

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 1. Short title. This Act may be cited as the DUI
5 Prevention and Education Commission Act.

6 Section 5. The DUI Prevention and Education Commission.

7 (a) The DUI Prevention and Education Commission is created,
8 consisting of the following members:

9 (1) one member from the Office of the Secretary of
10 State, appointed by the Secretary of State;

11 (2) one member representing law enforcement, appointed
12 by the Department of State Police;

13 (3) one member from the Division of Alcohol and
14 Substance Abuse of the Department of Human Services,
15 appointed by the Secretary of the Department of Human
16 Services;

17 (4) one member from the Division of Traffic Safety of
18 the Department of Transportation, appointed by the
19 Secretary of the Department of Transportation; and

20 (5) the Director of the Office of the State's Attorneys
21 Appellate Prosecutor, or his or her designee.

22 (b) The members of the Commission shall be appointed within
23 60 days after the effective date of this Act.

1 (c) The members of the Commission shall receive no
2 compensation for serving as members of the Commission.

3 (d) The Department of Transportation shall provide
4 administrative support to the Commission.

5 Section 10. Meetings.

6 (a) Each member of the Commission shall have voting rights
7 and all actions and recommendations shall be approved by a
8 simple majority vote of the members. A quorum shall consist of
9 3 members.

10 (b) The initial meeting of the Commission shall take place
11 within 90 days after the effective date of this Act. At the
12 initial meeting, the Commission shall elect one member as a
13 Chairperson by a simple majority vote. The Chairperson shall
14 call any subsequent meetings.

15 Section 15. Powers. The Commission shall:

16 (1) create rules and guidelines to consider in
17 accepting, reviewing, and determining grant applications;

18 (2) as necessary, meet to determine recipients of
19 grants from the DUI Prevention and Education Fund; and

20 (3) provide a list of eligible grant recipients to the
21 Department of Transportation.

22 Section 20. DUI Prevention and Education Fund; transfer of
23 funds.

1 (a) The DUI Prevention and Education Fund is created as a
2 special fund in the State treasury. Subject to appropriation,
3 all moneys in the DUI Prevention and Education Fund shall be
4 distributed by the Department of Transportation with guidance
5 from the DUI Prevention and Education Commission as grants for
6 crash victim programs and materials, impaired driving
7 prevention programs, law enforcement support, and other
8 DUI-related programs.

9 (b) As soon as practical after the effective date of this
10 Act, the State Comptroller shall direct and the State Treasurer
11 shall transfer \$750,000 from the Roadside Memorial Fund to the
12 DUI Prevention and Education Fund.

13 Section 25. The State Finance Act is amended by adding
14 Section 5.875 as follows:

15 (30 ILCS 105/5.875 new)

16 Sec. 5.875. DUI Prevention and Education Fund.

17 Section 30. The Clerks of Courts Act is amended by changing
18 Sections 27.5 and 27.6 as follows:

19 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

20 Sec. 27.5. (a) All fees, fines, costs, additional
21 penalties, bail balances assessed or forfeited, and any other
22 amount paid by a person to the circuit clerk that equals an

1 amount less than \$55, except restitution under Section 5-5-6 of
2 the Unified Code of Corrections, reimbursement for the costs of
3 an emergency response as provided under Section 11-501 of the
4 Illinois Vehicle Code, any fees collected for attending a
5 traffic safety program under paragraph (c) of Supreme Court
6 Rule 529, any fee collected on behalf of a State's Attorney
7 under Section 4-2002 of the Counties Code or a sheriff under
8 Section 4-5001 of the Counties Code, or any cost imposed under
9 Section 124A-5 of the Code of Criminal Procedure of 1963, for
10 convictions, orders of supervision, or any other disposition
11 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois
12 Vehicle Code, or a similar provision of a local ordinance, and
13 any violation of the Child Passenger Protection Act, or a
14 similar provision of a local ordinance, and except as otherwise
15 provided in this Section, shall be disbursed within 60 days
16 after receipt by the circuit clerk as follows: 47% shall be
17 disbursed to the entity authorized by law to receive the fine
18 imposed in the case; 12% shall be disbursed to the State
19 Treasurer; and 41% shall be disbursed to the county's general
20 corporate fund. Of the 12% disbursed to the State Treasurer,
21 1/6 shall be deposited by the State Treasurer into the Violent
22 Crime Victims Assistance Fund, 1/2 shall be deposited into the
23 Traffic and Criminal Conviction Surcharge Fund, and 1/3 shall
24 be deposited into the Drivers Education Fund. For fiscal years
25 1992 and 1993, amounts deposited into the Violent Crime Victims
26 Assistance Fund, the Traffic and Criminal Conviction Surcharge

1 Fund, or the Drivers Education Fund shall not exceed 110% of
2 the amounts deposited into those funds in fiscal year 1991. Any
3 amount that exceeds the 110% limit shall be distributed as
4 follows: 50% shall be disbursed to the county's general
5 corporate fund and 50% shall be disbursed to the entity
6 authorized by law to receive the fine imposed in the case. Not
7 later than March 1 of each year the circuit clerk shall submit
8 a report of the amount of funds remitted to the State Treasurer
9 under this Section during the preceding year based upon
10 independent verification of fines and fees. All counties shall
11 be subject to this Section, except that counties with a
12 population under 2,000,000 may, by ordinance, elect not to be
13 subject to this Section. For offenses subject to this Section,
14 judges shall impose one total sum of money payable for
15 violations. The circuit clerk may add on no additional amounts
16 except for amounts that are required by Sections 27.3a and
17 27.3c of this Act, Section 16-104c of the Illinois Vehicle
18 Code, and subsection (a) of Section 5-1101 of the Counties
19 Code, unless those amounts are specifically waived by the
20 judge. With respect to money collected by the circuit clerk as
21 a result of forfeiture of bail, ex parte judgment or guilty
22 plea pursuant to Supreme Court Rule 529, the circuit clerk
23 shall first deduct and pay amounts required by Sections 27.3a
24 and 27.3c of this Act. Unless a court ordered payment schedule
25 is implemented or fee requirements are waived pursuant to a
26 court order, the circuit clerk may add to any unpaid fees and

1 costs a delinquency amount equal to 5% of the unpaid fees that
2 remain unpaid after 30 days, 10% of the unpaid fees that remain
3 unpaid after 60 days, and 15% of the unpaid fees that remain
4 unpaid after 90 days. Notice to those parties may be made by
5 signage posting or publication. The additional delinquency
6 amounts collected under this Section shall be deposited in the
7 Circuit Court Clerk Operation and Administrative Fund to be
8 used to defray administrative costs incurred by the circuit
9 clerk in performing the duties required to collect and disburse
10 funds. This Section is a denial and limitation of home rule
11 powers and functions under subsection (h) of Section 6 of
12 Article VII of the Illinois Constitution.

13 (b) The following amounts must be remitted to the State
14 Treasurer for deposit into the Illinois Animal Abuse Fund:

15 (1) 50% of the amounts collected for felony offenses
16 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
17 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
18 Animals Act and Section 26-5 or 48-1 of the Criminal Code
19 of 1961 or the Criminal Code of 2012;

20 (2) 20% of the amounts collected for Class A and Class
21 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
22 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
23 for Animals Act and Section 26-5 or 48-1 of the Criminal
24 Code of 1961 or the Criminal Code of 2012; and

25 (3) 50% of the amounts collected for Class C
26 misdemeanors under Sections 4.01 and 7.1 of the Humane Care

1 for Animals Act and Section 26-5 or 48-1 of the Criminal
2 Code of 1961 or the Criminal Code of 2012.

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

15 (d) Any person convicted of, pleading guilty to, or placed
16 on supervision for a serious traffic violation, as defined in
17 Section 1-187.001 of the Illinois Vehicle Code, a violation of
18 Section 11-501 of the Illinois Vehicle Code, or a violation of
19 a similar provision of a local ordinance shall pay an
20 additional fee of \$35, to be disbursed as provided in Section
21 16-104d of that Code.

22 This subsection (d) becomes inoperative on January 1, 2020.

23 (e) In all counties having a population of 3,000,000 or
24 more inhabitants:

25 (1) A person who is found guilty of or pleads guilty to
26 violating subsection (a) of Section 11-501 of the Illinois

1 Vehicle Code, including any person placed on court
2 supervision for violating subsection (a), shall be fined
3 \$750 as provided for by subsection (f) of Section 11-501.01
4 of the Illinois Vehicle Code, payable to the circuit clerk,
5 who shall distribute the money pursuant to subsection (f)
6 of Section 11-501.01 of the Illinois Vehicle Code.

7 (2) When a crime laboratory DUI analysis fee of \$150,
8 provided for by Section 5-9-1.9 of the Unified Code of
9 Corrections is assessed, it shall be disbursed by the
10 circuit clerk as provided by subsection (f) of Section
11 5-9-1.9 of the Unified Code of Corrections.

12 (3) When a fine for a violation of subsection (a) of
13 Section 11-605 of the Illinois Vehicle Code is \$150 or
14 greater, the additional \$50 which is charged as provided
15 for by subsection (f) of Section 11-605 of the Illinois
16 Vehicle Code shall be disbursed by the circuit clerk to a
17 school district or districts for school safety purposes as
18 provided by subsection (f) of Section 11-605.

19 (4) When a fine for a violation of subsection (a) of
20 Section 11-1002.5 of the Illinois Vehicle Code is \$150 or
21 greater, the additional \$50 which is charged as provided
22 for by subsection (c) of Section 11-1002.5 of the Illinois
23 Vehicle Code shall be disbursed by the circuit clerk to a
24 school district or districts for school safety purposes as
25 provided by subsection (c) of Section 11-1002.5 of the
26 Illinois Vehicle Code.

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

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

12 (7) When a Children's Advocacy Center fee is assessed
13 pursuant to subsection (f-5) of Section 5-1101 of the
14 Counties Code, it shall be disbursed by the circuit clerk
15 as provided in subsection (f-5) of Section 5-1101 of the
16 Counties Code.

17 (8) When a victim impact panel fee is assessed pursuant
18 to subsection (b) of Section 11-501.01 of the Illinois
19 Vehicle Code, it shall be disbursed by the circuit clerk to
20 the victim impact panel to be attended by the defendant.

21 (9) When a new fee collected in traffic cases is
22 enacted after January 1, 2010 (the effective date of Public
23 Act 96-735), it shall be excluded from the percentage
24 disbursement provisions of this Section unless otherwise
25 indicated by law.

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

1 supervision for a violation of Section 11-501 of the Illinois
2 Vehicle Code shall, in addition to any other fines, fees, and
3 court costs, pay an additional fee of \$50, which shall be
4 collected by the circuit clerk and then remitted to the State
5 Treasurer for deposit as follows:

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

15 (2) \$45 into the DUI Prevention and Education Fund.

16 The court may waive the fee if full restitution is complied
17 with.

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

23 (Source: P.A. 97-333, eff. 8-12-11; 97-1108, eff. 1-1-13;
24 97-1150, eff. 1-25-13; 98-658, eff. 6-23-14.)

1 (Section as amended by P.A. 96-286, 96-576, 96-578, 96-625,
2 96-667, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, 97-1150,
3 98-658, 98-1013, 99-78, and 99-455)

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

1 circuit clerk as follows: 44.5% shall be disbursed to the
2 entity authorized by law to receive the fine imposed in the
3 case; 16.825% shall be disbursed to the State Treasurer; and
4 38.675% shall be disbursed to the county's general corporate
5 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
6 shall be deposited by the State Treasurer into the Violent
7 Crime Victims Assistance Fund, 5.052/17 shall be deposited into
8 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall
9 be deposited into the Drivers Education Fund, and 6.948/17
10 shall be deposited into the Trauma Center Fund. Of the 6.948/17
11 deposited into the Trauma Center Fund from the 16.825%
12 disbursed to the State Treasurer, 50% shall be disbursed to the
13 Department of Public Health and 50% shall be disbursed to the
14 Department of Healthcare and Family Services. For fiscal year
15 1993, amounts deposited into the Violent Crime Victims
16 Assistance Fund, the Traffic and Criminal Conviction Surcharge
17 Fund, or the Drivers Education Fund shall not exceed 110% of
18 the amounts deposited into those funds in fiscal year 1991. Any
19 amount that exceeds the 110% limit shall be distributed as
20 follows: 50% shall be disbursed to the county's general
21 corporate fund and 50% shall be disbursed to the entity
22 authorized by law to receive the fine imposed in the case. Not
23 later than March 1 of each year the circuit clerk shall submit
24 a report of the amount of funds remitted to the State Treasurer
25 under this Section during the preceding year based upon
26 independent verification of fines and fees. All counties shall

1 be subject to this Section, except that counties with a
2 population under 2,000,000 may, by ordinance, elect not to be
3 subject to this Section. For offenses subject to this Section,
4 judges shall impose one total sum of money payable for
5 violations. The circuit clerk may add on no additional amounts
6 except for amounts that are required by Sections 27.3a and
7 27.3c of this Act, unless those amounts are specifically waived
8 by the judge. With respect to money collected by the circuit
9 clerk as a result of forfeiture of bail, ex parte judgment or
10 guilty plea pursuant to Supreme Court Rule 529, the circuit
11 clerk shall first deduct and pay amounts required by Sections
12 27.3a and 27.3c of this Act. This Section is a denial and
13 limitation of home rule powers and functions under subsection
14 (h) of Section 6 of Article VII of the Illinois Constitution.

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

1 remitted to the State Treasurer under this subsection during
2 the preceding calendar year.

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

17 (c) In addition to any other fines and court costs assessed
18 by the courts, any person convicted for a violation of Sections
19 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the
20 Criminal Code of 2012 or a person sentenced for a violation of
21 the Cannabis Control Act, the Illinois Controlled Substances
22 Act, or the Methamphetamine Control and Community Protection
23 Act shall pay an additional fee of \$100 to the clerk of the
24 circuit court. This amount, less 2 1/2% that shall be used to
25 defray administrative costs incurred by the clerk, shall be
26 remitted by the clerk to the Treasurer within 60 days after

1 receipt for deposit into the Trauma Center Fund. This
2 additional fee of \$100 shall not be considered a part of the
3 fine for purposes of any reduction in the fine for time served
4 either before or after sentencing. Not later than March 1 of
5 each year the Circuit Clerk shall submit a report of the amount
6 of funds remitted to the State Treasurer under this subsection
7 during the preceding calendar year.

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

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

25 (1) 50% of the amounts collected for felony offenses
26 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,

1 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
2 Animals Act and Section 26-5 or 48-1 of the Criminal Code
3 of 1961 or the Criminal Code of 2012;

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

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

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

25 (f) This Section does not apply to the additional child
26 pornography fines assessed and collected under Section

1 5-9-1.14 of the Unified Code of Corrections.

2 (g) (Blank).

3 (h) (Blank).

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

13 (j) Any person convicted of, pleading guilty to, or placed
14 on supervision for a serious traffic violation, as defined in
15 Section 1-187.001 of the Illinois Vehicle Code, a violation of
16 Section 11-501 of the Illinois Vehicle Code, or a violation of
17 a similar provision of a local ordinance shall pay an
18 additional fee of \$35, to be disbursed as provided in Section
19 16-104d of that Code.

20 This subsection (j) becomes inoperative on January 1, 2020.

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

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

1 supervision for a violation of Section 11-501 of the Illinois
2 Vehicle Code or a similar provision of a local ordinance shall,
3 in addition to any other fines, fees, and court costs, pay an
4 additional fee of \$50, which shall be collected by the circuit
5 clerk and then remitted to the State Treasurer for deposit as
6 follows:

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

16 (2) \$45 into the DUI Prevention and Education Fund.

17 The court may waive the fee if full restitution is complied
18 with.

19 (m) Of the amounts collected as fines under subsection (c)
20 of Section 411.4 of the Illinois Controlled Substances Act or
21 subsection (c) of Section 90 of the Methamphetamine Control and
22 Community Protection Act, 99% shall be deposited to the law
23 enforcement agency or fund specified and 1% shall be deposited
24 into the Circuit Court Clerk Operation and Administrative Fund
25 to be used to offset the costs incurred by the Circuit Court
26 Clerk in performing the additional duties required to collect

1 and disburse funds to entities of State and local government as
2 provided by law.

3 (n) In addition to any other fines and court costs assessed
4 by the courts, any person who is convicted of or pleads guilty
5 to a violation of the Criminal Code of 1961 or the Criminal
6 Code of 2012, or a similar provision of a local ordinance, or
7 who is convicted of, pleads guilty to, or receives a
8 disposition of court supervision for a violation of the
9 Illinois Vehicle Code, or a similar provision of a local
10 ordinance, shall pay an additional fee of \$15 to the clerk of
11 the circuit court. This additional fee of \$15 shall not be
12 considered a part of the fine for purposes of any reduction in
13 the fine for time served either before or after sentencing.
14 This amount, less 2.5% that shall be used to defray
15 administrative costs incurred by the clerk, shall be remitted
16 by the clerk to the State Treasurer within 60 days after
17 receipt for deposit into the State Police Merit Board Public
18 Safety Fund.

19 (o) The amounts collected as fines under Sections 10-9,
20 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall
21 be collected by the circuit clerk and distributed as provided
22 under Section 5-9-1.21 of the Unified Code of Corrections in
23 lieu of any disbursement under subsection (a) of this Section.

24 (p) In addition to any other fees and penalties imposed,
25 any person who is convicted of or pleads guilty to a violation
26 of Section 20-1 or Section 20-1.1 of the Criminal Code of 2012

1 shall pay an additional fee of \$250 to the clerk of the circuit
2 court. This additional fee of \$250 shall not be considered a
3 part of the fine for purposes of any reduction in the fine for
4 time served either before or after sentencing. This amount,
5 less 2.5% that shall be used to defray administrative costs
6 incurred by the clerk, shall be remitted by the clerk to the
7 Department of Insurance within 60 days after receipt for
8 deposit into the George Bailey Memorial Fund.

9 (Source: P.A. 98-658, eff. 6-23-14; 98-1013, eff. 1-1-15;
10 99-78, eff. 7-20-15; 99-455, eff. 1-1-16.)

11 (Section as amended by P.A. 96-576, 96-578, 96-625, 96-667,
12 96-735, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, 97-1150,
13 98-658, 98-1013, 99-78, and 99-455)

14 Sec. 27.6. (a) All fees, fines, costs, additional
15 penalties, bail balances assessed or forfeited, and any other
16 amount paid by a person to the circuit clerk equalling an
17 amount of \$55 or more, except the fine imposed by Section
18 5-9-1.15 of the Unified Code of Corrections, the additional fee
19 required by subsections (b) and (c), restitution under Section
20 5-5-6 of the Unified Code of Corrections, contributions to a
21 local anti-crime program ordered pursuant to Section
22 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of
23 Corrections, reimbursement for the costs of an emergency
24 response as provided under Section 11-501 of the Illinois
25 Vehicle Code, any fees collected for attending a traffic safety

1 program under paragraph (c) of Supreme Court Rule 529, any fee
2 collected on behalf of a State's Attorney under Section 4-2002
3 of the Counties Code or a sheriff under Section 4-5001 of the
4 Counties Code, or any cost imposed under Section 124A-5 of the
5 Code of Criminal Procedure of 1963, for convictions, orders of
6 supervision, or any other disposition for a violation of
7 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a
8 similar provision of a local ordinance, and any violation of
9 the Child Passenger Protection Act, or a similar provision of a
10 local ordinance, and except as otherwise provided in this
11 Section shall be disbursed within 60 days after receipt by the
12 circuit clerk as follows: 44.5% shall be disbursed to the
13 entity authorized by law to receive the fine imposed in the
14 case; 16.825% shall be disbursed to the State Treasurer; and
15 38.675% shall be disbursed to the county's general corporate
16 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
17 shall be deposited by the State Treasurer into the Violent
18 Crime Victims Assistance Fund, 5.052/17 shall be deposited into
19 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall
20 be deposited into the Drivers Education Fund, and 6.948/17
21 shall be deposited into the Trauma Center Fund. Of the 6.948/17
22 deposited into the Trauma Center Fund from the 16.825%
23 disbursed to the State Treasurer, 50% shall be disbursed to the
24 Department of Public Health and 50% shall be disbursed to the
25 Department of Healthcare and Family Services. For fiscal year
26 1993, amounts deposited into the Violent Crime Victims

1 Assistance Fund, the Traffic and Criminal Conviction Surcharge
2 Fund, or the Drivers Education Fund shall not exceed 110% of
3 the amounts deposited into those funds in fiscal year 1991. Any
4 amount that exceeds the 110% limit shall be distributed as
5 follows: 50% shall be disbursed to the county's general
6 corporate fund and 50% shall be disbursed to the entity
7 authorized by law to receive the fine imposed in the case. Not
8 later than March 1 of each year the circuit clerk shall submit
9 a report of the amount of funds remitted to the State Treasurer
10 under this Section during the preceding year based upon
11 independent verification of fines and fees. All counties shall
12 be subject to this Section, except that counties with a
13 population under 2,000,000 may, by ordinance, elect not to be
14 subject to this Section. For offenses subject to this Section,
15 judges shall impose one total sum of money payable for
16 violations. The circuit clerk may add on no additional amounts
17 except for amounts that are required by Sections 27.3a and
18 27.3c of this Act, Section 16-104c of the Illinois Vehicle
19 Code, and subsection (a) of Section 5-1101 of the Counties
20 Code, unless those amounts are specifically waived by the
21 judge. With respect to money collected by the circuit clerk as
22 a result of forfeiture of bail, ex parte judgment or guilty
23 plea pursuant to Supreme Court Rule 529, the circuit clerk
24 shall first deduct and pay amounts required by Sections 27.3a
25 and 27.3c of this Act. Unless a court ordered payment schedule
26 is implemented or fee requirements are waived pursuant to court

1 order, the clerk of the court may add to any unpaid fees and
2 costs a delinquency amount equal to 5% of the unpaid fees that
3 remain unpaid after 30 days, 10% of the unpaid fees that remain
4 unpaid after 60 days, and 15% of the unpaid fees that remain
5 unpaid after 90 days. Notice to those parties may be made by
6 signage posting or publication. The additional delinquency
7 amounts collected under this Section shall be deposited in the
8 Circuit Court Clerk Operation and Administrative Fund to be
9 used to defray administrative costs incurred by the circuit
10 clerk in performing the duties required to collect and disburse
11 funds. This Section is a denial and limitation of home rule
12 powers and functions under subsection (h) of Section 6 of
13 Article VII of the Illinois Constitution.

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

1 the preceding calendar year.

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

16 (c) In addition to any other fines and court costs assessed
17 by the courts, any person convicted for a violation of Sections
18 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the
19 Criminal Code of 2012 or a person sentenced for a violation of
20 the Cannabis Control Act, the Illinois Controlled Substances
21 Act, or the Methamphetamine Control and Community Protection
22 Act shall pay an additional fee of \$100 to the clerk of the
23 circuit court. This amount, less 2 1/2% that shall be used to
24 defray administrative costs incurred by the clerk, shall be
25 remitted by the clerk to the Treasurer within 60 days after
26 receipt for deposit into the Trauma Center Fund. This

1 additional fee of \$100 shall not be considered a part of the
2 fine for purposes of any reduction in the fine for time served
3 either before or after sentencing. Not later than March 1 of
4 each year the Circuit Clerk shall submit a report of the amount
5 of funds remitted to the State Treasurer under this subsection
6 during the preceding calendar year.

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

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

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

1 Animals Act and Section 26-5 or 48-1 of the Criminal Code
2 of 1961 or the Criminal Code of 2012;

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

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

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

24 (f) This Section does not apply to the additional child
25 pornography fines assessed and collected under Section
26 5-9-1.14 of the Unified Code of Corrections.

1 (g) Any person convicted of or pleading guilty to a serious
2 traffic violation, as defined in Section 1-187.001 of the
3 Illinois Vehicle Code, shall pay an additional fee of \$35, to
4 be disbursed as provided in Section 16-104d of that Code. This
5 subsection (g) becomes inoperative on January 1, 2020.

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

8 (1) A person who is found guilty of or pleads guilty to
9 violating subsection (a) of Section 11-501 of the Illinois
10 Vehicle Code, including any person placed on court
11 supervision for violating subsection (a), shall be fined
12 \$750 as provided for by subsection (f) of Section 11-501.01
13 of the Illinois Vehicle Code, payable to the circuit clerk,
14 who shall distribute the money pursuant to subsection (f)
15 of Section 11-501.01 of the Illinois Vehicle Code.

16 (2) When a crime laboratory DUI analysis fee of \$150,
17 provided for by Section 5-9-1.9 of the Unified Code of
18 Corrections is assessed, it shall be disbursed by the
19 circuit clerk as provided by subsection (f) of Section
20 5-9-1.9 of the Unified Code of Corrections.

21 (3) When a fine for a violation of Section 11-605.1 of
22 the Illinois Vehicle Code is \$250 or greater, the person
23 who violated that Section shall be charged an additional
24 \$125 as provided for by subsection (e) of Section 11-605.1
25 of the Illinois Vehicle Code, which shall be disbursed by
26 the circuit clerk to a State or county Transportation

1 Safety Highway Hire-back Fund as provided by subsection (e)
2 of Section 11-605.1 of the Illinois Vehicle Code.

3 (4) When a fine for a violation of subsection (a) of
4 Section 11-605 of the Illinois Vehicle Code is \$150 or
5 greater, the additional \$50 which is charged as provided
6 for by subsection (f) of Section 11-605 of the Illinois
7 Vehicle Code shall be disbursed by the circuit clerk to a
8 school district or districts for school safety purposes as
9 provided by subsection (f) of Section 11-605.

10 (5) When a fine for a violation of subsection (a) of
11 Section 11-1002.5 of the Illinois Vehicle Code is \$150 or
12 greater, the additional \$50 which is charged as provided
13 for by subsection (c) of Section 11-1002.5 of the Illinois
14 Vehicle Code shall be disbursed by the circuit clerk to a
15 school district or districts for school safety purposes as
16 provided by subsection (c) of Section 11-1002.5 of the
17 Illinois Vehicle Code.

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

23 (7) When a mandatory teen court, peer jury, youth
24 court, or other youth diversion program fee is assessed as
25 provided in subsection (e) of Section 5-1101 of the
26 Counties Code, it shall be disbursed by the circuit clerk

1 as provided in subsection (e) of Section 5-1101 of the
2 Counties Code.

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

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

12 (10) When a new fee collected in traffic cases is
13 enacted after the effective date of this subsection (h), it
14 shall be excluded from the percentage disbursement
15 provisions of this Section unless otherwise indicated by
16 law.

17 (i) Of the amounts collected as fines under subsection (b)
18 of Section 3-712 of the Illinois Vehicle Code, 99% shall be
19 deposited into the Illinois Military Family Relief Fund and 1%
20 shall be deposited into the Circuit Court Clerk Operation and
21 Administrative Fund created by the Clerk of the Circuit Court
22 to be used to offset the costs incurred by the Circuit Court
23 Clerk in performing the additional duties required to collect
24 and disburse funds to entities of State and local government as
25 provided by law.

26 (j) (Blank).

1 (k) For any conviction or disposition of court supervision
2 for a violation of Section 11-1429 of the Illinois Vehicle
3 Code, the circuit clerk shall distribute the fines paid by the
4 person as specified by subsection (h) of Section 11-1429 of the
5 Illinois Vehicle Code.

6 (l) Any person who receives a disposition of court
7 supervision for a violation of Section 11-501 of the Illinois
8 Vehicle Code or a similar provision of a local ordinance shall,
9 in addition to any other fines, fees, and court costs, pay an
10 additional fee of \$50, which shall be collected by the circuit
11 clerk and then remitted to the State Treasurer for deposit as
12 follows:

13 (1) \$5 into the Roadside Memorial Fund, a special fund
14 in the State treasury. ~~However, the court may waive the fee~~
15 ~~if full restitution is complied with.~~ Subject to
16 appropriation, all moneys in the Roadside Memorial Fund
17 shall be used by the Department of Transportation to pay
18 fees imposed under subsection (f) of Section 20 of the
19 Roadside Memorial Act. The fee shall be remitted by the
20 circuit clerk within one month after receipt to the State
21 Treasurer for deposit into the Roadside Memorial Fund.

22 (2) \$45 into the DUI Prevention and Education Fund.
23 The court may waive the fee if full restitution is complied
24 with.

25 (m) Of the amounts collected as fines under subsection (c)
26 of Section 411.4 of the Illinois Controlled Substances Act or

1 subsection (c) of Section 90 of the Methamphetamine Control and
2 Community Protection Act, 99% shall be deposited to the law
3 enforcement agency or fund specified and 1% shall be deposited
4 into the Circuit Court Clerk Operation and Administrative Fund
5 to be used to offset the costs incurred by the Circuit Court
6 Clerk in performing the additional duties required to collect
7 and disburse funds to entities of State and local government as
8 provided by law.

9 (n) In addition to any other fines and court costs assessed
10 by the courts, any person who is convicted of or pleads guilty
11 to a violation of the Criminal Code of 1961 or the Criminal
12 Code of 2012, or a similar provision of a local ordinance, or
13 who is convicted of, pleads guilty to, or receives a
14 disposition of court supervision for a violation of the
15 Illinois Vehicle Code, or a similar provision of a local
16 ordinance, shall pay an additional fee of \$15 to the clerk of
17 the circuit court. This additional fee of \$15 shall not be
18 considered a part of the fine for purposes of any reduction in
19 the fine for time served either before or after sentencing.
20 This amount, less 2.5% that shall be used to defray
21 administrative costs incurred by the clerk, shall be remitted
22 by the clerk to the State Treasurer within 60 days after
23 receipt for deposit into the State Police Merit Board Public
24 Safety Fund.

25 (o) The amounts collected as fines under Sections 10-9,
26 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall

1 be collected by the circuit clerk and distributed as provided
2 under Section 5-9-1.21 of the Unified Code of Corrections in
3 lieu of any disbursement under subsection (a) of this Section.

4 (p) In addition to any other fees and penalties imposed,
5 any person who is convicted of or pleads guilty to a violation
6 of Section 20-1 or Section 20-1.1 of the Criminal Code of 2012
7 shall pay an additional fee of \$250 to the clerk of the circuit
8 court. This additional fee of \$250 shall not be considered a
9 part of the fine for purposes of any reduction in the fine for
10 time served either before or after sentencing. This amount,
11 less 2.5% that shall be used to defray administrative costs
12 incurred by the clerk, shall be remitted by the clerk to the
13 Department of Insurance within 60 days after receipt for
14 deposit into the George Bailey Memorial Fund.

15 (Source: P.A. 98-658, eff. 6-23-14; 98-1013, eff. 1-1-15;
16 99-78, eff. 7-20-15; 99-455, eff. 1-1-16.)

17 Section 35. The Unified Code of Corrections is amended by
18 changing Section 5-9-1.18 as follows:

19 (730 ILCS 5/5-9-1.18)

20 Sec. 5-9-1.18. Fee; Roadside Memorial Fund and DUI
21 Prevention and Education Fund. A person who is convicted or
22 receives a disposition of court supervision for a violation of
23 Section 11-501 of the Illinois Vehicle Code shall, in addition
24 to any other disposition, penalty, or fine imposed, pay a fee

1 of \$50 which shall be collected by the clerk of the court and
2 then remitted to the State Treasurer for deposit as follows:

3 (1) \$5 into the Roadside Memorial Fund, a special fund
4 that is created in the State treasury. ~~However, the court~~
5 ~~may waive the fee if full restitution is complied with.~~
6 Subject to appropriation, all moneys in the Roadside
7 Memorial Fund shall be used by the Department of
8 Transportation to pay fees imposed under subsection (f) of
9 Section 20 of the Roadside Memorial Act.

10 (2) \$45 into the DUI Prevention and Education Fund.

11 The court may waive the fee if full restitution is complied
12 with.

13 (Source: P.A. 96-667, eff. 8-25-09; 96-1000, eff. 7-2-10.)

14 Section 95. No acceleration or delay. Where this Act makes
15 changes in a statute that is represented in this Act by text
16 that is not yet or no longer in effect (for example, a Section
17 represented by multiple versions), the use of that text does
18 not accelerate or delay the taking effect of (i) the changes
19 made by this Act or (ii) provisions derived from any other
20 Public Act.