

1 AN ACT concerning courts.

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

4 Section 5. The Clerks of Courts Act is amended by changing  
5 Sections 27.3a and 28 as follows:

6 (705 ILCS 105/27.3a)

7 Sec. 27.3a. Fees for automated record keeping, probation  
8 and court services operations, ~~and~~ State and Conservation  
9 Police operations, and e-business programs.

10 1. The expense of establishing and maintaining automated  
11 record keeping systems in the offices of the clerks of the  
12 circuit court shall be borne by the county. To defray such  
13 expense in any county having established such an automated  
14 system or which elects to establish such a system, the county  
15 board may require the clerk of the circuit court in their  
16 county to charge and collect a court automation fee of not less  
17 than \$1 nor more than \$25 to be charged and collected by the  
18 clerk of the court. Such fee shall be paid at the time of  
19 filing the first pleading, paper or other appearance filed by  
20 each party in all civil cases or by the defendant in any  
21 felony, traffic, misdemeanor, municipal ordinance, or  
22 conservation case upon a judgment of guilty or grant of  
23 supervision, provided that the record keeping system which

1 processes the case category for which the fee is charged is  
2 automated or has been approved for automation by the county  
3 board, and provided further that no additional fee shall be  
4 required if more than one party is presented in a single  
5 pleading, paper or other appearance. Such fee shall be  
6 collected in the manner in which all other fees or costs are  
7 collected.

8 1.1. Starting on July 6, 2012 (the effective date of Public  
9 Act 97-761) and pursuant to an administrative order from the  
10 chief judge of the circuit or the presiding judge of the county  
11 authorizing such collection, a clerk of the circuit court in  
12 any county that imposes a fee pursuant to subsection 1 of this  
13 Section shall also charge and collect an additional \$10  
14 operations fee for probation and court services department  
15 operations.

16 This additional fee shall be paid by the defendant in any  
17 felony, traffic, misdemeanor, local ordinance, or conservation  
18 case upon a judgment of guilty or grant of supervision, except  
19 such \$10 operations fee shall not be charged and collected in  
20 cases governed by Supreme Court Rule 529 in which the bail  
21 amount is \$120 or less.

22 1.2. With respect to the fee imposed and collected under  
23 subsection 1.1 of this Section, each clerk shall transfer all  
24 fees monthly to the county treasurer for deposit into the  
25 probation and court services fund created under Section 15.1 of  
26 the Probation and Probation Officers Act, and such monies shall

1 be disbursed from the fund only at the direction of the chief  
2 judge of the circuit or another judge designated by the Chief  
3 Circuit Judge in accordance with the policies and guidelines  
4 approved by the Supreme Court.

5 1.5. Starting on June 1, 2014, a clerk of the circuit court  
6 in any county that imposes a fee pursuant to subsection 1 of  
7 this Section, shall charge and collect an additional fee in an  
8 amount equal to the amount of the fee imposed pursuant to  
9 subsection 1 of this Section, except the fee imposed under this  
10 subsection may not be more than \$15. This additional fee shall  
11 be paid by the defendant in any felony, traffic, misdemeanor,  
12 or local ordinance case upon a judgment of guilty or grant of  
13 supervision. This fee shall not be paid by the defendant for  
14 any violation listed in subsection 1.6 of this Section.

15 1.6. Starting on June 1, 2014, a clerk of the circuit court  
16 in any county that imposes a fee pursuant to subsection 1 of  
17 this Section shall charge and collect an additional fee in an  
18 amount equal to the amount of the fee imposed pursuant to  
19 subsection 1 of this Section, except the fee imposed under this  
20 subsection may not be more than \$15. This additional fee shall  
21 be paid by the defendant upon a judgment of guilty or grant of  
22 supervision for a violation under the State Parks Act, the  
23 Recreational Trails of Illinois Act, the Illinois Explosives  
24 Act, the Timber Buyers Licensing Act, the Forest Products  
25 Transportation Act, the Firearm Owners Identification Card  
26 Act, the Environmental Protection Act, the Fish and Aquatic

1 Life Code, the Wildlife Code, the Cave Protection Act, the  
2 Illinois Exotic Weed Act, the Illinois Forestry Development  
3 Act, the Ginseng Harvesting Act, the Illinois Lake Management  
4 Program Act, the Illinois Natural Areas Preservation Act, the  
5 Illinois Open Land Trust Act, the Open Space Lands Acquisition  
6 and Development Act, the Illinois Prescribed Burning Act, the  
7 State Forest Act, the Water Use Act of 1983, the Illinois  
8 Veteran, Youth, and Young Adult Conservation Jobs Act, the  
9 Snowmobile Registration and Safety Act, the Boat Registration  
10 and Safety Act, the Illinois Dangerous Animals Act, the Hunter  
11 and Fishermen Interference Prohibition Act, the Wrongful Tree  
12 Cutting Act, or Section 11-1426.1, 11-1426.2, 11-1427,  
13 11-1427.1, 11-1427.2, 11-1427.3, 11-1427.4, or 11-1427.5 of  
14 the Illinois Vehicle Code, or Section 48-3 or 48-10 of the  
15 Criminal Code of 2012.

16 1.7. Starting on the effective date of this amendatory Act  
17 of the 99th General Assembly, a clerk of the circuit court in  
18 any county that imposes a fee pursuant to subsection 1 of this  
19 Section shall also charge and collect an additional \$9  
20 e-business fee. The fee shall be paid at the time of filing the  
21 first pleading, paper, or other appearance filed by each party  
22 in all civil cases, except no additional fee shall be required  
23 if more than one party is presented in a single pleading,  
24 paper, or other appearance. The fee shall be collected in the  
25 manner in which all other fees or costs are collected. The fee  
26 shall be in addition to all other fees and charges of the

1 clerk, and assessable as costs, and may be waived only if the  
2 judge specifically provides for the waiver of the e-business  
3 fee. The fee shall not be charged in any matter coming to the  
4 clerk on a change of venue, nor in any proceeding to review the  
5 decision of any administrative officer, agency, or body.

6       2. With respect to the fee imposed under subsection 1 of  
7 this Section, each clerk shall commence such charges and  
8 collections upon receipt of written notice from the chairman of  
9 the county board together with a certified copy of the board's  
10 resolution, which the clerk shall file of record in his office.

11       3. With respect to the fee imposed under subsection 1 of  
12 this Section, such fees shall be in addition to all other fees  
13 and charges of such clerks, and assessable as costs, and may be  
14 waived only if the judge specifically provides for the waiver  
15 of the court automation fee. The fees shall be remitted monthly  
16 by such clerk to the county treasurer, to be retained by him in  
17 a special fund designated as the court automation fund. The  
18 fund shall be audited by the county auditor, and the board  
19 shall make expenditure from the fund in payment of any cost  
20 related to the automation of court records, including hardware,  
21 software, research and development costs and personnel related  
22 thereto, provided that the expenditure is approved by the clerk  
23 of the court and by the chief judge of the circuit court or his  
24 designate.

25       4. With respect to the fee imposed under subsection 1 of  
26 this Section, such fees shall not be charged in any matter

1 coming to any such clerk on change of venue, nor in any  
2 proceeding to review the decision of any administrative  
3 officer, agency or body.

4 5. With respect to the additional fee imposed under  
5 subsection 1.5 of this Section, the fee shall be remitted by  
6 the circuit clerk to the State Treasurer within one month after  
7 receipt for deposit into the State Police Operations Assistance  
8 Fund.

9 6. With respect to the additional fees imposed under  
10 subsection 1.5 of this Section, the Director of State Police  
11 may direct the use of these fees for homeland security purposes  
12 by transferring these fees on a quarterly basis from the State  
13 Police Operations Assistance Fund into the Illinois Law  
14 Enforcement Alarm Systems (ILEAS) Fund for homeland security  
15 initiatives programs. The transferred fees shall be allocated,  
16 subject to the approval of the ILEAS Executive Board, as  
17 follows: (i) 66.6% shall be used for homeland security  
18 initiatives and (ii) 33.3% shall be used for airborne  
19 operations. The ILEAS Executive Board shall annually supply the  
20 Director of State Police with a report of the use of these  
21 fees.

22 7. With respect to the additional fee imposed under  
23 subsection 1.6 of this Section, the fee shall be remitted by  
24 the circuit clerk to the State Treasurer within one month after  
25 receipt for deposit into the Conservation Police Operations  
26 Assistance Fund.

1       8. With respect to the fee imposed under subsection 1.7 of  
2 this Section, the clerk shall remit the fee to the State  
3 Treasurer within one month after receipt for deposit into the  
4 Supreme Court Special Purposes Fund. Unless otherwise  
5 authorized by this Act, the moneys deposited into the Supreme  
6 Court Special Purposes Fund under this subsection are not  
7 subject to administrative charges or chargebacks under Section  
8 20 of the State Treasurer Act.

9       (Source: P.A. 97-46, eff. 7-1-12; 97-453, eff. 8-19-11; 97-738,  
10 eff. 7-5-12; 97-761, eff. 7-6-12; 97-813, eff. 7-13-12;  
11 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-375, eff.  
12 8-16-13; 98-606, eff. 6-1-14; 98-1016, eff. 8-22-14.)

13       (705 ILCS 105/28)

14       Sec. 28. Supreme Court Clerk; fees. At the time of filing a  
15 petition or record, the petitioner or appellant shall pay to  
16 the Clerk of the Supreme Court the sum of \$25. That sum shall  
17 be in full payment of all services of the clerk on behalf of  
18 the petitioner or appellant, except the making of a complete  
19 record, or copies of records, papers, or orders. The respondent  
20 or appellee, before entering an appearance or filing any paper,  
21 shall pay to the Clerk of the Supreme Court the sum of \$15,  
22 which sum shall be in full payment of all services of the clerk  
23 on behalf of the respondent or appellee, except the making of a  
24 complete record, or copies of records, papers, or orders.

25       The fee for each official certificate and seal is \$1.

1           The fee for making a complete record, copy of a record, or  
2 other papers in this office is a reasonable fee per page as  
3 established by the Supreme Court, except that the clerk shall  
4 furnish without cost, to parties in interest or their attorneys  
5 of record, copies of opinions or orders. In furtherance of the  
6 public interest, the clerk may furnish copies of opinions or  
7 orders without cost to other individuals or entities.

8           The fee for preparing a law license, certifying it with the  
9 seal, administering the oath, and transcribing the name on the  
10 roll of attorneys is \$5.

11           After the effective date of this amendatory Act of the 98th  
12 General Assembly, the amount of any fee collected under this  
13 Section may be set by Supreme Court rule, except that the  
14 amount of the fees collected under this Section shall remain as  
15 set by statute until the Supreme Court adopts rules specifying  
16 a higher or lower fee amount.

17           There is created the Supreme Court Special Purposes Fund, a  
18 special fund in the State treasury. Moneys collected under this  
19 Section shall be deposited into the Supreme Court Special  
20 Purposes Fund. Moneys in the Supreme Court Special Purposes  
21 Fund shall ~~to~~ be used by the Supreme Court for:

22           (1) costs associated with electronic filing and other  
23 e-business programs and case management systems in the  
24 circuit and reviewing courts; and

25           (2) the operation of committees and commissions  
26 established by the Supreme Court.



1 (Source: P.A. 98-324, eff. 10-1-13.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.