

AN ACT concerning local government.

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

Section 5. The Counties Code is amended by changing Sections 4-12001 and 4-12001.1 as follows:

(55 ILCS 5/4-12001) (from Ch. 34, par. 4-12001)

Sec. 4-12001. Fees of sheriff in third class counties. The officers herein named, in counties of the third class, shall be entitled to receive the fees herein specified, for the services mentioned and such other fees as may be provided by law for such other services not herein designated.

Fees for Sheriff

For serving or attempting to serve any summons on each defendant, \$35 ~~\$15~~.

For serving or attempting to serve each alias summons or other process mileage will be charged as hereinafter provided when the address for service differs from the address for service on the original summons or other process.

For serving or attempting to serve all other process, on each defendant, \$35 ~~\$15~~.

For serving or attempting to serve a subpoena on each witness, \$35 ~~\$25~~.

For serving or attempting to serve each warrant, \$35 ~~\$15~~.

For serving or attempting to serve each garnishee, \$35 ~~\$15~~.

For summoning each juror, \$10.

For serving or attempting to serve each order or judgment for replevin, \$35 ~~\$15~~.

For serving or attempting to serve an order for attachment, on each defendant, \$35 ~~\$15~~.

For serving or attempting to serve an order or judgment for the possession of real estate in an action of ejectment or in any other action, or for restitution in an action of forcible

entry and detainer, without aid, \$35 ~~\$15~~, and when aid is necessary, the sheriff shall be allowed to tax in addition the actual costs thereof.

For serving or attempting to serve notice of judgment, \$35 ~~\$15~~.

For levying to satisfy an order in an action for attachment, \$25 ~~\$15~~.

For executing order of court to seize personal property, \$25 ~~\$15~~.

For making certificate of levy on real estate and filing or recording same, \$8, and the fee for filing or recording shall be advanced by the plaintiff in attachment or by the judgment creditor and taxed as costs. For taking possession of or removing property levied on, the sheriff shall be allowed to tax the necessary actual costs of such possession or removal.

For advertising property for sale, \$20 ~~\$8~~.

For making certificate of sale and making and filing duplicate for record, \$15 ~~\$8~~, and the fee for recording same shall be advanced by the judgment creditor and taxed as costs.

For preparing, executing and acknowledging deed on redemption from a court sale of real estate, \$15; for preparing, executing and acknowledging all other deeds on sale of real estate, \$10.

For making and filing certificate of redemption, \$15 ~~\$9~~, and the fee for recording same shall be advanced by party making the redemption and taxed as costs.

For making and filing certificate of redemption from a court sale, \$11, and the fee for recording same shall be advanced by the party making the redemption and taxed as costs.

For taking all bonds on legal process, \$10 ~~\$5~~.

For taking special bail, \$5.

For returning each process, \$15 ~~\$8~~.

Mileage for service or attempted service of all process is a \$10 flat fee, ~~20¢ per mile each way necessarily traveled in making or attempting to make such service computed from the place of holding court.~~

For attending before a court with a prisoner on an order for habeas corpus, \$9 per day.

For executing requisitions from other States, \$13.

For conveying each prisoner from the prisoner's county to the jail of another county, per mile for going only, 25¢.

For committing to or discharging each prisoner from jail, \$3.

For feeding each prisoner, such compensation to cover actual costs as may be fixed by the county board, but such compensation shall not be considered a part of the fees of the office.

For committing each prisoner to jail under the laws of the United States, to be paid by the marshal or other person requiring his confinement, \$3.

For feeding such prisoners per day, \$3, to be paid by the marshal or other person requiring the prisoner's confinement.

For discharging such prisoners, \$3.

For conveying persons to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital, the following fees, payable out of the State Treasury. When one person is conveyed, 20¢ per mile in going to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital from the place of conviction; when 2 persons are conveyed at the same time, 20¢ per mile for the first and 15¢ per mile for the second person; when more than 2 persons are conveyed at the same time as Stated above, the sheriff shall be allowed 20¢ per mile for the first, 15¢ per mile for the second and 10¢ per mile for each additional person.

The fees provided for herein for transporting persons to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital, shall be paid for each trip so made. Mileage as used in this Section means

the shortest route on a hard surfaced road, (either State Bond Issue Route or Federal highways) or railroad, whichever is shorter, between the place from which the person is to be transported, to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital, and all fees per mile shall be computed on such basis.

In addition to the above fees, there shall be allowed to the sheriff a fee of \$900 for the sale of real estate which shall be made by virtue of any judgment of a court. In addition to this fee and all other fees provided by this Section, there shall be allowed to the sheriff a fee in accordance with the following schedule for the sale of personal estate which is made by virtue of any judgment of a court:

For judgments up to \$1,000, \$100 ~~\$85~~;

For judgments over \$1,000 to \$15,000, \$300 ~~\$175~~;

For judgments over \$15,000, \$500 ~~\$400~~.

In all cases where the judgment is settled by the parties, replevied, stopped by injunction or paid, or where the property levied upon is not actually sold, the sheriff shall be allowed the fee for levying and mileage, together with half the fee for all money collected by him or her which he or she would be entitled to if the same were made by sale in the enforcement of a judgment. In no case shall the fee exceed the amount of money arising from the sale.

The fee requirements of this Section do not apply to police departments or other law enforcement agencies. For the purposes of this Section, "law enforcement agency" means an agency of the State or unit of local government which is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws or ordinances.

The fee requirements of this Section do not apply to units of local government or school districts.

(Source: P.A. 86-962; 87-669; 87-670.)

Sec. 4-12001.1. Fees of sheriff in third class counties; local governments and school districts. The officers herein named, in counties of the third class, shall be entitled to receive the fees herein specified from all units of local governments and school districts, for the services mentioned and such other fees as may be provided by law for such other services not herein designated.

Fees for Sheriff

For serving or attempting to serve any summons on each defendant, \$25 ~~\$10~~.

For serving or attempting to serve each alias summons or other process mileage will be charged as hereinafter provided when the address for service differs from the address for service on the original summons or other process.

For serving or attempting to serve all other process, on each defendant, \$25 ~~\$10~~.

For serving or attempting to serve a subpoena on each witness, \$25 ~~\$10~~.

For serving or attempting to serve each warrant, \$25 ~~\$10~~.

For serving or attempting to serve each garnishee, \$25 ~~\$10~~.

For summoning each juror, \$4.

For serving or attempting to serve each order or judgment for replevin, \$25 ~~\$10~~.

For serving or attempting to serve an order for attachment, on each defendant, \$25 ~~\$10~~.

For serving or attempting to serve an order or judgment for the possession of real estate in an action of ejectment or in any other action, or for restitution in an action of forcible entry and detainer, without aid, \$9, and when aid is necessary, the sheriff shall be allowed to tax in addition the actual costs thereof.

For serving or attempting to serve notice of judgment, \$25 ~~\$10~~.

For levying to satisfy an order in an action for attachment, \$25 ~~\$10~~.

For executing order of court to seize personal property,

\$25 ~~\$10~~.

For making certificate of levy on real estate and filing or recording same, \$3, and the fee for filing or recording shall be advanced by the plaintiff in attachment or by the judgment creditor and taxed as costs. For taking possession of or removing property levied on, the sheriff shall be allowed to tax the necessary actual costs of such possession or removal.

For advertising property for sale, \$3.

For making certificate of sale and making and filing duplicate for record, \$3, and the fee for recording same shall be advanced by the judgment creditor and taxed as costs.

For preparing, executing and acknowledging deed on redemption from a court sale of real estate, \$6; for preparing, executing and acknowledging all other deeds on sale of real estate, \$4.

For making and filing certificate of redemption, \$3.50, and the fee for recording same shall be advanced by party making the redemption and taxed as costs.

For making and filing certificate of redemption from a court sale, \$4.50, and the fee for recording same shall be advanced by the party making the redemption and taxed as costs.

For taking all bonds on legal process, \$2.

For taking special bail, \$2.

For returning each process, \$5.

Mileage for service or attempted service of all process is a \$10 flat fee, ~~16¢ per mile each way necessarily traveled in making or attempting to make such service computed from the place of holding court.~~

For attending before a court with a prisoner on an order for habeas corpus, \$3.50 per day.

For executing requisitions from other States, \$5.

For conveying each prisoner from the prisoner's county to the jail of another county, per mile for going only, 25¢.

For committing to or discharging each prisoner from jail, \$1.

For feeding each prisoner, such compensation to cover

actual costs as may be fixed by the county board, but such compensation shall not be considered a part of the fees of the office.

For committing each prisoner to jail under the laws of the United States, to be paid by the marshal or other person requiring his confinement, \$1.

For feeding such prisoners per day, \$1, to be paid by the marshal or other person requiring the prisoner's confinement.

For discharging such prisoners, \$1.

For conveying persons to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital, the following fees, payable out of the State Treasury. When one person is conveyed, 15¢ per mile in going to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital from the place of conviction; when 2 persons are conveyed at the same time, 15¢ per mile for the first and 10¢ per mile for the second person; when more than 2 persons are conveyed at the same time as stated above, the sheriff shall be allowed 15¢ per mile for the first, 10¢ per mile for the second and 5¢ per mile for each additional person.

The fees provided for herein for transporting persons to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital, shall be paid for each trip so made. Mileage as used in this Section means the shortest route on a hard surfaced road, (either State Bond Issue Route or Federal highways) or railroad, whichever is shorter, between the place from which the person is to be transported, to the penitentiary, reformatories, Illinois State Training School for Boys, Illinois State Training School for Girls, Reception Centers and Illinois Security Hospital, and all fees per mile shall be computed on such basis.

In addition to the above fees, there shall be allowed to

the sheriff a fee of \$600 for the sale of real estate which shall be made by virtue of any judgment of a court. In addition to this fee and all other fees provided by this Section, there shall be allowed to the sheriff a fee in accordance with the following schedule for the sale of personal estate which is made by virtue of any judgment of a court:

For judgments up to \$1,000, \$90 ~~\$75~~;

For judgments over \$1,000 to \$15,000, \$275 ~~\$150~~;

For judgments over \$15,000, \$400 ~~\$300~~.

In all cases where the judgment is settled by the parties, replevied, stopped by injunction or paid, or where the property levied upon is not actually sold, the sheriff shall be allowed the fee for levying and mileage, together with half the fee for all money collected by him or her which he or she would be entitled to if the same were made by sale in the enforcement of a judgment. In no case shall the fee exceed the amount of money arising from the sale.

All fees collected under Sections 4-12001 and 4-12001.1 must be used for public safety purposes only.

(Source: P.A. 87-670.)