



Sen. Martin A. Sandoval

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09900SB0581sam001

LRB099 03446 HEP 48200 a

1 AMENDMENT TO SENATE BILL 581

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 581 by replacing  
3 everything after the enacting clause with the following:

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;

1           (4) one member from the Division of Traffic Safety of  
2           the Department of Transportation, appointed by the  
3           Secretary of the Department of Transportation; and

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

6           (b) The members of the Commission shall be appointed within  
7           60 days after the effective date of this Act.

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

10          (d) The Department of Transportation shall provide  
11          administrative support to the Commission.

12          Section 10. Meetings.

13          (a) Each member of the Commission shall have voting rights  
14          and all actions and recommendations shall be approved by a  
15          simple majority vote of the members. A quorum shall consist of  
16          3 members.

17          (b) The initial meeting of the Commission shall take place  
18          within 90 days after the effective date of this Act. At the  
19          initial meeting, the Commission shall elect one member as a  
20          Chairperson by a simple majority vote. The Chairperson shall  
21          call any subsequent meetings.

22          Section 15. Powers. The Commission shall:

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

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

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

5           Section 20. DUI Prevention and Education Fund; transfer of  
6 funds.

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

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

19           Section 25. The State Finance Act is amended by adding  
20 Section 5.875 as follows:

21           (30 ILCS 105/5.875 new)

22           Sec. 5.875. DUI Prevention and Education Fund.

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

3           (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

4           Sec. 27.5. (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 that equals an  
7 amount less than \$55, except restitution under Section 5-5-6 of  
8 the Unified Code of Corrections, reimbursement for the costs of  
9 an emergency response as provided under Section 11-501 of the  
10 Illinois Vehicle Code, any fees collected for attending a  
11 traffic safety program under paragraph (c) of Supreme Court  
12 Rule 529, any fee collected on behalf of a State's Attorney  
13 under Section 4-2002 of the Counties Code or a sheriff under  
14 Section 4-5001 of the Counties Code, or any cost imposed under  
15 Section 124A-5 of the Code of Criminal Procedure of 1963, for  
16 convictions, orders of supervision, or any other disposition  
17 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois  
18 Vehicle Code, or a similar provision of a local ordinance, and  
19 any violation of the Child Passenger Protection Act, or a  
20 similar provision of a local ordinance, and except as otherwise  
21 provided in this Section, shall be disbursed within 60 days  
22 after receipt by the circuit clerk as follows: 47% shall be  
23 disbursed to the entity authorized by law to receive the fine  
24 imposed in the case; 12% shall be disbursed to the State  
25 Treasurer; and 41% shall be disbursed to the county's general

1 corporate fund. Of the 12% disbursed to the State Treasurer,  
2 1/6 shall be deposited by the State Treasurer into the Violent  
3 Crime Victims Assistance Fund, 1/2 shall be deposited into the  
4 Traffic and Criminal Conviction Surcharge Fund, and 1/3 shall  
5 be deposited into the Drivers Education Fund. For fiscal years  
6 1992 and 1993, amounts deposited into the Violent Crime Victims  
7 Assistance Fund, the Traffic and Criminal Conviction Surcharge  
8 Fund, or the Drivers Education Fund shall not exceed 110% of  
9 the amounts deposited into those funds in fiscal year 1991. Any  
10 amount that exceeds the 110% limit shall be distributed as  
11 follows: 50% shall be disbursed to the county's general  
12 corporate fund and 50% shall be disbursed to the entity  
13 authorized by law to receive the fine imposed in the case. 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 Section during the preceding year based upon  
17 independent verification of fines and fees. All counties shall  
18 be subject to this Section, except that counties with a  
19 population under 2,000,000 may, by ordinance, elect not to be  
20 subject to this Section. For offenses subject to this Section,  
21 judges shall impose one total sum of money payable for  
22 violations. The circuit clerk may add on no additional amounts  
23 except for amounts that are required by Sections 27.3a and  
24 27.3c of this Act, Section 16-104c of the Illinois Vehicle  
25 Code, and subsection (a) of Section 5-1101 of the Counties  
26 Code, unless those amounts are specifically waived by the

1 judge. With respect to money collected by the circuit clerk as  
2 a result of forfeiture of bail, ex parte judgment or guilty  
3 plea pursuant to Supreme Court Rule 529, the circuit clerk  
4 shall first deduct and pay amounts required by Sections 27.3a  
5 and 27.3c of this Act. Unless a court ordered payment schedule  
6 is implemented or fee requirements are waived pursuant to a  
7 court order, the circuit clerk may add to any unpaid fees and  
8 costs a delinquency amount equal to 5% of the unpaid fees that  
9 remain unpaid after 30 days, 10% of the unpaid fees that remain  
10 unpaid after 60 days, and 15% of the unpaid fees that remain  
11 unpaid after 90 days. Notice to those parties may be made by  
12 signage posting or publication. The additional delinquency  
13 amounts collected under this Section shall be deposited in the  
14 Circuit Court Clerk Operation and Administrative Fund to be  
15 used to defray administrative costs incurred by the circuit  
16 clerk in performing the duties required to collect and disburse  
17 funds. This Section is a denial and limitation of home rule  
18 powers and functions under subsection (h) of Section 6 of  
19 Article VII of the Illinois Constitution.

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

22 (1) 50% of the amounts collected for felony offenses  
23 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,  
24 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for  
25 Animals Act and Section 26-5 or 48-1 of the Criminal Code  
26 of 1961 or the Criminal Code of 2012;

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

6           (3) 50% of the amounts collected for Class C  
7           misdemeanors under Sections 4.01 and 7.1 of the Humane Care  
8           for Animals Act and Section 26-5 or 48-1 of the Criminal  
9           Code of 1961 or the Criminal Code of 2012.

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

22          (d) Any person convicted of, pleading guilty to, or placed  
23          on supervision for a serious traffic violation, as defined in  
24          Section 1-187.001 of the Illinois Vehicle Code, a violation of  
25          Section 11-501 of the Illinois Vehicle Code, or a violation of  
26          a similar provision of a local ordinance shall pay an

1 additional fee of \$35, to be disbursed as provided in Section  
2 16-104d of that Code.

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

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

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

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

19 (3) When a fine for a violation of subsection (a) of  
20 Section 11-605 of the Illinois Vehicle Code is \$150 or  
21 greater, the additional \$50 which is charged as provided  
22 for by subsection (f) of Section 11-605 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 (f) of Section 11-605.

26 (4) When a fine for a violation of subsection (a) of



1 Section 11-1002.5 of the Illinois Vehicle Code is \$150 or  
2 greater, the additional \$50 which is charged as provided  
3 for by subsection (c) of Section 11-1002.5 of the Illinois  
4 Vehicle Code shall be disbursed by the circuit clerk to a  
5 school district or districts for school safety purposes as  
6 provided by subsection (c) of Section 11-1002.5 of the  
7 Illinois Vehicle Code.

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

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

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

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

1 the victim impact panel to be attended by the defendant.

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

7 (f) Any person who receives a disposition of court  
8 supervision for a violation of Section 11-501 of the Illinois  
9 Vehicle Code shall, in addition to any other fines, fees, and  
10 court costs, pay an additional fee of \$50, which shall be  
11 collected by the circuit clerk and then remitted to the State  
12 Treasurer for deposit as 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 (g) For any conviction or disposition of court supervision  
26 for a violation of Section 11-1429 of the Illinois Vehicle

1 Code, the circuit clerk shall distribute the fines paid by the  
2 person as specified by subsection (h) of Section 11-1429 of the  
3 Illinois Vehicle Code.

4 (Source: P.A. 97-333, eff. 8-12-11; 97-1108, eff. 1-1-13;  
5 97-1150, eff. 1-25-13; 98-658, eff. 6-23-14.)

6 (705 ILCS 105/27.6)

7 (Section as amended by P.A. 96-286, 96-576, 96-578, 96-625,  
8 96-667, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, 97-1150,  
9 98-658, 98-1013, 99-78, and 99-455)

10 Sec. 27.6. (a) All fees, fines, costs, additional  
11 penalties, bail balances assessed or forfeited, and any other  
12 amount paid by a person to the circuit clerk equalling an  
13 amount of \$55 or more, except the fine imposed by Section  
14 5-9-1.15 of the Unified Code of Corrections, the additional fee  
15 required by subsections (b) and (c), restitution under Section  
16 5-5-6 of the Unified Code of Corrections, contributions to a  
17 local anti-crime program ordered pursuant to Section  
18 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of  
19 Corrections, reimbursement for the costs of an emergency  
20 response as provided under Section 11-501 of the Illinois  
21 Vehicle Code, any fees collected for attending a traffic safety  
22 program under paragraph (c) of Supreme Court Rule 529, any fee  
23 collected on behalf of a State's Attorney under Section 4-2002  
24 of the Counties Code or a sheriff under Section 4-5001 of the  
25 Counties Code, or any cost imposed under Section 124A-5 of the

1 Code of Criminal Procedure of 1963, for convictions, orders of  
2 supervision, or any other disposition for a violation of  
3 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a  
4 similar provision of a local ordinance, and any violation of  
5 the Child Passenger Protection Act, or a similar provision of a  
6 local ordinance, and except as otherwise provided in this  
7 Section shall be disbursed within 60 days after receipt by the  
8 circuit clerk as follows: 44.5% shall be disbursed to the  
9 entity authorized by law to receive the fine imposed in the  
10 case; 16.825% shall be disbursed to the State Treasurer; and  
11 38.675% shall be disbursed to the county's general corporate  
12 fund. Of the 16.825% disbursed to the State Treasurer, 2/17  
13 shall be deposited by the State Treasurer into the Violent  
14 Crime Victims Assistance Fund, 5.052/17 shall be deposited into  
15 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall  
16 be deposited into the Drivers Education Fund, and 6.948/17  
17 shall be deposited into the Trauma Center Fund. Of the 6.948/17  
18 deposited into the Trauma Center Fund from the 16.825%  
19 disbursed to the State Treasurer, 50% shall be disbursed to the  
20 Department of Public Health and 50% shall be disbursed to the  
21 Department of Healthcare and Family Services. For fiscal year  
22 1993, amounts deposited into the Violent Crime Victims  
23 Assistance Fund, the Traffic and Criminal Conviction Surcharge  
24 Fund, or the Drivers Education Fund shall not exceed 110% of  
25 the amounts deposited into those funds in fiscal year 1991. Any  
26 amount that exceeds the 110% limit shall be distributed as

1 follows: 50% shall be disbursed to the county's general  
2 corporate fund and 50% shall be disbursed to the entity  
3 authorized by law to receive the fine imposed in the case. Not  
4 later than March 1 of each year the circuit clerk shall submit  
5 a report of the amount of funds remitted to the State Treasurer  
6 under this Section during the preceding year based upon  
7 independent verification of fines and fees. All counties shall  
8 be subject to this Section, except that counties with a  
9 population under 2,000,000 may, by ordinance, elect not to be  
10 subject to this Section. For offenses subject to this Section,  
11 judges shall impose one total sum of money payable for  
12 violations. The circuit clerk may add on no additional amounts  
13 except for amounts that are required by Sections 27.3a and  
14 27.3c of this Act, unless those amounts are specifically waived  
15 by the judge. With respect to money collected by the circuit  
16 clerk as a result of forfeiture of bail, ex parte judgment or  
17 guilty plea pursuant to Supreme Court Rule 529, the circuit  
18 clerk shall first deduct and pay amounts required by Sections  
19 27.3a and 27.3c of this Act. This Section is a denial and  
20 limitation of home rule powers and functions under subsection  
21 (h) of Section 6 of Article VII of the Illinois Constitution.

22 (b) In addition to any other fines and court costs assessed  
23 by the courts, any person convicted or receiving an order of  
24 supervision for driving under the influence of alcohol or drugs  
25 shall pay an additional fee of \$100 to the clerk of the circuit  
26 court. This amount, less 2 1/2% that shall be used to defray

1 administrative costs incurred by the clerk, shall be remitted  
2 by the clerk to the Treasurer within 60 days after receipt for  
3 deposit into the Trauma Center Fund. This additional fee of  
4 \$100 shall not be considered a part of the fine for purposes of  
5 any reduction in the fine for time served either before or  
6 after sentencing. Not later than March 1 of each year the  
7 Circuit Clerk shall submit a report of the amount of funds  
8 remitted to the State Treasurer under this subsection during  
9 the preceding calendar year.

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

24 (c) In addition to any other fines and court costs assessed  
25 by the courts, any person convicted for a violation of Sections  
26 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the

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

15 (c-1) In addition to any other fines and court costs  
16 assessed by the courts, any person sentenced for a violation of  
17 the Cannabis Control Act, the Illinois Controlled Substances  
18 Act, or the Methamphetamine Control and Community Protection  
19 Act shall pay an additional fee of \$5 to the clerk of the  
20 circuit court. This amount, less 2 1/2% that shall be used to  
21 defray administrative costs incurred by the clerk, shall be  
22 remitted by the clerk to the Treasurer within 60 days after  
23 receipt for deposit into the Spinal Cord Injury Paralysis Cure  
24 Research Trust Fund. This additional fee of \$5 shall not be  
25 considered a part of the fine for purposes of any reduction in  
26 the fine for time served either before or after sentencing. Not

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

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

6 (1) 50% of the amounts collected for felony offenses  
7 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,  
8 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for  
9 Animals Act and Section 26-5 or 48-1 of the Criminal Code  
10 of 1961 or the Criminal Code of 2012;

11 (2) 20% of the amounts collected for Class A and Class  
12 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,  
13 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care  
14 for Animals Act and Section 26-5 or 48-1 of the Criminal  
15 Code of 1961 or the Criminal Code of 2012; and

16 (3) 50% of the amounts collected for Class C  
17 misdemeanors under Sections 4.01 and 7.1 of the Humane Care  
18 for Animals Act and Section 26-5 or 48-1 of the Criminal  
19 Code of 1961 or the Criminal Code of 2012.

20 (e) Any person who receives a disposition of court  
21 supervision for a violation of the Illinois Vehicle Code or a  
22 similar provision of a local ordinance shall, in addition to  
23 any other fines, fees, and court costs, pay an additional fee  
24 of \$29, to be disbursed as provided in Section 16-104c of the  
25 Illinois Vehicle Code. In addition to the fee of \$29, the  
26 person shall also pay a fee of \$6, if not waived by the court.



1 If this \$6 fee is collected, \$5.50 of the fee shall be  
2 deposited into the Circuit Court Clerk Operation and  
3 Administrative Fund created by the Clerk of the Circuit Court  
4 and 50 cents of the fee shall be deposited into the Prisoner  
5 Review Board Vehicle and Equipment Fund in the State treasury.

6 (f) This Section does not apply to the additional child  
7 pornography fines assessed and collected under Section  
8 5-9-1.14 of the Unified Code of Corrections.

9 (g) (Blank).

10 (h) (Blank).

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

20 (j) Any person convicted of, pleading guilty to, or placed  
21 on supervision for a serious traffic violation, as defined in  
22 Section 1-187.001 of the Illinois Vehicle Code, a violation of  
23 Section 11-501 of the Illinois Vehicle Code, or a violation of  
24 a similar provision of a local ordinance shall pay an  
25 additional fee of \$35, to be disbursed as provided in Section  
26 16-104d of that Code.

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

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

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

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

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

26 (m) Of the amounts collected as fines under subsection (c)

1 of Section 411.4 of the Illinois Controlled Substances Act or  
2 subsection (c) of Section 90 of the Methamphetamine Control and  
3 Community Protection Act, 99% shall be deposited to the law  
4 enforcement agency or fund specified and 1% shall be deposited  
5 into the Circuit Court Clerk Operation and Administrative Fund  
6 to be used to offset the costs incurred by the Circuit Court  
7 Clerk in performing the additional duties required to collect  
8 and disburse funds to entities of State and local government as  
9 provided by law.

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

26 (o) The amounts collected as fines under Sections 10-9,

1 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall  
2 be collected by the circuit clerk and distributed as provided  
3 under Section 5-9-1.21 of the Unified Code of Corrections in  
4 lieu of any disbursement under subsection (a) of this Section.

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

16 (Source: P.A. 98-658, eff. 6-23-14; 98-1013, eff. 1-1-15;  
17 99-78, eff. 7-20-15; 99-455, eff. 1-1-16.)

18 (Section as amended by P.A. 96-576, 96-578, 96-625, 96-667,  
19 96-735, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, 97-1150,  
20 98-658, 98-1013, 99-78, and 99-455)

21 Sec. 27.6. (a) All fees, fines, costs, additional  
22 penalties, bail balances assessed or forfeited, and any other  
23 amount paid by a person to the circuit clerk equalling an  
24 amount of \$55 or more, except the fine imposed by Section  
25 5-9-1.15 of the Unified Code of Corrections, the additional fee

1 required by subsections (b) and (c), restitution under Section  
2 5-5-6 of the Unified Code of Corrections, contributions to a  
3 local anti-crime program ordered pursuant to Section  
4 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of  
5 Corrections, reimbursement for the costs of an emergency  
6 response as provided under Section 11-501 of the Illinois  
7 Vehicle Code, any fees collected for attending a traffic safety  
8 program under paragraph (c) of Supreme Court Rule 529, any fee  
9 collected on behalf of a State's Attorney under Section 4-2002  
10 of the Counties Code or a sheriff under Section 4-5001 of the  
11 Counties Code, or any cost imposed under Section 124A-5 of the  
12 Code of Criminal Procedure of 1963, for convictions, orders of  
13 supervision, or any other disposition for a violation of  
14 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a  
15 similar provision of a local ordinance, and any violation of  
16 the Child Passenger Protection Act, or a similar provision of a  
17 local ordinance, and except as otherwise provided in this  
18 Section shall be disbursed within 60 days after receipt by the  
19 circuit clerk as follows: 44.5% shall be disbursed to the  
20 entity authorized by law to receive the fine imposed in the  
21 case; 16.825% shall be disbursed to the State Treasurer; and  
22 38.675% shall be disbursed to the county's general corporate  
23 fund. Of the 16.825% disbursed to the State Treasurer, 2/17  
24 shall be deposited by the State Treasurer into the Violent  
25 Crime Victims Assistance Fund, 5.052/17 shall be deposited into  
26 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall

1 be deposited into the Drivers Education Fund, and 6.948/17  
2 shall be deposited into the Trauma Center Fund. Of the 6.948/17  
3 deposited into the Trauma Center Fund from the 16.825%  
4 disbursed to the State Treasurer, 50% shall be disbursed to the  
5 Department of Public Health and 50% shall be disbursed to the  
6 Department of Healthcare and Family Services. For fiscal year  
7 1993, amounts deposited into the Violent Crime Victims  
8 Assistance Fund, the Traffic and Criminal Conviction Surcharge  
9 Fund, or the Drivers Education Fund shall not exceed 110% of  
10 the amounts deposited into those funds in fiscal year 1991. Any  
11 amount that exceeds the 110% limit shall be distributed as  
12 follows: 50% shall be disbursed to the county's general  
13 corporate fund and 50% shall be disbursed to the entity  
14 authorized by law to receive the fine imposed in the case. Not  
15 later than March 1 of each year the circuit clerk shall submit  
16 a report of the amount of funds remitted to the State Treasurer  
17 under this Section during the preceding year based upon  
18 independent verification of fines and fees. All counties shall  
19 be subject to this Section, except that counties with a  
20 population under 2,000,000 may, by ordinance, elect not to be  
21 subject to this Section. For offenses subject to this Section,  
22 judges shall impose one total sum of money payable for  
23 violations. The circuit clerk may add on no additional amounts  
24 except for amounts that are required by Sections 27.3a and  
25 27.3c of this Act, Section 16-104c of the Illinois Vehicle  
26 Code, and subsection (a) of Section 5-1101 of the Counties

1 Code, unless those amounts are specifically waived by the  
2 judge. With respect to money collected by the circuit clerk as  
3 a result of forfeiture of bail, ex parte judgment or guilty  
4 plea pursuant to Supreme Court Rule 529, the circuit clerk  
5 shall first deduct and pay amounts required by Sections 27.3a  
6 and 27.3c of this Act. Unless a court ordered payment schedule  
7 is implemented or fee requirements are waived pursuant to court  
8 order, the clerk of the court may add to any unpaid fees and  
9 costs a delinquency amount equal to 5% of the unpaid fees that  
10 remain unpaid after 30 days, 10% of the unpaid fees that remain  
11 unpaid after 60 days, and 15% of the unpaid fees that remain  
12 unpaid after 90 days. Notice to those parties may be made by  
13 signage posting or publication. The additional delinquency  
14 amounts collected under this Section shall be deposited in the  
15 Circuit Court Clerk Operation and Administrative Fund to be  
16 used to defray administrative costs incurred by the circuit  
17 clerk in performing the duties required to collect and disburse  
18 funds. This Section is a denial and limitation of home rule  
19 powers and functions under subsection (h) of Section 6 of  
20 Article VII of the Illinois Constitution.

21 (b) In addition to any other fines and court costs assessed  
22 by the courts, any person convicted or receiving an order of  
23 supervision for driving under the influence of alcohol or drugs  
24 shall pay an additional fee of \$100 to the clerk of the circuit  
25 court. This amount, less 2 1/2% that shall be used to defray  
26 administrative costs incurred by the clerk, shall be remitted

1 by the clerk to the Treasurer within 60 days after receipt for  
2 deposit into the Trauma Center Fund. This additional fee of  
3 \$100 shall not be considered a part of the fine for purposes of  
4 any reduction in the fine for time served either before or  
5 after sentencing. Not later than March 1 of each year the  
6 Circuit Clerk shall submit a report of the amount of funds  
7 remitted to the State Treasurer under this subsection during  
8 the preceding calendar year.

9 (b-1) In addition to any other fines and court costs  
10 assessed by the courts, any person convicted or receiving an  
11 order of supervision for driving under the influence of alcohol  
12 or drugs 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 (c) In addition to any other fines and court costs assessed  
24 by the courts, any person convicted for a violation of Sections  
25 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the  
26 Criminal Code of 2012 or a person sentenced for a violation of



1 the Cannabis Control Act, the Illinois Controlled Substances  
2 Act, or the Methamphetamine Control and Community Protection  
3 Act shall pay an additional fee of \$100 to the clerk of the  
4 circuit court. This amount, less 2 1/2% that shall be used to  
5 defray administrative costs incurred by the clerk, shall be  
6 remitted by the clerk to the Treasurer within 60 days after  
7 receipt for deposit into the Trauma Center Fund. This  
8 additional fee of \$100 shall not be considered a part of the  
9 fine for purposes of any reduction in the fine for time served  
10 either before or after sentencing. Not later than March 1 of  
11 each year the Circuit Clerk shall submit a report of the amount  
12 of funds remitted to the State Treasurer under this subsection  
13 during the preceding calendar year.

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

1 a report of the amount of funds remitted to the State Treasurer  
2 under this subsection during the preceding calendar year.

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

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

10 (2) 20% of the amounts collected for Class A and Class  
11 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,  
12 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care  
13 for Animals Act and Section 26-5 or 48-1 of the Criminal  
14 Code of 1961 or the Criminal Code of 2012; and

15 (3) 50% of the amounts collected for Class C  
16 misdemeanors under Sections 4.01 and 7.1 of the Humane Care  
17 for Animals Act and Section 26-5 or 48-1 of the Criminal  
18 Code of 1961 or the Criminal Code of 2012.

19 (e) Any person who receives a disposition of court  
20 supervision for a violation of the Illinois Vehicle Code or a  
21 similar provision of a local ordinance shall, in addition to  
22 any other fines, fees, and court costs, pay an additional fee  
23 of \$29, to be disbursed as provided in Section 16-104c of the  
24 Illinois Vehicle Code. In addition to the fee of \$29, the  
25 person shall also pay a fee of \$6, if not waived by the court.  
26 If this \$6 fee is collected, \$5.50 of the fee shall be

1 deposited into the Circuit Court Clerk Operation and  
2 Administrative Fund created by the Clerk of the Circuit Court  
3 and 50 cents of the fee shall be deposited into the Prisoner  
4 Review Board Vehicle and Equipment Fund in the State treasury.

5 (f) This Section does not apply to the additional child  
6 pornography fines assessed and collected under Section  
7 5-9-1.14 of the Unified Code of Corrections.

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

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

15 (1) A person who is found guilty of or pleads guilty to  
16 violating subsection (a) of Section 11-501 of the Illinois  
17 Vehicle Code, including any person placed on court  
18 supervision for violating subsection (a), shall be fined  
19 \$750 as provided for by subsection (f) of Section 11-501.01  
20 of the Illinois Vehicle Code, payable to the circuit clerk,  
21 who shall distribute the money pursuant to subsection (f)  
22 of Section 11-501.01 of the Illinois Vehicle Code.

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

1 5-9-1.9 of the Unified Code of Corrections.

2 (3) When a fine for a violation of Section 11-605.1 of  
3 the Illinois Vehicle Code is \$250 or greater, the person  
4 who violated that Section shall be charged an additional  
5 \$125 as provided for by subsection (e) of Section 11-605.1  
6 of the Illinois Vehicle Code, which shall be disbursed by  
7 the circuit clerk to a State or county Transportation  
8 Safety Highway Hire-back Fund as provided by subsection (e)  
9 of Section 11-605.1 of the Illinois Vehicle Code.

10 (4) When a fine for a violation of subsection (a) of  
11 Section 11-605 of the Illinois Vehicle Code is \$150 or  
12 greater, the additional \$50 which is charged as provided  
13 for by subsection (f) of Section 11-605 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 (f) of Section 11-605.

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

25 (6) When a mandatory drug court fee of up to \$5 is  
26 assessed as provided in subsection (f) of Section 5-1101 of

1 the Counties Code, it shall be disbursed by the circuit  
2 clerk as provided in subsection (f) of Section 5-1101 of  
3 the Counties Code.

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

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

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

19 (10) When a new fee collected in traffic cases is  
20 enacted after the effective date of this subsection (h), it  
21 shall be excluded from the percentage disbursement  
22 provisions of this Section unless otherwise indicated by  
23 law.

24 (i) Of the amounts collected as fines under subsection (b)  
25 of Section 3-712 of the Illinois Vehicle Code, 99% shall be  
26 deposited into the Illinois Military Family Relief Fund and 1%

1 shall be deposited into the Circuit Court Clerk Operation and  
2 Administrative Fund created by the Clerk of the Circuit Court  
3 to be used to offset the costs incurred by the Circuit Court  
4 Clerk in performing the additional duties required to collect  
5 and disburse funds to entities of State and local government as  
6 provided by law.

7 (j) (Blank).

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

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

20 (1) \$5 into the Roadside Memorial Fund, a special fund  
21 in the State treasury. ~~However, the court may waive the fee~~  
22 ~~if full restitution is complied with.~~ Subject to  
23 appropriation, all moneys in the Roadside Memorial Fund  
24 shall be used by the Department of Transportation to pay  
25 fees imposed under subsection (f) of Section 20 of the  
26 Roadside Memorial Act. The fee shall be remitted by the

1 circuit clerk within one month after receipt to the State  
2 Treasurer for deposit into the Roadside Memorial Fund.

3 (2) \$45 into the DUI Prevention and Education Fund.

4 The court may waive the fee if full restitution is complied  
5 with.

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

16 (n) In addition to any other fines and court costs assessed  
17 by the courts, any person who is convicted of or pleads guilty  
18 to a violation of the Criminal Code of 1961 or the Criminal  
19 Code of 2012, or a similar provision of a local ordinance, or  
20 who is convicted of, pleads guilty to, or receives a  
21 disposition of court supervision for a violation of the  
22 Illinois Vehicle Code, or a similar provision of a local  
23 ordinance, shall pay an additional fee of \$15 to the clerk of  
24 the circuit court. This additional fee of \$15 shall not be  
25 considered a part of the fine for purposes of any reduction in  
26 the fine for time served either before or after sentencing.

1 This amount, less 2.5% that shall be used to defray  
2 administrative costs incurred by the clerk, shall be remitted  
3 by the clerk to the State Treasurer within 60 days after  
4 receipt for deposit into the State Police Merit Board Public  
5 Safety Fund.

6 (o) The amounts collected as fines under Sections 10-9,  
7 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall  
8 be collected by the circuit clerk and distributed as provided  
9 under Section 5-9-1.21 of the Unified Code of Corrections in  
10 lieu of any disbursement under subsection (a) of this Section.

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

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

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



1 (730 ILCS 5/5-9-1.18)

2 Sec. 5-9-1.18. Fee; Roadside Memorial Fund and DUI  
3 Prevention and Education Fund. A person who is convicted or  
4 receives a disposition of court supervision for a violation of  
5 Section 11-501 of the Illinois Vehicle Code shall, in addition  
6 to any other disposition, penalty, or fine imposed, pay a fee  
7 of \$50 which shall be collected by the clerk of the court and  
8 then remitted to the State Treasurer for deposit as follows:

9 (1) \$5 into the Roadside Memorial Fund, a special fund  
10 that is created in the State treasury. ~~However, the court~~  
11 ~~may waive the fee if full restitution is complied with.~~

12 Subject to appropriation, all moneys in the Roadside  
13 Memorial Fund shall be used by the Department of  
14 Transportation to pay fees imposed under subsection (f) of  
15 Section 20 of the Roadside Memorial Act.

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

20 Section 95. No acceleration or delay. Where this Act makes  
21 changes in a statute that is represented in this Act by text  
22 that is not yet or no longer in effect (for example, a Section  
23 represented by multiple versions), the use of that text does  
24 not accelerate or delay the taking effect of (i) the changes

1 made by this Act or (ii) provisions derived from any other  
2 Public Act.".