



Sen. Toi W. Hutchinson

Filed: 3/27/2015

09900SB0372sam001

LRB099 03129 AWJ 31878 a

1 AMENDMENT TO SENATE BILL 372

2 AMENDMENT NO. _____. Amend Senate Bill 372 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Section 5-39001 as follows:

6 (55 ILCS 5/5-39001) (from Ch. 34, par. 5-39001)

7 Sec. 5-39001. Establishment and use; fee. The county board
8 of any county may establish and maintain a county law library,
9 to be located in any county building or privately or publicly
10 owned building at the county seat of government. The term
11 "county building" includes premises leased by the county from a
12 public building commission created under the Public Building
13 Commission Act. After August 2, 1976, the county board of any
14 county may establish and maintain a county law library at the
15 county seat of government and, in addition, branch law
16 libraries in other locations within that county as the county

1 board deems necessary.

2 The facilities of those libraries shall be freely available
3 to all licensed Illinois attorneys, judges, other public
4 officers of the county, and all members of the public, whenever
5 the court house is open, and may include self-help centers and
6 other legal assistance programs for the public as part of the
7 services it provides on-site and online.

8 The expense of establishing and maintaining those
9 libraries shall be borne by the county. To defray that expense,
10 including the expense of any attendant self-help centers and
11 legal assistance programs, in any county having established a
12 county law library or libraries, the clerk of all trial courts
13 located at the county seat of government shall charge and
14 collect a county law library fee of \$2, and the county board
15 may authorize a county law library fee of not to exceed (i) \$18
16 in 2009, (ii) \$19 in 2010, ~~and~~ (iii) \$21 in 2011, (iv) \$23 in
17 2016, and (v) \$25 in 2017 and thereafter, to be charged and
18 collected by the clerks of all trial courts located in the
19 county. The fee shall be paid at the time of filing the first
20 pleading, paper, or other appearance filed by each party in all
21 civil cases, but no additional fee shall be required if more
22 than one party is represented in a single pleading, paper, or
23 other appearance.

24 Each clerk shall commence those charges and collections
25 upon receipt of written notice from the chairman of the county
26 board that the board has acted under this Division to establish

1 and maintain a law library.

2 The fees shall be in addition to all other fees and charges
3 of the clerks, assessable as costs, remitted by the clerks
4 monthly to the county treasurer, and retained by the county
5 treasurer in a special fund designated as the County Law
6 Library Fund. Except as otherwise provided in this paragraph,
7 disbursements from the fund shall be by the county treasurer,
8 on order of a majority of the resident circuit judges of the
9 circuit court of the county. In any county with more than
10 2,000,000 inhabitants, the county board shall order
11 disbursements from the fund and the presiding officer of the
12 county board, with the advice and consent of the county board,
13 may appoint a library committee of not less than 9 members,
14 who, by majority vote, may recommend to the county board as to
15 disbursements of the fund and the operation of the library. In
16 single county circuits with 2,000,000 or fewer inhabitants,
17 disbursements from the County Law Library Fund shall be made by
18 the county treasurer on the order of the chief judge of the
19 circuit court of the county. In those single county circuits,
20 the number of personnel necessary to operate and maintain the
21 county law library shall be set by and those personnel shall be
22 appointed by the chief judge. The county law library personnel
23 shall serve at the pleasure of the appointing authority. The
24 salaries of those personnel shall be fixed by the county board
25 of the county. Orders shall be pre-audited, funds shall be
26 audited by the county auditor, and a report of the orders and

1 funds shall be rendered to the county board and to the judges.

2 Fees shall not be charged in any criminal or quasi-criminal
3 case, in any matter coming to the clerk on change of venue, or
4 in any proceeding to review the decision of any administrative
5 officer, agency, or body.

6 No moneys distributed from the County Law Library Fund may
7 be directly or indirectly used for lobbying activities, as
8 defined in Section 2 of the Lobbyist Registration Act or as
9 defined in any ordinance or resolution of a municipality,
10 county, or other unit of local government in Illinois.

11 (Source: P.A. 98-351, eff. 8-15-13.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law."