any funds held by the clerk
13 shall be turned over to the county general fund as an
14 earning of the office.

15 (3) For any check, draft, or other bank instrument
16 returned to the clerk for non-sufficient funds, account
17 closed, or payment stopped, \$25.

18 (4) In child support and maintenance cases, the clerk,
19 if authorized by an ordinance of the county board, may
20 collect an annual fee of up to \$36 from the person making
21 payment for maintaining child support records and the
22 processing of support orders to the State of Illinois KIDS
23 system and the recording of payments issued by the State
24 Disbursement Unit for the official record of the Court.
25 This fee shall be in addition to and separate from amounts
26 ordered to be paid as maintenance or child support and

1 shall be deposited into a Separate Maintenance and Child
2 Support Collection Fund, of which the clerk shall be the
3 custodian, ex-officio, to be used by the clerk to maintain
4 child support orders and record all payments issued by the
5 State Disbursement Unit for the official record of the
6 Court. The clerk may recover from the person making the
7 maintenance or child support payment any additional cost
8 incurred in the collection of this annual fee.

9 The clerk shall also be entitled to a fee of \$5 for
10 certifications made to the Secretary of State as provided
11 in Section 7-703 of the Family Financial Responsibility Law
12 and these fees shall also be deposited into the Separate
13 Maintenance and Child Support Collection Fund.

14 (cc) Corrections of Numbers.

15 For correction of the case number, case title, or
16 attorney computer identification number, if required by
17 rule of court, on any document filed in the clerk's office,
18 to be charged against the party that filed the document, a
19 minimum of \$10 and a maximum of \$25.

20 (dd) Exceptions.

21 (1) The fee requirements of this Section shall not
22 apply to police departments or other law enforcement
23 agencies. In this Section, "law enforcement agency" means
24 an agency of the State or a unit of local government which
25 is vested by law or ordinance with the duty to maintain
26 public order and to enforce criminal laws or ordinances.

1 "Law enforcement agency" also means the Attorney General or
2 any state's attorney.

3 (2) No fee provided herein shall be charged to any unit
4 of local government or school district.

5 (3) The fee requirements of this Section shall not
6 apply to any action instituted under subsection (b) of
7 Section 11-31-1 of the Illinois Municipal Code by a private
8 owner or tenant of real property within 1200 feet of a
9 dangerous or unsafe building seeking an order compelling
10 the owner or owners of the building to take any of the
11 actions authorized under that subsection.

12 (4) The fee requirements of this Section shall not
13 apply to the filing of any commitment petition or petition
14 for an order authorizing the administration of
15 psychotropic medication or electroconvulsive therapy under
16 the Mental Health and Developmental Disabilities Code.

17 (ee) Adoptions.

18 (1) For an adoption \$65

19 (2) Upon good cause shown, the court may waive the
20 adoption filing fee in a special needs adoption. The term
21 "special needs adoption" shall have the meaning ascribed to
22 it by the Illinois Department of Children and Family
23 Services.

24 (ff) Adoption exemptions.

25 No fee other than that set forth in subsection (ee)
26 shall be charged to any person in connection with an

1 adoption proceeding nor may any fee be charged for
2 proceedings for the appointment of a confidential
3 intermediary under the Adoption Act.

4 (Source: P.A. 95-172, eff. 8-14-07; 95-331, eff. 8-21-07.)

5 (705 ILCS 105/27.2a) (from Ch. 25, par. 27.2a)

6 Sec. 27.2a. The fees of the clerks of the circuit court in
7 all counties having a population of 3,000,000 or more
8 inhabitants in the instances described in this Section shall be
9 as provided in this Section. In those instances where a minimum
10 and maximum fee is stated, the clerk of the circuit court must
11 charge the minimum fee listed and may charge up to the maximum
12 fee if the county board has by resolution increased the fee.
13 The fees shall be paid in advance and shall be as follows:

14 (a) Civil Cases.

15 The fee for filing a complaint, petition, or other
16 pleading initiating a civil action, with the following
17 exceptions, shall be a minimum of \$190 and a maximum of
18 \$240.

19 (A) When the amount of money or damages or the
20 value of personal property claimed does not exceed
21 \$250, a minimum of \$15 and a maximum of \$22.

22 (B) When that amount exceeds \$250 but does not
23 exceed \$1000, a minimum of \$40 and a maximum of \$75.

24 (C) When that amount exceeds \$1000 but does not
25 exceed \$2500, a minimum of \$50 and a maximum of \$80.

1 (D) When that amount exceeds \$2500 but does not
2 exceed \$5000, a minimum of \$100 and a maximum of \$130.

3 (E) When that amount exceeds \$5000 but does not
4 exceed \$15,000, \$150.

5 (F) For the exercise of eminent domain, \$150. For
6 each additional lot or tract of land or right or
7 interest therein subject to be condemned, the damages
8 in respect to which shall require separate assessment
9 by a jury, \$150.

10 (G) For the final determination of parking,
11 standing, and compliance violations and final
12 administrative decisions issued after hearings
13 regarding vehicle immobilization and impoundment made
14 pursuant to Sections 3-704.1, 6-306.5, and 11-208.3 of
15 the Illinois Vehicle Code, \$25.

16 (H) No fees shall be charged by the clerk to a
17 petitioner in any order of protection including, but
18 not limited to, filing, modifying, withdrawing,
19 certifying, or photocopying petitions for orders of
20 protection, or for issuing alias summons, or for any
21 related filing service, certifying, modifying,
22 vacating, or photocopying any orders of protection.

23 (b) Forcible Entry and Detainer.

24 In each forcible entry and detainer case when the
25 plaintiff seeks possession only or unites with his or her
26 claim for possession of the property a claim for rent or

1 damages or both in the amount of \$15,000 or less, a minimum
2 of \$75 and a maximum of \$140. When the plaintiff unites his
3 or her claim for possession with a claim for rent or
4 damages or both exceeding \$15,000, a minimum of \$225 and a
5 maximum of \$335.

6 (c) Counterclaim or Joining Third Party Defendant.

7 When any defendant files a counterclaim as part of his
8 or her answer or otherwise or joins another party as a
9 third party defendant, or both, the defendant shall pay a
10 fee for each counterclaim or third party action in an
11 amount equal to the fee he or she would have had to pay had
12 he or she brought a separate action for the relief sought
13 in the counterclaim or against the third party defendant,
14 less the amount of the appearance fee, if that has been
15 paid.

16 (d) Confession of Judgment.

17 In a confession of judgment when the amount does not
18 exceed \$1500, a minimum of \$60 and a maximum of \$70. When
19 the amount exceeds \$1500, but does not exceed \$5000, a
20 minimum of \$75 and a maximum of \$150. When the amount
21 exceeds \$5000, but does not exceed \$15,000, a minimum of
22 \$175 and a maximum of \$260. When the amount exceeds
23 \$15,000, a minimum of \$250 and a maximum of \$310.

24 (e) Appearance.

25 The fee for filing an appearance in each civil case
26 shall be a minimum of \$75 and a maximum of \$110, except as

1 follows:

2 (A) When the plaintiff in a forcible entry and
3 detainer case seeks possession only, a minimum of \$40
4 and a maximum of \$80.

5 (B) When the amount in the case does not exceed
6 \$1500, a minimum of \$40 and a maximum of \$80.

7 (C) When that amount exceeds \$1500 but does not
8 exceed \$15,000, a minimum of \$60 and a maximum of \$90.

9 (f) Garnishment, Wage Deduction, and Citation.

10 In garnishment affidavit, wage deduction affidavit,
11 and citation petition when the amount does not exceed
12 \$1,000, a minimum of \$15 and a maximum of \$25; when the
13 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
14 of \$30 and a maximum of \$45; and when the amount exceeds
15 \$5,000, a minimum of \$50 and a maximum of \$80.

16 (g) Petition to Vacate or Modify.

17 (1) Petition to vacate or modify any final judgment or
18 order of court, except in forcible entry and detainer cases
19 and small claims cases or a petition to reopen an estate,
20 to modify, terminate, or enforce a judgment or order for
21 child or spousal support, or to modify, suspend, or
22 terminate an order for withholding, if filed before 30 days
23 after the entry of the judgment or order, a minimum of \$50
24 and a maximum of \$60.

25 (2) Petition to vacate or modify any final judgment or
26 order of court, except a petition to modify, terminate, or

1 enforce a judgment or order for child or spousal support or
2 to modify, suspend, or terminate an order for withholding,
3 if filed later than 30 days after the entry of the judgment
4 or order, a minimum of \$75 and a maximum of \$90.

5 (3) Petition to vacate order of bond forfeiture, a
6 minimum of \$40 and a maximum of \$80.

7 (h) Mailing.

8 When the clerk is required to mail, the fee will be a
9 minimum of \$10 and a maximum of \$15, plus the cost of
10 postage.

11 (i) Certified Copies.

12 Each certified copy of a judgment after the first,
13 except in small claims and forcible entry and detainer
14 cases, a minimum of \$15 and a maximum of \$20.

15 (j) Habeas Corpus.

16 For filing a petition for relief by habeas corpus, a
17 minimum of \$125 and a maximum of \$190.

18 (k) Certification, Authentication, and Reproduction.

19 (1) Each certification or authentication for taking
20 the acknowledgment of a deed or other instrument in writing
21 with the seal of office, a minimum of \$6 and a maximum of
22 \$9.

23 (2) Court appeals when original documents are
24 forwarded, under 100 pages, plus delivery and costs, a
25 minimum of \$75 and a maximum of \$110.

26 (3) Court appeals when original documents are

1 forwarded, over 100 pages, plus delivery and costs, a
2 minimum of \$150 and a maximum of \$185.

3 (4) Court appeals when original documents are
4 forwarded, over 200 pages, an additional fee of a minimum
5 of 25 and a maximum of 30 cents per page.

6 (5) For reproduction of any document contained in the
7 clerk's files:

8 (A) First page, \$2.

9 (B) Next 19 pages, 50 cents per page.

10 (C) All remaining pages, 25 cents per page.

11 (l) Remands.

12 In any cases remanded to the Circuit Court from the
13 Supreme Court or the Appellate Court for a new trial, the
14 clerk shall file the remanding order and reinstate the case
15 with either its original number or a new number. The Clerk
16 shall not charge any new or additional fee for the
17 reinstatement. Upon reinstatement the Clerk shall advise
18 the parties of the reinstatement. A party shall have the
19 same right to a jury trial on remand and reinstatement as
20 he or she had before the appeal, and no additional or new
21 fee or charge shall be made for a jury trial after remand.

22 (m) Record Search.

23 For each record search, within a division or municipal
24 district, the clerk shall be entitled to a search fee of a
25 minimum of \$6 and a maximum of \$9 for each year searched.

26 (n) Hard Copy.

1 For each page of hard copy print output, when case
2 records are maintained on an automated medium, the clerk
3 shall be entitled to a fee of a minimum of \$6 and a maximum
4 of \$9.

5 (o) Index Inquiry and Other Records.

6 No fee shall be charged for a single
7 plaintiff/defendant index inquiry or single case record
8 inquiry when this request is made in person and the records
9 are maintained in a current automated medium, and when no
10 hard copy print output is requested. The fees to be charged
11 for management records, multiple case records, and
12 multiple journal records may be specified by the Chief
13 Judge pursuant to the guidelines for access and
14 dissemination of information approved by the Supreme
15 Court.

16 (p) (Blank).

17 (q) Alias Summons.

18 For each alias summons or citation issued by the clerk,
19 a minimum of \$5 and a maximum of \$6.

20 (r) Other Fees.

21 Any fees not covered in this Section shall be set by
22 rule or administrative order of the Circuit Court with the
23 approval of the Administrative Office of the Illinois
24 Courts.

25 The clerk of the circuit court may provide additional
26 services for which there is no fee specified by statute in

1 connection with the operation of the clerk's office as may
2 be requested by the public and agreed to by the clerk and
3 approved by the chief judge of the circuit court. Any
4 charges for additional services shall be as agreed to
5 between the clerk and the party making the request and
6 approved by the chief judge of the circuit court. Nothing
7 in this subsection shall be construed to require any clerk
8 to provide any service not otherwise required by law.

9 (s) Jury Services.

10 The clerk shall be entitled to receive, in addition to
11 other fees allowed by law, the sum of a minimum of \$212.50
12 and maximum of \$230, as a fee for the services of a jury in
13 every civil action not quasi-criminal in its nature and not
14 a proceeding for the exercise of the right of eminent
15 domain and in every other action wherein the right of trial
16 by jury is or may be given by law. The jury fee shall be
17 paid by the party demanding a jury at the time of filing
18 the jury demand. If the fee is not paid by either party, no
19 jury shall be called in the action or proceeding, and the
20 same shall be tried by the court without a jury.

21 (t) Voluntary Assignment.

22 For filing each deed of voluntary assignment, a minimum
23 of \$20 and a maximum of \$40; for recording the same, a
24 minimum of 50¢ and a maximum of \$0.80 for each 100 words.
25 Exceptions filed to claims presented to an assignee of a
26 debtor who has made a voluntary assignment for the benefit

1 of creditors shall be considered and treated, for the
2 purpose of taxing costs therein, as actions in which the
3 party or parties filing the exceptions shall be considered
4 as party or parties plaintiff, and the claimant or
5 claimants as party or parties defendant, and those parties
6 respectively shall pay to the clerk the same fees as
7 provided by this Section to be paid in other actions.

8 (u) Expungement Petition.

9 The clerk shall be entitled to receive a fee of a
10 minimum of \$60 and a maximum of \$120 for each expungement
11 petition filed and an additional fee of a minimum of \$4 and
12 a maximum of \$8 for each certified copy of an order to
13 expunge arrest records.

14 (v) Probate.

15 The clerk is entitled to receive the fees specified in
16 this subsection (v), which shall be paid in advance, except
17 that, for good cause shown, the court may suspend, reduce,
18 or release the costs payable under this subsection:

19 (1) For administration of the estate of a decedent
20 (whether testate or intestate) or of a missing person, a
21 minimum of \$150 and a maximum of \$225, plus the fees
22 specified in subsection (v) (3), except:

23 (A) When the value of the real and personal
24 property does not exceed \$15,000, the fee shall be a
25 minimum of \$40 and a maximum of \$65.

26 (B) When (i) proof of heirship alone is made, (ii)

1 a domestic or foreign will is admitted to probate
2 without administration (including proof of heirship),
3 or (iii) letters of office are issued for a particular
4 purpose without administration of the estate, the fee
5 shall be a minimum of \$40 and a maximum of \$65.

6 (2) For administration of the estate of a ward, a
7 minimum of \$75 and a maximum of \$110, plus the fees
8 specified in subsection (v) (3), except:

9 (A) When the value of the real and personal
10 property does not exceed \$15,000, the fee shall be a
11 minimum of \$40 and a maximum of \$65.

12 (B) When (i) letters of office are issued to a
13 guardian of the person or persons, but not of the
14 estate or (ii) letters of office are issued in the
15 estate of a ward without administration of the estate,
16 including filing or joining in the filing of a tax
17 return or releasing a mortgage or consenting to the
18 marriage of the ward, the fee shall be a minimum of \$20
19 and a maximum of \$40.

20 (3) In addition to the fees payable under subsection
21 (v) (1) or (v) (2) of this Section, the following fees are
22 payable:

23 (A) For each account (other than one final account)
24 filed in the estate of a decedent, or ward, a minimum
25 of \$25 and a maximum of \$40.

26 (B) For filing a claim in an estate when the amount

1 claimed is \$150 or more but less than \$500, a minimum
2 of \$20 and a maximum of \$40; when the amount claimed is
3 \$500 or more but less than \$10,000, a minimum of \$40
4 and a maximum of \$65; when the amount claimed is
5 \$10,000 or more, a minimum of \$60 and a maximum of \$90;
6 provided that the court in allowing a claim may add to
7 the amount allowed the filing fee paid by the claimant.

8 (C) For filing in an estate a claim, petition, or
9 supplemental proceeding based upon an action seeking
10 equitable relief including the construction or contest
11 of a will, enforcement of a contract to make a will,
12 and proceedings involving testamentary trusts or the
13 appointment of testamentary trustees, a minimum of \$60
14 and a maximum of \$90.

15 (D) For filing in an estate (i) the appearance of
16 any person for the purpose of consent or (ii) the
17 appearance of an executor, administrator,
18 administrator to collect, guardian, guardian ad litem,
19 or special administrator, no fee.

20 (E) Except as provided in subsection (v)(3)(D),
21 for filing the appearance of any person or persons, a
22 minimum of \$30 and a maximum of \$90.

23 (F) For each jury demand, a minimum of \$137.50 and
24 a maximum of \$180.

25 (G) For disposition of the collection of a judgment
26 or settlement of an action or claim for wrongful death

1 of a decedent or of any cause of action of a ward, when
2 there is no other administration of the estate, a
3 minimum of \$50 and a maximum of \$80, less any amount
4 paid under subsection (v) (1) (B) or (v) (2) (B) except
5 that if the amount involved does not exceed \$5,000, the
6 fee, including any amount paid under subsection
7 (v) (1) (B) or (v) (2) (B), shall be a minimum of \$20 and a
8 maximum of \$40.

9 (H) For each certified copy of letters of office,
10 of court order or other certification, a minimum of \$2
11 and a maximum of \$4, plus \$1 per page in excess of 3
12 pages for the document certified.

13 (I) For each exemplification, \$2, plus the fee for
14 certification.

15 (4) The executor, administrator, guardian, petitioner,
16 or other interested person or his or her attorney shall pay
17 the cost of publication by the clerk directly to the
18 newspaper.

19 (5) The person on whose behalf a charge is incurred for
20 witness, court reporter, appraiser, or other miscellaneous
21 fee shall pay the same directly to the person entitled
22 thereto.

23 (6) The executor, administrator, guardian, petitioner,
24 or other interested person or his or her attorney shall pay
25 to the clerk all postage charges incurred by the clerk in
26 mailing petitions, orders, notices, or other documents

1 pursuant to the provisions of the Probate Act of 1975.

2 (w) Criminal and Quasi-Criminal Costs and Fees.

3 (1) The clerk shall be entitled to costs in all
4 criminal and quasi-criminal cases from each person
5 convicted or sentenced to supervision therein as follows:

6 (A) Felony complaints, a minimum of \$125 and a
7 maximum of \$190.

8 (B) Misdemeanor complaints, a minimum of \$75 and a
9 maximum of \$110.

10 (C) Business offense complaints, a minimum of \$75
11 and a maximum of \$110.

12 (D) Petty offense complaints, a minimum of \$75 and
13 a maximum of \$110.

14 (E) Minor traffic or ordinance violations, \$30.

15 (E-5) Regulatory offense violations, \$30.

16 (F) When court appearance required, \$50.

17 (G) Motions to vacate or amend final orders, a
18 minimum of \$40 and a maximum of \$80.

19 (H) Motions to vacate bond forfeiture orders, a
20 minimum of \$30 and a maximum of \$45.

21 (I) Motions to vacate ex parte judgments, whenever
22 filed, a minimum of \$30 and a maximum of \$45.

23 (J) Motions to vacate judgment on forfeitures,
24 whenever filed, a minimum of \$25 and a maximum of \$30.

25 (K) Motions to vacate "failure to appear" or
26 "failure to comply" notices sent to the Secretary of

1 State, a minimum of \$40 and a maximum of \$50.

2 (2) In counties having a population of 3,000,000 or
3 more, when the violation complaint is issued by a municipal
4 police department, the clerk shall be entitled to costs
5 from each person convicted therein as follows:

6 (A) Minor traffic or ordinance violations, \$30.

7 (A-5) Regulatory offense violations, \$30.

8 (B) When court appearance required, \$50.

9 (3) In ordinance violation cases punishable by fine
10 only, the clerk of the circuit court shall be entitled to
11 receive, unless the fee is excused upon a finding by the
12 court that the defendant is indigent, in addition to other
13 fees or costs allowed or imposed by law, the sum of a
14 minimum of \$112.50 and a maximum of \$250 as a fee for the
15 services of a jury. The jury fee shall be paid by the
16 defendant at the time of filing his or her jury demand. If
17 the fee is not so paid by the defendant, no jury shall be
18 called, and the case shall be tried by the court without a
19 jury.

20 (x) Transcripts of Judgment.

21 For the filing of a transcript of judgment, the clerk
22 shall be entitled to the same fee as if it were the
23 commencement of a new suit.

24 (y) Change of Venue.

25 (1) For the filing of a change of case on a change of
26 venue, the clerk shall be entitled to the same fee as if it

1 were the commencement of a new suit.

2 (2) The fee for the preparation and certification of a
3 record on a change of venue to another jurisdiction, when
4 original documents are forwarded, a minimum of \$40 and a
5 maximum of \$65.

6 (z) Tax objection complaints.

7 For each tax objection complaint containing one or more
8 tax objections, regardless of the number of parcels
9 involved or the number of taxpayers joining in the
10 complaint, a minimum of \$50 and a maximum of \$100.

11 (aa) Tax Deeds.

12 (1) Petition for tax deed, if only one parcel is
13 involved, a minimum of \$250 and a maximum of \$400.

14 (2) For each additional parcel, add a fee of a minimum
15 of \$100 and a maximum of \$200.

16 (bb) Collections.

17 (1) For all collections made of others, except the
18 State and county and except in maintenance or child support
19 cases, a sum equal to 3.0% of the amount collected and
20 turned over.

21 (2) Interest earned on any funds held by the clerk
22 shall be turned over to the county general fund as an
23 earning of the office.

24 (3) For any check, draft, or other bank instrument
25 returned to the clerk for non-sufficient funds, account
26 closed, or payment stopped, \$25.

1 (4) In child support and maintenance cases, the clerk,
2 if authorized by an ordinance of the county board, may
3 collect an annual fee of up to \$36 from the person making
4 payment for maintaining child support records and the
5 processing of support orders to the State of Illinois KIDS
6 system and the recording of payments issued by the State
7 Disbursement Unit for the official record of the Court.
8 This fee shall be in addition to and separate from amounts
9 ordered to be paid as maintenance or child support and
10 shall be deposited into a Separate Maintenance and Child
11 Support Collection Fund, of which the clerk shall be the
12 custodian, ex-officio, to be used by the clerk to maintain
13 child support orders and record all payments issued by the
14 State Disbursement Unit for the official record of the
15 Court. The clerk may recover from the person making the
16 maintenance or child support payment any additional cost
17 incurred in the collection of this annual fee.

18 The clerk shall also be entitled to a fee of \$5 for
19 certifications made to the Secretary of State as provided
20 in Section 7-703 of the Family Financial Responsibility Law
21 and these fees shall also be deposited into the Separate
22 Maintenance and Child Support Collection Fund.

23 (cc) Corrections of Numbers.

24 For correction of the case number, case title, or
25 attorney computer identification number, if required by
26 rule of court, on any document filed in the clerk's office,

1 to be charged against the party that filed the document, a
2 minimum of \$25 and a maximum of \$40.

3 (dd) Exceptions.

4 (1) The fee requirements of this Section shall not
5 apply to police departments or other law enforcement
6 agencies. In this Section, "law enforcement agency" means
7 an agency of the State or a unit of local government which
8 is vested by law or ordinance with the duty to maintain
9 public order and to enforce criminal laws or ordinances.
10 "Law enforcement agency" also means the Attorney General or
11 any state's attorney.

12 (2) No fee provided herein shall be charged to any unit
13 of local government or school district. The fee
14 requirements of this Section shall not apply to any action
15 instituted under subsection (b) of Section 11-31-1 of the
16 Illinois Municipal Code by a private owner or tenant of
17 real property within 1200 feet of a dangerous or unsafe
18 building seeking an order compelling the owner or owners of
19 the building to take any of the actions authorized under
20 that subsection.

21 (3) The fee requirements of this Section shall not
22 apply to the filing of any commitment petition or petition
23 for an order authorizing the administration of
24 psychotropic medication or electroconvulsive therapy under
25 the Mental Health and Developmental Disabilities Code.

26 (ee) Adoption.

1 (1) For an adoption \$65

2 (2) Upon good cause shown, the court may waive the
3 adoption filing fee in a special needs adoption. The term
4 "special needs adoption" shall have the meaning ascribed to
5 it by the Illinois Department of Children and Family
6 Services.

7 (ff) Adoption exemptions.

8 No fee other than that set forth in subsection (ee)
9 shall be charged to any person in connection with an
10 adoption proceeding nor may any fee be charged for
11 proceedings for the appointment of a confidential
12 intermediary under the Adoption Act.

13 (gg) Unpaid fees.

14 Unless a court ordered payment schedule is implemented
15 or the fee requirements of this Section are waived pursuant
16 to court order, the clerk of the court may add to any
17 unpaid fees and costs under this Section a delinquency
18 amount equal to 5% of the unpaid fees that remain unpaid
19 after 30 days, 10% of the unpaid fees that remain unpaid
20 after 60 days, and 15% of the unpaid fees that remain
21 unpaid after 90 days. Notice to those parties may be made
22 by signage posting or publication. The additional
23 delinquency amounts collected under this Section shall be
24 used to defray additional administrative costs incurred by
25 the clerk of the circuit court in collecting unpaid fees
26 and costs.

1 (Source: P.A. 95-172, eff. 8-14-07.)

2 (705 ILCS 105/27.3b) (from Ch. 25, par. 27.3b)

3 Sec. 27.3b. The clerk of court may accept payment of fines,
4 penalties, or costs by credit card or debit card approved by
5 the clerk from an offender who has been convicted of or placed
6 on court supervision for a traffic offense, petty offense,
7 regulatory offense, ordinance offense, or misdemeanor or who
8 has been convicted of a felony offense. The clerk of the
9 circuit court may accept credit card payments over the Internet
10 for fines, penalties, or costs from offenders on voluntary
11 electronic pleas of guilty in minor traffic and conservation
12 offenses to satisfy the requirement of written pleas of guilty
13 as provided in Illinois Supreme Court Rule 529. The clerk of
14 the circuit court may accept credit card payments over the
15 Internet for fines or costs from offenders in regulatory
16 offenses to satisfy the requirement of written pleas of guilty
17 as provided in Section 111-3.1 of the Code of Criminal
18 Procedure of 1963. The clerk of the court may also accept
19 payment of statutory fees by a credit card or debit card. The
20 clerk of the court may also accept the credit card or debit
21 card for the cash deposit of bail bond fees.

22 The Clerk of the circuit court is authorized to enter into
23 contracts with credit card or debit card companies approved by
24 the clerk and to negotiate the payment of convenience and
25 administrative fees normally charged by those companies for

1 allowing the clerk of the circuit court to accept their credit
2 cards or debit cards in payment as authorized herein. The clerk
3 of the circuit court is authorized to enter into contracts with
4 third party fund guarantors, facilitators, and service
5 providers under which those entities may contract directly with
6 customers of the clerk of the circuit court and guarantee and
7 remit the payments to the clerk of the circuit court. Where the
8 offender pays fines, penalties, or costs by credit card or
9 debit card or through a third party fund guarantor,
10 facilitator, or service provider, or anyone paying statutory
11 fees of the circuit court clerk or the posting of cash bail,
12 the clerk shall collect a service fee of up to \$5 or the amount
13 charged to the clerk for use of its services by the credit card
14 or debit card issuer, third party fund guarantor, facilitator,
15 or service provider. This service fee shall be in addition to
16 any other fines, penalties, or costs. The clerk of the circuit
17 court is authorized to negotiate the assessment of convenience
18 and administrative fees by the third party fund guarantors,
19 facilitators, and service providers with the revenue earned by
20 the clerk of the circuit court to be remitted to the county
21 general revenue fund.

22 (Source: P.A. 95-331, eff. 8-21-07.)

23 Section 15. The Cannabis Control Act is amended by changing
24 Sections 1, 4, 9, and 10 as follows:

1 (720 ILCS 550/1) (from Ch. 56 1/2, par. 701)

2 Sec. 1.

3 The General Assembly recognizes that (1) ~~the current state~~
4 ~~of scientific and medical knowledge concerning the effects of~~
5 ~~cannabis makes it necessary to acknowledge the physical,~~
6 ~~psychological and sociological damage which is incumbent upon~~
7 ~~its use; and (2)~~ the use of cannabis occupies the ~~unusual~~
8 position of being widely used and pervasive among the citizens
9 of Illinois ~~despite its harmful effects; and (2) (3)~~ previous
10 legislation enacted to control or forbid the use of cannabis
11 has often unnecessarily and unrealistically drawn a large
12 segment of our population within the criminal justice system
13 without succeeding in deterring the expansion of cannabis use.
14 It is, therefore, the intent of the General Assembly, in the
15 interest of the health and welfare of the citizens of Illinois,
16 to establish a reasonable penalty system which is responsive to
17 the current state of knowledge concerning cannabis and which
18 directs the greatest efforts of law enforcement agencies toward
19 the commercial traffickers and large-scale purveyors of
20 cannabis. To this end, this Act provides wide latitude in the
21 sentencing discretion of the courts and establishes penalties
22 in a sharply rising progression based on the amount of
23 substances containing cannabis involved in each case.

24 (Source: P.A. 77-758.)

25 (720 ILCS 550/4) (from Ch. 56 1/2, par. 704)

1 Sec. 4. Cannabis possession.

2 (a) It is unlawful for any person knowingly to possess
3 cannabis. Any person who violates this section with respect to:

4 (1) ~~(a)~~ not more than 30 ~~2.5~~ grams of any substance
5 containing cannabis is guilty of a regulatory offense
6 charged by a Uniform Cannabis Ticket and shall be fined
7 \$100 Class C misdemeanor;

8 (2) ~~(blank); (b) more than 2.5 grams but not more than~~
9 ~~10 grams of any substance containing cannabis is guilty of~~
10 ~~a Class B misdemeanor;~~

11 (3) ~~(blank); (c) more than 10 grams but not more than~~
12 ~~30 grams of any substance containing cannabis is guilty of~~
13 ~~a Class A misdemeanor; provided, that if any offense under~~
14 ~~this subsection (c) is a subsequent offense, the offender~~
15 ~~shall be guilty of a Class 4 felony;~~

16 (4) ~~(d)~~ more than 30 grams but not more than 500 grams
17 of any substance containing cannabis is guilty of a Class A
18 misdemeanor ~~4 felony;~~ provided that if any offense under
19 this paragraph (4) ~~subsection (d)~~ is a subsequent offense,
20 the offender shall be guilty of a Class 4 ~~3~~ felony;

21 (5) ~~(e)~~ more than 500 grams but not more than 2,000
22 grams of any substance containing cannabis is guilty of a
23 Class 3 felony;

24 (6) ~~(f)~~ more than 2,000 grams but not more than 5,000
25 grams of any substance containing cannabis is guilty of a
26 Class 2 felony;

1 (7) ~~(g)~~ more than 5,000 grams of any substance
2 containing cannabis is guilty of a Class 1 felony.

3 (Source: P.A. 90-397, eff. 8-15-97.)

4 (720 ILCS 550/9) (from Ch. 56 1/2, par. 709)

5 Sec. 9. (a) Any person who engages in a calculated criminal
6 cannabis conspiracy, as defined in subsection (b), is guilty of
7 a Class 3 felony, and fined not more than \$200,000 and shall be
8 subject to the forfeitures prescribed in subsection (c); except
9 that, if any person engages in such offense after one or more
10 prior convictions under this Section, Section 4 (a) (4) ~~(d)~~,
11 Section 5 (d), Section 8 (d) or any law of the United States or
12 of any State relating to cannabis, or controlled substances as
13 defined in the Illinois Controlled Substances Act, in addition
14 to the fine and forfeiture authorized above, he shall be guilty
15 of a Class 1 felony for which an offender may not be sentenced
16 to death.

17 (b) For purposes of this section, a person engages in a
18 calculated criminal cannabis conspiracy when:

19 (1) he violates Section 4 (a) (4) ~~(d)~~, 4 (a) (5) ~~(e)~~, 5 (d), 5
20 (e), 8 (c) or 8 (d) of this Act; and

21 (2) such violation is a part of a conspiracy undertaken or
22 carried on with 2 or more other persons; and

23 (3) he obtains anything of value greater than \$500 from, or
24 organizes, directs or finances such violation or conspiracy.

25 (c) Any person who is convicted under this Section of

1 engaging in a calculated criminal cannabis conspiracy shall
2 forfeit to the State of Illinois:

3 (1) the receipts obtained by him in such conspiracy; and

4 (2) any of his interests in, claims against, receipts from,
5 or property or rights of any kind affording a source of
6 influence over, such conspiracy.

7 (d) The circuit court may enter such injunctions,
8 restraining orders, directions, or prohibitions, or take such
9 other actions, including the acceptance of satisfactory
10 performance bonds, in connection with any property, claim,
11 receipt, right or other interest subject to forfeiture under
12 this Section, as it deems proper.

13 (Source: P.A. 84-1233.)

14 (720 ILCS 550/10) (from Ch. 56 1/2, par. 710)

15 Sec. 10. (a) Whenever any person who has not previously
16 been convicted of, or placed on probation or court supervision
17 for, any offense under this Act or any law of the United States
18 or of any State relating to cannabis, or controlled substances
19 as defined in the Illinois Controlled Substances Act, pleads
20 guilty to or is found guilty of violating Sections ~~4(a), 4(b),~~
21 ~~4(e),~~ 5(a), 5(b), 5(c) or 8 of this Act, the court may, without
22 entering a judgment and with the consent of such person,
23 sentence him to probation.

24 (b) When a person is placed on probation, the court shall
25 enter an order specifying a period of probation of 24 months,

1 and shall defer further proceedings in the case until the
2 conclusion of the period or until the filing of a petition
3 alleging violation of a term or condition of probation.

4 (c) The conditions of probation shall be that the person:

5 (1) not violate any criminal statute of any jurisdiction; (2)
6 refrain from possession of a firearm or other dangerous weapon;
7 (3) submit to periodic drug testing at a time and in a manner
8 as ordered by the court, but no less than 3 times during the
9 period of the probation, with the cost of the testing to be
10 paid by the probationer; and (4) perform no less than 30 hours
11 of community service, provided community service is available
12 in the jurisdiction and is funded and approved by the county
13 board.

14 (d) The court may, in addition to other conditions, require
15 that the person:

16 (1) make a report to and appear in person before or
17 participate with the court or such courts, person, or
18 social service agency as directed by the court in the order
19 of probation;

20 (2) pay a fine and costs;

21 (3) work or pursue a course of study or vocational
22 training;

23 (4) undergo medical or psychiatric treatment; or
24 treatment for drug addiction or alcoholism;

25 (5) attend or reside in a facility established for the
26 instruction or residence of defendants on probation;

1 (6) support his dependents;

2 (7) refrain from possessing a firearm or other
3 dangerous weapon;

4 (7-5) refrain from having in his or her body the
5 presence of any illicit drug prohibited by the Cannabis
6 Control Act, the Illinois Controlled Substances Act, or the
7 Methamphetamine Control and Community Protection Act,
8 unless prescribed by a physician, and submit samples of his
9 or her blood or urine or both for tests to determine the
10 presence of any illicit drug;

11 (8) and in addition, if a minor:

12 (i) reside with his parents or in a foster home;

13 (ii) attend school;

14 (iii) attend a non-residential program for youth;

15 (iv) contribute to his own support at home or in a
16 foster home.

17 (e) Upon violation of a term or condition of probation, the
18 court may enter a judgment on its original finding of guilt and
19 proceed as otherwise provided.

20 (f) Upon fulfillment of the terms and conditions of
21 probation, the court shall discharge such person and dismiss
22 the proceedings against him.

23 (g) A disposition of probation is considered to be a
24 conviction for the purposes of imposing the conditions of
25 probation and for appeal, however, discharge and dismissal
26 under this Section is not a conviction for purposes of

1 disqualification or disabilities imposed by law upon
2 conviction of a crime (including the additional penalty imposed
3 for subsequent offenses under Section 4(a)(4), ~~4(e)~~, ~~4(d)~~, 5(c)
4 or 5(d) of this Act).

5 (h) Discharge and dismissal under this Section, Section 410
6 of the Illinois Controlled Substances Act, Section 70 of the
7 Methamphetamine Control and Community Protection Act, Section
8 5-6-3.3 or 5-6-3.4 of the Unified Code of Corrections, or
9 subsection (c) of Section 11-14 of the Criminal Code of 1961 or
10 the Criminal Code of 2012 may occur only once with respect to
11 any person.

12 (i) If a person is convicted of an offense under this Act,
13 the Illinois Controlled Substances Act, or the Methamphetamine
14 Control and Community Protection Act within 5 years subsequent
15 to a discharge and dismissal under this Section, the discharge
16 and dismissal under this Section shall be admissible in the
17 sentencing proceeding for that conviction as a factor in
18 aggravation.

19 (Source: P.A. 97-1118, eff. 1-1-13; 97-1150, eff. 1-25-13;
20 98-164, eff. 1-1-14.)

21 Section 20. The Code of Criminal Procedure of 1963 is
22 amended by adding Section 111-3.1 as follows:

23 (725 ILCS 5/111-3.1 new)

24 Sec. 111-3.1. Uniform Cannabis Ticket.

1 (a) As used in this Section, "local authorities" means a
2 duly organized State, county, or municipal peace unit or police
3 force.

4 (b) For violation of paragraph (1) of subsection (a) of
5 Section 4 of the Cannabis Control Act, the local authorities
6 having jurisdiction shall, except as otherwise provided in this
7 Section, charge the violation by a Uniform Cannabis Ticket. A
8 copy of the Uniform Cannabis Ticket shall be sent to the
9 circuit court clerk, within 30 days, but in no event later than
10 90 days after the violation. The Uniform Cannabis Ticket shall
11 include:

12 (1) the name and address of the defendant;

13 (2) the violation charged;

14 (3) the municipality where the violation occurred or if
15 in an unincorporated area the county where the violation
16 occurred;

17 (4) the statutory fine for the offense;

18 (5) the date by which the fine must be paid or plea of
19 not guilty entered by the defendant;

20 (6) a warning that failure to pay the fine or enter a
21 plea of not guilty by the date set in the Ticket, may
22 result in an order of contempt by the court and shall
23 result in issuance of a warrant of arrest for the
24 defendant; and

25 (7) a notice that the person may plead guilty and pay
26 the fine to the circuit court clerk or enter a plea of not

1 guilty to the circuit court clerk and request a trial.

2 (c) A person may not be arrested for an offense subject to
3 charging by a Uniform Cannabis Ticket, except as provided in
4 this subsection. A person may be arrested if:

5 (1) he or she is in possession of an identification
6 card, license, or other form of identification issued by
7 the federal government, this State or any other state,
8 municipality, or college or university, and fails to
9 produce the identification upon request of a police officer
10 who informs the person that he or she has been found in
11 possession of what appears to the officer to be a violation
12 of paragraph (1) of subsection (a) of Section 4 of the
13 Cannabis Control Act;

14 (2) he or she is without any form of identification and
15 fails or refuses to truthfully provide his or her name,
16 address, and date of birth to a police officer who has
17 informed the person that the officer intends to issue the
18 person with a Uniform Cannabis Ticket for a violation of
19 paragraph (1) of subsection (a) of Section 4 of the
20 Cannabis Control Act; or

21 (3) he or she fails to pay the fine or enter a plea of
22 not guilty within the time period set in the Uniform
23 Cannabis Ticket.

24 (d) The amount of bail for the offense charged by a Uniform
25 Cannabis Ticket shall be the amount as the Illinois Supreme
26 Court may establish by rule.

1 (e) The copy of the Uniform Cannabis Ticket filed with the
2 circuit court constitutes a complaint to which the defendant
3 may plead, unless he or she specifically requests that a
4 verified complaint be filed. A Uniform Cannabis Ticket may be
5 satisfied without a court appearance by a written plea of
6 guilty, and payment of fines and costs equal to \$100, and if a
7 failure to appear to answer the charge has been entered, in
8 which case the fine and costs shall be equal to the \$100 fine
9 plus \$35. The balance remaining after deducting the amount
10 required by Section 27.1a or 27.2a of the Clerks of Courts Act
11 shall be distributed as follows:

12 (1) 44.5% shall be disbursed to the entity authorized
13 to receive the fine imposed in the case;

14 (2) 16.825% shall be disbursed to the State Treasurer;
15 and

16 (3) 38.675% shall be disbursed to the county's general
17 corporate fund.

18 (f) Except as otherwise provided in this Section, no other
19 fines, fees, penalties, or costs shall be assessed on a
20 conviction or plea of guilty to a Uniform Cannabis Ticket.

21 (g) A defendant who fails to pay the fine or enter a plea
22 of not guilty within the time period set in the Uniform
23 Cannabis Ticket is guilty of a regulatory offense as provided
24 in the offense charged in the Ticket.

25 (h) Nothing contained in this Section shall prohibit a unit
26 of local government from enacting an ordinance or bylaw

1 regulating or prohibiting the consumption of cannabis in public
2 places and providing for additional penalties for the public
3 use of cannabis, provided that the penalties are not greater
4 than those for the public consumption of alcohol.

5 (i) No issuance of a Uniform Cannabis Ticket, conviction,
6 or entry of a plea of guilty to a Uniform Cannabis Ticket shall
7 be considered a criminal offense or a violation of parole,
8 mandatory supervised release, probation, conditional
9 discharge, or supervision.

10 (j) No Uniform Cannabis Ticket for a violation of paragraph
11 (1) of subsection (a) of Section 4 of the Cannabis Control Act
12 shall be maintained in any criminal record or database.

13 Section 25. The Unified Code of Corrections is amended by
14 changing Sections 5-9-1.1 and 5-9-1.4 and by adding Sections
15 5-1-18.1-1 and 5-4.5-83 as follows:

16 (730 ILCS 5/5-1-18.1-1 new)

17 Sec. 5-1-18.1-1. Regulatory Offense. "Regulatory offense"
18 means an offense which is not to be considered a criminal
19 offense and for which a fine in the amount specified in the
20 offense is the only allowed disposition.

21 (730 ILCS 5/5-4.5-83 new)

22 Sec. 5-4.5-83. REGULATORY OFFENSES; SENTENCE.

23 (a) FINE. A defendant may be sentenced to pay a fine not to

1 exceed for each offense the amount specified in the statute
2 defining that offense.

3 (b) PROBATION; CONDITIONAL DISCHARGE. A period of
4 probation or conditional discharge shall not be imposed.

5 (c) SUPERVISION. A period of supervision shall not be
6 imposed.

7 (d) NO CRIMINAL OFFENSE. A regulatory offense shall not be
8 considered a criminal offense, for any purpose, or a violation
9 of parole, mandatory supervised release, probation,
10 conditional discharge, or supervision.

11 (e) RECORDS. Upon final disposition and payment of all
12 finances and costs in relation to a regulatory offense after a
13 court appearance before a judge, the judge shall order the
14 sealing of the records of or relating to the regulatory offense
15 from the official records kept by the circuit court clerk, as
16 well as the obliteration of the name of the defendant from the
17 official index requested to be kept by the circuit court clerk
18 under Section 16 of the Clerks of Court Act. Upon final
19 disposition and payment of all fines and costs in relation to a
20 regulatory offense when a court appearance before a judge did
21 not occur, the circuit court clerk shall immediately seek a
22 court order to seal the records of or relating to the
23 regulatory offense from the official records kept by the
24 circuit court clerk, as well as the obliteration of the name of
25 the defendant from the official index requested to be kept by
26 the circuit court clerk under Section 16 of the Clerks of Court

1 Act. Upon entry of a sealing order, no information of any
2 character relating to its records shall be given or furnished
3 by the circuit court clerk to any person, bureau, or
4 institution other than as provided in this Act or other State
5 law, or when a governmental unit is required by state or
6 federal law to consider this information in the performance of
7 its duties. The circuit court clerk shall retain the records
8 sealed under this subsection (e). The sealed records maintained
9 under this subsection; however, are exempt from disclosure
10 under the Freedom of Information Act. No regulatory offense
11 record shall be maintained in any criminal record or database.

12 (730 ILCS 5/5-9-1.1) (from Ch. 38, par. 1005-9-1.1)

13 (Text of Section from P.A. 94-550, 96-132, 96-402, 96-1234,
14 97-545, and 98-537)

15 Sec. 5-9-1.1. Drug related offenses.

16 (a) Except for a conviction or plea of guilty to a Uniform
17 Cannabis Ticket, when ~~when~~ a person has been adjudged guilty of
18 a drug related offense involving possession or delivery of
19 cannabis or possession or delivery of a controlled substance,
20 other than methamphetamine, as defined in the Cannabis Control
21 Act, as amended, or the Illinois Controlled Substances Act, as
22 amended, in addition to any other penalty imposed, a fine shall
23 be levied by the court at not less than the full street value
24 of the cannabis or controlled substances seized.

25 "Street value" shall be determined by the court on the

1 basis of testimony of law enforcement personnel and the
2 defendant as to the amount seized and such testimony as may be
3 required by the court as to the current street value of the
4 cannabis or controlled substance seized.

5 (b) In addition to any penalty imposed under subsection (a)
6 of this Section, a fine of \$100 shall be levied by the court,
7 the proceeds of which shall be collected by the Circuit Clerk
8 and remitted to the State Treasurer under Section 27.6 of the
9 Clerks of Courts Act for deposit into the Trauma Center Fund
10 for distribution as provided under Section 3.225 of the
11 Emergency Medical Services (EMS) Systems Act.

12 (c) In addition to any penalty imposed under subsection (a)
13 of this Section, a fee of \$5 shall be assessed by the court,
14 the proceeds of which shall be collected by the Circuit Clerk
15 and remitted to the State Treasurer under Section 27.6 of the
16 Clerks of Courts Act for deposit into the Spinal Cord Injury
17 Paralysis Cure Research Trust Fund. This additional fee of \$5
18 shall not be considered a part of the fine for purposes of any
19 reduction in the fine for time served either before or after
20 sentencing.

21 (d) In addition to any penalty imposed under subsection (a)
22 of this Section for a drug related offense involving possession
23 or delivery of cannabis or possession or delivery of a
24 controlled substance as defined in the Cannabis Control Act,
25 the Illinois Controlled Substances Act, or the Methamphetamine
26 Control and Community Protection Act, a fee of \$50 shall be

1 assessed by the court, the proceeds of which shall be collected
2 by the Circuit Clerk and remitted to the State Treasurer under
3 Section 27.6 of the Clerks of Courts Act for deposit into the
4 Performance-enhancing Substance Testing Fund. This additional
5 fee of \$50 shall not be considered a part of the fine for
6 purposes of any reduction in the fine for time served either
7 before or after sentencing. The provisions of this subsection
8 (d), other than this sentence, are inoperative after June 30,
9 2011.

10 (e) In addition to any penalty imposed under subsection (a)
11 of this Section, a \$25 assessment shall be assessed by the
12 court, the proceeds of which shall be collected by the Circuit
13 Clerk and remitted to the State Treasurer for deposit into the
14 Criminal Justice Information Projects Fund. The moneys
15 deposited into the Criminal Justice Information Projects Fund
16 under this Section shall be appropriated to and administered by
17 the Illinois Criminal Justice Information Authority for
18 funding of drug task forces and Metropolitan Enforcement
19 Groups.

20 (f) In addition to any penalty imposed under subsection (a)
21 of this Section, a \$20 assessment shall be assessed by the
22 court, the proceeds of which shall be collected by the Circuit
23 Clerk. Of the collected proceeds, (i) 90% shall be remitted to
24 the State Treasurer for deposit into the Prescription Pill and
25 Drug Disposal Fund; (ii) 5% shall be remitted for deposit into
26 the Criminal Justice Information Projects Fund, for use by the

1 Illinois Criminal Justice Information Authority for the costs
2 associated with making grants from the Prescription Pill and
3 Drug Disposal Fund; and (iii) the Circuit Clerk shall retain 5%
4 for deposit into the Circuit Court Clerk Operation and
5 Administrative Fund for the costs associated with
6 administering this subsection.

7 (Source: P.A. 97-545, eff. 1-1-12; 98-537, eff. 8-23-13.)

8 (Text of Section from P.A. 94-556, 96-132, 96-402, 96-1234,
9 97-545, and 98-537)

10 Sec. 5-9-1.1. Drug related offenses.

11 (a) Except for a conviction or plea of guilty to a Uniform
12 Cannabis Ticket, when ~~when~~ a person has been adjudged guilty of
13 a drug related offense involving possession or delivery of
14 cannabis or possession or delivery of a controlled substance as
15 defined in the Cannabis Control Act, the Illinois Controlled
16 Substances Act, or the Methamphetamine Control and Community
17 Protection Act, in addition to any other penalty imposed, a
18 fine shall be levied by the court at not less than the full
19 street value of the cannabis or controlled substances seized.

20 "Street value" shall be determined by the court on the
21 basis of testimony of law enforcement personnel and the
22 defendant as to the amount seized and such testimony as may be
23 required by the court as to the current street value of the
24 cannabis or controlled substance seized.

25 (b) In addition to any penalty imposed under subsection (a)

1 of this Section, a fine of \$100 shall be levied by the court,
2 the proceeds of which shall be collected by the Circuit Clerk
3 and remitted to the State Treasurer under Section 27.6 of the
4 Clerks of Courts Act for deposit into the Trauma Center Fund
5 for distribution as provided under Section 3.225 of the
6 Emergency Medical Services (EMS) Systems Act.

7 (c) In addition to any penalty imposed under subsection (a)
8 of this Section, a fee of \$5 shall be assessed by the court,
9 the proceeds of which shall be collected by the Circuit Clerk
10 and remitted to the State Treasurer under Section 27.6 of the
11 Clerks of Courts Act for deposit into the Spinal Cord Injury
12 Paralysis Cure Research Trust Fund. This additional fee of \$5
13 shall not be considered a part of the fine for purposes of any
14 reduction in the fine for time served either before or after
15 sentencing.

16 (d) In addition to any penalty imposed under subsection (a)
17 of this Section for a drug related offense involving possession
18 or delivery of cannabis or possession or delivery of a
19 controlled substance as defined in the Cannabis Control Act,
20 the Illinois Controlled Substances Act, or the Methamphetamine
21 Control and Community Protection Act, a fee of \$50 shall be
22 assessed by the court, the proceeds of which shall be collected
23 by the Circuit Clerk and remitted to the State Treasurer under
24 Section 27.6 of the Clerks of Courts Act for deposit into the
25 Performance-enhancing Substance Testing Fund. This additional
26 fee of \$50 shall not be considered a part of the fine for

1 purposes of any reduction in the fine for time served either
2 before or after sentencing. The provisions of this subsection
3 (d), other than this sentence, are inoperative after June 30,
4 2011.

5 (e) In addition to any penalty imposed under subsection (a)
6 of this Section, a \$25 assessment shall be assessed by the
7 court, the proceeds of which shall be collected by the Circuit
8 Clerk and remitted to the State Treasurer for deposit into the
9 Criminal Justice Information Projects Fund. The moneys
10 deposited into the Criminal Justice Information Projects Fund
11 under this Section shall be appropriated to and administered by
12 the Illinois Criminal Justice Information Authority for
13 funding of drug task forces and Metropolitan Enforcement
14 Groups.

15 (f) In addition to any penalty imposed under subsection (a)
16 of this Section, a \$20 assessment shall be assessed by the
17 court, the proceeds of which shall be collected by the Circuit
18 Clerk. Of the collected proceeds, (i) 90% shall be remitted to
19 the State Treasurer for deposit into the Prescription Pill and
20 Drug Disposal Fund; (ii) 5% shall be remitted for deposit into
21 the Criminal Justice Information Projects Fund, for use by the
22 Illinois Criminal Justice Information Authority for the costs
23 associated with making grants from the Prescription Pill and
24 Drug Disposal Fund; and (iii) the Circuit Clerk shall retain 5%
25 for deposit into the Circuit Court Clerk Operation and
26 Administrative Fund for the costs associated with

1 administering this subsection.

2 (Source: P.A. 97-545, eff. 1-1-12; 98-537, eff. 8-23-13.)

3 (730 ILCS 5/5-9-1.4) (from Ch. 38, par. 1005-9-1.4)

4 Sec. 5-9-1.4. (a) "Crime laboratory" means any
5 not-for-profit laboratory registered with the Drug Enforcement
6 Administration of the United States Department of Justice,
7 substantially funded by a unit or combination of units of local
8 government or the State of Illinois, which regularly employs at
9 least one person engaged in the analysis of controlled
10 substances, cannabis, methamphetamine, or steroids for
11 criminal justice agencies in criminal matters and provides
12 testimony with respect to such examinations.

13 (b) Except for a conviction or plea of guilty to a Uniform
14 Cannabis Ticket, when ~~when~~ a person has been adjudged guilty of
15 an offense in violation of the Cannabis Control Act, the
16 Illinois Controlled Substances Act, the Methamphetamine
17 Control and Community Protection Act, or the Steroid Control
18 Act, in addition to any other disposition, penalty or fine
19 imposed, a criminal laboratory analysis fee of \$100 for each
20 offense for which he was convicted shall be levied by the
21 court. Any person placed on probation pursuant to Section 10 of
22 the Cannabis Control Act, Section 410 of the Illinois
23 Controlled Substances Act, Section 70 of the Methamphetamine
24 Control and Community Protection Act, or Section 10 of the
25 Steroid Control Act or placed on supervision for a violation of

1 the Cannabis Control Act, the Illinois Controlled Substances
2 Act or the Steroid Control Act shall be assessed a criminal
3 laboratory analysis fee of \$100 for each offense for which he
4 was charged. Upon verified petition of the person, the court
5 may suspend payment of all or part of the fee if it finds that
6 the person does not have the ability to pay the fee.

7 (c) In addition to any other disposition made pursuant to
8 the provisions of the Juvenile Court Act of 1987, any minor
9 adjudicated delinquent for an offense which if committed by an
10 adult would constitute a violation of the Cannabis Control Act,
11 the Illinois Controlled Substances Act, the Methamphetamine
12 Control and Community Protection Act, or the Steroid Control
13 Act shall be assessed a criminal laboratory analysis fee of
14 \$100 for each adjudication. Upon verified petition of the
15 minor, the court may suspend payment of all or part of the fee
16 if it finds that the minor does not have the ability to pay the
17 fee. The parent, guardian or legal custodian of the minor may
18 pay some or all of such fee on the minor's behalf.

19 (d) All criminal laboratory analysis fees provided for by
20 this Section shall be collected by the clerk of the court and
21 forwarded to the appropriate crime laboratory fund as provided
22 in subsection (f).

23 (e) Crime laboratory funds shall be established as follows:

24 (1) Any unit of local government which maintains a
25 crime laboratory may establish a crime laboratory fund
26 within the office of the county or municipal treasurer.

1 (2) Any combination of units of local government which
2 maintains a crime laboratory may establish a crime
3 laboratory fund within the office of the treasurer of the
4 county where the crime laboratory is situated.

5 (3) The State Crime Laboratory Fund is hereby created
6 as a special fund in the State Treasury.

7 (f) The analysis fee provided for in subsections (b) and
8 (c) of this Section shall be forwarded to the office of the
9 treasurer of the unit of local government that performed the
10 analysis if that unit of local government has established a
11 crime laboratory fund, or to the State Crime Laboratory Fund if
12 the analysis was performed by a laboratory operated by the
13 Illinois State Police. If the analysis was performed by a crime
14 laboratory funded by a combination of units of local
15 government, the analysis fee shall be forwarded to the
16 treasurer of the county where the crime laboratory is situated
17 if a crime laboratory fund has been established in that county.
18 If the unit of local government or combination of units of
19 local government has not established a crime laboratory fund,
20 then the analysis fee shall be forwarded to the State Crime
21 Laboratory Fund. The clerk of the circuit court may retain the
22 amount of \$10 from each collected analysis fee to offset
23 administrative costs incurred in carrying out the clerk's
24 responsibilities under this Section.

25 (g) Fees deposited into a crime laboratory fund created
26 pursuant to paragraphs (1) or (2) of subsection (e) of this

1 Section shall be in addition to any allocations made pursuant
2 to existing law and shall be designated for the exclusive use
3 of the crime laboratory. These uses may include, but are not
4 limited to, the following:

5 (1) costs incurred in providing analysis for
6 controlled substances in connection with criminal
7 investigations conducted within this State;

8 (2) purchase and maintenance of equipment for use in
9 performing analyses; and

10 (3) continuing education, training and professional
11 development of forensic scientists regularly employed by
12 these laboratories.

13 (h) Fees deposited in the State Crime Laboratory Fund
14 created pursuant to paragraph (3) of subsection (d) of this
15 Section shall be used by State crime laboratories as designated
16 by the Director of State Police. These funds shall be in
17 addition to any allocations made pursuant to existing law and
18 shall be designated for the exclusive use of State crime
19 laboratories. These uses may include those enumerated in
20 subsection (g) of this Section.

21 (Source: P.A. 94-556, eff. 9-11-05.)

1		INDEX
2		Statutes amended in order of appearance
3	20 ILCS 2630/5	from Ch. 38, par. 206-5
4	20 ILCS 2630/5.2	
5	705 ILCS 105/16	from Ch. 25, par. 16
6	705 ILCS 105/27.1a	from Ch. 25, par. 27.1a
7	705 ILCS 105/27.2a	from Ch. 25, par. 27.2a
8	705 ILCS 105/27.3b	from Ch. 25, par. 27.3b
9	720 ILCS 550/1	from Ch. 56 1/2, par. 701
10	720 ILCS 550/4	from Ch. 56 1/2, par. 704
11	720 ILCS 550/9	from Ch. 56 1/2, par. 709
12	720 ILCS 550/10	from Ch. 56 1/2, par. 710
13	725 ILCS 5/111-3.1 new	
14	730 ILCS 5/5-1-18.1-1 new	
15	730 ILCS 5/5-4.5-83 new	
16	730 ILCS 5/5-9-1.1	from Ch. 38, par. 1005-9-1.1
17	730 ILCS 5/5-9-1.4	from Ch. 38, par. 1005-9-1.4