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WESTLAW

Part: 1 of 2

2017 Illinois House Bill No. 4594, Illinois One Hundredth General Assembly - Second Regular Session

2017 IL H.B. 4594 (NS) May 31, 2018 (Approx. 120 pages)


NETSCAN

Regular Session

ILLINOIS BILL TEXT

TITLE: FEES - FINES - ASSESSMENTS

VERSION: Enrolled
May 31, 2018
House, Rep. Steven A. Andersson-Jehan Gordon-Booth-Barbara Flynn Currie-Jim Durkin-Will Guzzardi, Kelly M. Cassidy, Grant Wehrli, Carol Ammons, Allen Skillicorn, Randy E. Frese, Christian L. Mitchell, Sam Yingling, Carol Sente, Ryan Spain, Anna Moeller, Stephanie A. Kifowit, David Harris, Robert W. Pritchard, Juliana Stratton, Sonya M. Harper, Patricia R. Bellock, Justin Slaughter, Nicholas K Smith and Marcus C. Evans, Jr., (Sen. John G. Mulroe-John F. Curran-Jacqueline Y. Collins, Cristina Castro-Karen McConnaughay, Steven M. Landek and William E. Brady)

 Image 1 within document in PDF format.

SUMMARY: Creates the Criminal and Traffic Assessment Act. Provides a minimum fine is \$25. Provides when any defendant is convicted, pleads guilty, or placed on court supervision for a violation of a law or local ordinance, the court shall order one schedule of assessments in the case plus any conditional assessment applicable to a conviction in the case, as set forth in the Act, for the defendant to pay in addition to any fine, restitution, or forfeiture ordered by the court. Provides all money collected by the clerk of the court based on the schedules or conditional assessments shall be remitted to the appropriate treasurer as directed in the Act. Provides the treasurers shall deposit the money as indicated in the ordered schedule or conditional assessment. Amends the Code of Criminal Procedure of 1963. Provides that a defendant may petition the court for full or partial waiver of court assessments imposed under the Criminal and Traffic Assessment Act. Provides the court shall grant a full or partial waiver of court assessments if specified conditions are met. Makes corresponding and conforming changes to various Acts and Codes. Repeals various laws. Effective July 1, 2019, except for certain provisions that are effective July 1, 2018.

TEXT:

AN ACT concerning fees, fines, and assessments.

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

Article 1. General Provisions

Section 1-1. Short title. This Act may be cited as the Criminal and Traffic Assessment Act.

Section 1-5. Definitions. In this Act: "Assessment" means any costs imposed on a defendant under schedules 1 through 13 of this Act.

"Business offense" means a petty offense for which the fine is in excess of \$1,000.

"Case" means all charges and counts filed against a single defendant which are being prosecuted as a single proceeding before the court.

"Count" means each separate offense charged in the same indictment, information, or complaint when the indictment, information, or complaint alleges the commission of more

than one offense.

"Conservation offense" means any violation of the following Acts, Codes, or ordinances, except any offense punishable upon conviction by imprisonment in the penitentiary:

- (1) Fish and Aquatic Life Code;
- (2) Wildlife Code;
- (3) Boat Registration and Safety Act;
- (4) Park District Code;
- (5) Chicago Park District Act;
- (6) State Parks Act;
- (7) State Forest Act;
- (8) Forest Fire Protection District Act;
- (9) Snowmobile Registration and Safety Act;
- (10) Endangered Species Protection Act;
- (11) Forest Products Transportation Act;
- (12) Timber Buyers Licensing Act;
- (13) Downstate Forest Preserve District Act;
- (14) Exotic Weed Act;
- (15) Ginseng Harvesting Act;
- (16) Cave Protection Act;
- (17) ordinances adopted under the Counties Code for the acquisition of property for parks or recreational areas;
- (18) Recreational Trails of Illinois Act;
- (19) Herptiles-Herps Act; or
- (20) any rule, regulation, proclamation, or ordinance adopted under any Code or Act named in paragraphs (1) through (19) of this definition.

"Conviction" means a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury.

"Drug offense" means any violation of the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or any similar local ordinance which involves the possession or delivery of a drug.

"Drug-related emergency response" means the act of collecting evidence from or securing a site where controlled substances were manufactured, or where by-products from the manufacture of controlled substances are present, and cleaning up the site, whether these actions are performed by public entities or private contractors paid by public entities.

"Electronic citation" means the process of transmitting traffic, misdemeanor, municipal ordinance, conservation, or other citations and law enforcement data via electronic means to a circuit court clerk.

"Emergency response" means any incident requiring a response by a police officer, an ambulance, a firefighter carried on the rolls of a regularly constituted fire department or fire protection district, a firefighter of a volunteer fire department, or a member of a recognized not-for-profit rescue or emergency medical service provider. "Emergency response" does not include a drug-related emergency response.

"Felony offense" means an offense for which a sentence to a term of imprisonment in a penitentiary for one year or more is provided.

"Fine" means a pecuniary punishment for a conviction as ordered by a court of law.

"Highest classified offense" means the offense in the case which carries the most severe potential disposition under

Article 4.5 of the Unified Code of Corrections.

"Major traffic offense" means a traffic offense under the Illinois Vehicle Code or a similar provision of a local ordinance other than a petty offense or business offense.

"Minor traffic offense" means a petty offense or business offense under the Illinois Vehicle Code or a similar provision of a local ordinance.

"Misdemeanor offense" means any offense for which a sentence to a term of imprisonment in other than a penitentiary for less than one year may be imposed.

"Petty offense" means any offense for which a sentence of imprisonment is not an authorized disposition.

"Service provider costs" means costs incurred as a result of services provided by an entity including, but not limited to, traffic safety programs, laboratories, ambulance companies, and fire departments. "Service provider costs" includes conditional amounts under this Act that are reimbursements for services provided.

"Street value" means the amount determined by the court on the basis of testimony of law enforcement personnel and the defendant as to the amount of drug or materials seized and any testimony as may be required by the court as to the current street value of the cannabis, controlled substance, methamphetamine or salt of an optical isomer of methamphetamine, or methamphetamine manufacturing materials seized.

"Supervision" means a disposition of conditional and revocable release without probationary supervision, but under the conditions and reporting requirements as are imposed by the court, at the successful conclusion of which disposition the defendant is discharged and a judgment dismissing the charges is entered.

Article 5. Assessment Procedures

Section 5-5. Minimum fine. Unless otherwise specified by law, the minimum fine for a conviction or supervision disposition on a minor traffic offense is \$25 and the minimum fine for a conviction, supervision disposition, or violation based upon a plea of guilty or finding of guilt for any other offense is \$75. If the court finds that the fine would impose an undue burden on the victim, the court may reduce or waive the fine. In this Section, "victim" shall not be construed to include the defendant.

Section 5-10. Schedules; payment.

(a) In each case, the court shall order an assessment, as set forth in this Act, for a defendant to pay in addition to any fine, restitution, or forfeiture ordered by the court when the defendant is convicted of, pleads guilty to, or is placed on court supervision for a violation of a statute of this State or a similar local ordinance. The court may order a fine, restitution, or forfeiture on any violation that is being sentenced but shall order only one assessment from the Schedule of Assessments 1 through 13 of this Act for all sentenced violations in a case, that being the schedule applicable to the highest classified offense violation that is being sentenced, plus any conditional assessments under Section 15-70 of this Act applicable to any sentenced violation in the case.

(b) If the court finds that the schedule of assessments will cause an undue burden on any victim in a case or if the court orders community service or some other punishment in place of the applicable schedule of assessments, the court may reduce the amount set forth in the applicable schedule of assessments or not order the applicable schedule of assessments. If the court reduces the amount set forth in the applicable schedule of assessments, then all recipients of the funds collected will receive a prorated amount to reflect the reduction.

(c) The court may order the assessments to be paid forthwith or within a specified period of time or in installments.

(c-3) Excluding any ordered conditional assessment, if the assessment is not paid within the period of probation, conditional discharge, or supervision to which the defendant was

originally sentenced, the court may extend the period of probation, conditional discharge, or supervision under Section 5-6-2 or 5-6-3.1 of the Unified Code of Corrections, as applicable, until the assessment is paid or until successful completion of public or community service set forth in subsection (b) of Section 5-20 of this Act or the successful completion of the substance abuse intervention or treatment program set forth in subsection (c-5) of this Section.

(c-5) Excluding any ordered conditional assessment, the court may suspend the collection of the assessment; provided, the defendant agrees to enter a substance abuse intervention or treatment program approved by the court; and further provided that the defendant agrees to pay for all or some portion of the costs associated with the intervention or treatment program. In this case, the collection of the assessment shall be suspended during the defendant's participation in the approved intervention or treatment program. Upon successful completion of the program, the defendant may apply to the court to reduce the assessment imposed under this Section by any amount actually paid by the defendant for his or her participation in the program. The court shall not reduce the assessment under this subsection unless the defendant establishes to the satisfaction of the court that he or she has successfully completed the intervention or treatment program. If the defendant's participation is for any reason terminated before his or her successful completion of the intervention or treatment program, collection of the entire assessment imposed under this Act shall be enforced. Nothing in this Section shall be deemed to affect or suspend any other fines, restitution costs, forfeitures, or assessments imposed under this or any other Act.

(d) Except as provided in Section 5-15 of this Act, the defendant shall pay to the clerk of the court and the clerk shall remit the assessment to the appropriate entity as set forth in the ordered schedule of assessments within one month of its receipt.

(e) Unless a court ordered payment schedule is implemented or the assessment requirements of this Act are waived under a court order, the clerk of the circuit court may add to any unpaid assessments under this Act a delinquency amount equal to 5% of the unpaid assessments that remain unpaid after 30 days, 10% of the unpaid assessments that remain unpaid after 60 days, and 15% of the unpaid assessments that remain unpaid after 90 days. Notice to those parties may be made by signage posting or publication. The additional delinquency amounts collected under this Section shall be used to defray additional administrative costs incurred by the clerk of the circuit court in collecting unpaid assessments.

Section 5-15. Service provider costs. Unless otherwise provided in Article 15 of this Act, the defendant shall pay service provider costs to the entity that provided the service. Service provider costs are not eligible for credit for time served, substitution of community service, or waiver. The circuit court may, through administrative order or local rule, appoint the clerk of the court as the receiver and remitter of certain service provider costs, which may include, but are not limited to, probation fees, traffic school fees, or drug or alcohol testing fees.

Section 5-20. Credit; time served; community service.

(a) Any credit for time served prior to sentencing that reduces the amount a defendant is required to pay shall be deducted first from the fine, if any, ordered by the court. Any remainder of the credit shall be equally divided between the assessments indicated in the ordered schedule and conditional assessments.

(b) Excluding any ordered conditional assessment, a defendant who has been ordered to pay an assessment may petition the court to convert all or part of the assessment into court-approved public or community service. One hour of public or community service shall be equivalent to \$4 of assessment. The performance of this public or community service shall be a condition of probation, conditional discharge, or supervision and shall be in addition to the performance of any other period of public or community service ordered by the court or required by law.

Article 10. Funds

Section 10-5. Funds.

(a) All money collected by the Clerk of the Circuit Court under Article 15 of this Act shall be remitted as directed in

Article 15 of this Act to the county treasurer, to the State Treasurer, and to the treasurers of

the units of local government. If an amount payable to any of the treasurers is less than \$10, the clerk may postpone remitting the money until \$10 has accrued or by the end of fiscal year. The treasurers shall deposit the money as indicated in the schedules, except in a county with a population of over 3,000,000 monies remitted to the county treasurer shall be subject to appropriation by the county board. Any amount retained by the Clerk of the Circuit Court in a county with population of over 3,000,000 shall be subject to appropriation by the county board.

(b) The county treasurer or the treasurer of the unit of local government may create the funds indicated in paragraphs

(1) through (5), (9), and (16) of subsection (d) of this Section, if not already in existence. If a county or unit of local government has not instituted, and does not plan to institute a program that uses a particular fund, the treasurer need not create the fund and may instead deposit the money intended for the fund into the general fund of the county or unit of local government for use in financing the court system.

(c) If the arresting agency is a State agency, the arresting agency portion shall be remitted by the clerk of court to the State Treasurer who shall deposit the portion as follows:

(1) if the arresting agency is the Department of State

Police, into the State Police Law Enforcement

Administration Fund;

(2) if the arresting agency is the Department of

Natural Resources, into the Conservation Police Operations

Assistance Fund;

(3) if the arresting agency is the Secretary of State, into the Secretary of State Police Services Fund; and

(4) if the arresting agency is the Illinois Commerce

Commission, into the Public Utility Fund.

(d) Fund descriptions and provisions:

(1) The Court Automation Fund is to defray the expense, borne by the county, of establishing and maintaining automated record keeping systems in the Office of the Clerk of the Circuit Court. The money shall be remitted monthly by the clerk to the county treasurer and identified as funds for the Circuit Court Clerk. The fund shall be audited by the county auditor, and the board shall make expenditures from the fund in payment of any costs related to the automation of court records including hardware, software, research and development costs, and personnel costs related to the foregoing, provided that the expenditure is approved by the clerk of the court and by the chief judge of the circuit court or his or her designee.

(2) The Document Storage Fund is to defray the expense, borne by the county, of establishing and maintaining a document storage system and converting the records of the circuit court clerk to electronic or micrographic storage.

The money shall be remitted monthly by the clerk to the county treasurer and identified as funds for the circuit court clerk. The fund shall be audited by the county auditor, and the board shall make expenditure from the fund in payment of any cost related to the storage of court records, including hardware, software, research and development costs, and personnel costs related to the foregoing, provided that the expenditure is approved by the clerk of the court.

(3) The Circuit Clerk Operations and Administration

Fund is to defray the expenses incurred for collection and disbursement of the various assessment schedules. The money shall be remitted monthly by the clerk to the county treasurer and identified as funds for the circuit court clerk.

(4) The State's Attorney Records Automation Fund is to defray the expense of establishing

and maintaining automated record keeping systems in the offices of the

State's Attorney. The money shall be remitted monthly by the clerk to the county treasurer for deposit into the

State's Attorney Records Automation Fund. Expenditures from this fund may be made by the State's Attorney for hardware, software, and research and development related to automated record keeping systems.

(5) The Public Defender Records Automation Fund is to defray the expense of establishing and maintaining automated record keeping systems in the offices of the

Public Defender. The money shall be remitted monthly by the clerk to the county treasurer for deposit into the Public

Defender Records Automation Fund. Expenditures from this fund may be made by the Public Defender for hardware, software, and research and development related to automated record keeping systems.

(6) The DUI Fund shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by Section 11-501 of the Illinois Vehicle Code, including, but not limited to, the purchase of law enforcement equipment and commodities that will assist in the prevention of alcohol-related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including, but not limited to, DUI training; and police officer salaries, including, but not limited to, salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations. Any moneys received by the Department of State Police shall be deposited into the State Police Operations Assistance Fund and those moneys and moneys in the State Police DUI Fund shall be used to purchase law enforcement equipment that will assist in the prevention of alcohol related criminal violence throughout the State. The money shall be remitted monthly by the clerk to the State or local treasurer for deposit as provided by law.

(7) The Trauma Center Fund shall be distributed as provided under Section 3.225 of the Emergency Medical

Services (EMS) Systems Act.

(8) The Probation and Court Services Fund is to be expended as described in Section 15.1 of the Probation and

Probation Officers Act.

(9) The Circuit Court Clerk Electronic Citation Fund shall have the Circuit Court Clerk as the custodian, ex officio, of the Fund and shall be used to perform the duties required by the office for establishing and maintaining electronic citations. The Fund shall be audited by the county's auditor.

(10) The Drug Treatment Fund is a special fund in the

State treasury. Moneys in the Fund shall be expended as provided in Section 411.2 of the Illinois Controlled

Substances Act.

(11) The Violent Crime Victims Assistance Fund is a special fund in the State treasury to provide moneys for the grants to be awarded under the Violent Crime Victims

Assistance Act.

(12) The Criminal Justice Information Projects Fund shall be appropriated to and administered by the Illinois

Criminal Justice Information Authority for distribution to fund Department of State Police drug task forces and

Metropolitan Enforcement Groups, for the costs associated with making grants from the Prescription Pill and Drug

Disposal Fund, for undertaking criminal justice information projects, and for the operating

and other expenses of the Authority incidental to those criminal justice information projects.
The moneys deposited into the Criminal Justice Information Projects Fund under

Sections 15-15 and 15-35 of this Act shall be appropriated to and administered by the Illinois
Criminal Justice

Information Authority for distribution to fund Department of State Police drug task forces and
Metropolitan

Enforcement Groups by dividing the funds equally by the total number of Department of
State Police drug task forces and Illinois Metropolitan Enforcement Groups.

(13) The Sexual Assault Services Fund shall be appropriated to the Department of Public
Health. Upon appropriation of moneys from the Sexual Assault Services

Fund, the Department of Public Health shall make grants of these moneys to sexual assault
organizations with whom the

Department has contracts for the purpose of providing community-based services to victims
of sexual assault.

Grants are in addition to, and are not substitutes for, other grants authorized and made by
the Department.

(14) The County Jail Medical Costs Fund is to help defray the costs outlined in Section 17 of
the County Jail

Act. Moneys in the Fund shall be used solely for reimbursement to the county of costs for
medical expenses and administration of the Fund.

(15) The Prisoner Review Board Vehicle and Equipment

Fund is a special fund in the State treasury. The Prisoner

Review Board shall, subject to appropriation by the General

Assembly and approval by the Secretary, use all moneys in the Prisoner Review Board
Vehicle and Equipment Fund for the purchase and operation of vehicles and equipment.

(16) In each county in which a **Children's Advocacy**

Center provides services, a Child **Advocacy Center** Fund, specifically for the operation and
administration of the

Children's **Advocacy Center**, from which the county board shall make grants to support the
activities and services of the Children's **Advocacy Center** within that county.

Article 15. Assessment Schedules

Section 15-5. SCHEDULE 1; generic felony offenses.

SCHEDULE 1: Unless assessments are imposed by the court under another schedule of this
Act, for a felony offense, the Clerk of the Circuit Court shall collect \$549 and remit

as follows:

(1) As the county's portion, \$354 to the county treasurer, who shall deposit the money

as follows:

(A) \$20 into the Court Automation Fund;

(B) \$20 into the Court Document Storage Fund;

(C) \$5 into the Circuit Court Clerk Operation and
Administrative Fund;

(D) \$255 into the county's General Fund;

(E) \$10 into the Child **Advocacy Center** Fund;

(F) \$2 into the State's Attorney Records Automation

Fund;

(G) \$2 into the Public Defender Records Automation

Fund;

(H) \$20 into the County Jail Medical Costs Fund; and

(I) \$20 into the Probation and Court Services Fund.

(2) As the State's portion, \$195 to the State Treasurer, who shall deposit the money

as follows:

(A) \$50 into the State Police Operations Assistance

Fund;

(B) \$100 into the Violent Crime Victims Assistance

Fund;

(C) \$10 into the State Police Merit Board Public Safety

Fund; and

(D) \$35 into the Traffic and Criminal Conviction

Surcharge Fund.

Section 15-10. SCHEDULE 2; felony DUI offenses. SCHEDULE 2: For a felony under Section 11-501 of the Illinois Vehicle Code, Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision of a local ordinance, the Clerk of the Circuit Court shall collect \$1,709 and remit

as follows:

(1) As the county's portion, \$399 to the county treasurer, who shall deposit the money

as follows:

(A) \$20 into the Court Automation Fund;

(B) \$20 into the Court Document Storage Fund;

(C) \$5 into the Circuit Court Clerk Operation and

Administrative Fund;

(D) \$300 into the county's General Fund;

(E) \$10 into the Child Advocacy Center Fund;

(F) \$2 into the State's Attorney Records Automation

Fund;

(G) \$2 into the Public Defender Records Automation

Fund;

(H) \$20 into the County Jail Medical Costs Fund; and

(I) \$20 into the Probation and Court Services Fund.

(2) As the State's portion, \$1,110 to the State Treasurer, who shall deposit the money

as follows:

(A) \$730 into the State Police Operations Assistance

Fund;

(B) \$5 into the Drivers Education Fund;

(C) \$100 into the Trauma **Center** Fund;

(D) \$5 into the Spinal Cord Injury Paralysis Cure

Research Trust Fund;

(E) \$5 into the State Police Merit Board Public Safety

Fund;

(F) \$160 into the Traffic and Criminal Conviction

Surcharge Fund;

(G) \$5 into the Law Enforcement Camera Grant Fund; and

(H) \$100 into the Violent Crime Victims Assistance

Fund.

(3) As the arresting agency's portion, \$200 to the treasurer of the unit of local government of the arresting agency, who shall deposit the money into the DUI Fund of that unit of local government or as provided in subsection (c) of Section 10-5 of this Act if the arresting agency is a State agency, unless more than one agency is responsible for the arrest in which case the amount shall be remitted to each unit of government equally.

Section 15-15. SCHEDULE 3; felony drug offenses. SCHEDULE 3: For a felony under the Illinois Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act, the Clerk of the Circuit Court shall collect \$2,215 and remit

as follows:

(1) As the county's portion, \$354 to the county treasurer, who shall deposit the money

as follows:

(A) \$20 into the Court Automation Fund;

(B) \$20 into the Court Document Storage Fund;

(C) \$5 into the Circuit Court Clerk Operation and

Administrative Fund;

(D) \$255 into the county's General Fund;

(E) \$10 into the Child **Advocacy Center** Fund;

(F) \$2 into the State's Attorney Records Automation

Fund;

(G) \$2 into the Public Defender Records Automation

Fund;

(H) \$20 into the County Jail Medical Costs Fund; and

(I) \$20 into the Probation and Court Services Fund.

(2) As the State's portion, \$1,861 to the State Treasurer, who shall deposit the money

as follows:

(A) \$50 into the State Police Operations Assistance

Fund;

(B) \$100 into the Violent Crime Victims Assistance

Fund;

(C) \$100 into the Trauma **Center** Fund; and

(D) \$5 into the Spinal Cord Injury Paralysis Cure

Research Trust Fund;

(E) \$1,500 into the Drug Treatment Fund;

(F) \$5 into the State Police Merit Board Public Safety

Fund;

(G) \$38 into the Prescription Pill and Drug Disposal

Fund;

(H) \$28 into the Criminal Justice Information Projects

Fund; and

(I) \$35 into the Traffic and Criminal Conviction

Surcharge Fund.

Section 15-20. SCHEDULE 4; felony sex offenses. SCHEDULE 4: For a felony or attempted felony under Article 11 or Section 12-33 of the Criminal Code of 2012, the Clerk of the Circuit Court shall collect \$1,314 and remit

as follows:

(1) As the county's portion, \$354 to the county treasurer, who shall deposit the money

as follows:

(A) \$20 into the Court Automation Fund;

(B) \$20 into the Court Document Storage Fund;

(C) \$5 into the Circuit Court Clerk Operation and

Administrative Fund;

(D) \$255 into the county's General Fund;

(E) \$10 into the Child **Advocacy Center** Fund;

(F) \$2 into the State's Attorney Records Automation

Fund;

(G) \$2 into the Public Defender Records Automation

Fund;

(H) \$20 into the County Jail Medical Costs Fund; and

(I) \$20 into the Probation and Court Services Fund.

(2) As the State's portion, \$960 to the State Treasurer, who shall deposit the money

as follows:

(A) \$520 into the State Police Operations Assistance

Fund;

(B) \$100 into the Violent Crime Victims Assistance

Fund;

(C) \$200 into the Sexual Assault Services Fund;

(D) \$100 into the Domestic Violence Shelter and

Services Fund;

(E) \$5 into the State Police Merit Board Public Safety

Fund; and

(F) \$35 into the Traffic and Criminal Conviction

Surcharge Fund.

Section 15-25. SCHEDULE 5; generic misdemeanor offenses.

SCHEDULE 5: Unless assessments are imposed under another

schedule of this Act, for a misdemeanor offense, the Clerk of the Circuit Court shall collect \$439 and remit

as follows:

(1) As the county's portion, \$282 to the county treasurer, who shall deposit the money

as follows:

(A) \$20 into the Court Automation Fund;

(B) \$20 into the Court Document Storage Fund;

(C) \$5 into the Circuit Court Clerk Operation and

Administrative Fund;

(D) \$8 into the Circuit Court Clerk Electronic Citation

Fund;

(E) \$185 into the county's General Fund;

(F) \$10 into the Child Advocacy Center Fund;

(G) \$2 into the State's Attorney Records Automation

Fund;

(H) \$2 into the Public Defender Records Automation

Fund;

(I) \$10 into the County Jail Medical Costs Fund; and

(J) \$20 into the Probation and Court Services Fund.

(2) As the State's portion, \$155 to the State Treasurer, who shall deposit the money

as follows:

(A) \$50 into the State Police Operations Assistance

Fund;

(B) \$10 into the State Police Merit Board Public Safety

Fund;

(C) \$75 into the Violent Crime Victims Assistance Fund;

and

(D) \$20 into the Traffic and Criminal Conviction

Surcharge Fund.

(3) As the arresting agency's portion, \$2, to the treasurer of the unit of local government of the arresting agency, who shall deposit the money into the E-citation Fund of that unit of local government or as provided in subsection (c) of Section 10-5 of this Act if the arresting agency is a State agency, unless more than one agency is responsible for the arrest in which case the amount shall be remitted to each unit of government equally.

Section 15-30. SCHEDULE 6; misdemeanor DUI offenses.

SCHEDULE 6: For a misdemeanor under Section 11-501 of the Illinois Vehicle Code, Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision of a local ordinance, the Clerk of the Circuit Court shall collect \$1,381 and remit

as follows:

(1) As the county's portion, \$322 to the county treasurer, who shall deposit the money

as follows:

(A) \$20 into the Court Automation Fund;

(B) \$20 into the Court Document Storage Fund;

(C) \$5 into the Circuit Court Clerk Operation and

Administrative Fund;

(D) \$8 into the Circuit Court Clerk Electronic Citation

Fund;

(E) \$225 into the county's General Fund;

(F) \$10 into the Child **Advocacy Center** Fund;

(G) \$2 into the State's Attorney Records Automation

Fund;

(H) \$2 into the Public Defenders Records Automation

Fund;

(I) \$10 into the County Jail Medical Costs Fund; and

(J) \$20 into the Probation and Court Services Fund.

(2) As the State's portion, \$707 to the State Treasurer, who shall deposit the money

as follows:

(A) \$330 into the State Police Operations Assistance

Fund;

(B) \$5 into the Drivers Education Fund;

(C) \$5 into the State Police Merit Board Public Safety

Fund;

(D) \$100 into the Trauma **Center** Fund;

(E) \$5 into the Spinal Cord Injury Paralysis Cure

Research Trust Fund;

(F) \$22 into the Fire Prevention Fund;

(G) \$160 into the Traffic and Criminal Conviction

Surcharge Fund;

(H) \$5 into the Law Enforcement Camera Grant Fund; and

(I) \$75 into the Violent Crime Victims Assistance Fund.

(3) As the arresting agency's portion, \$352

as follows, unless more than one agency is responsible for the arrest in which case the amount shall be remitted to each unit of government equally:

(A) if the arresting agency is a local agency to the treasurer of the unit of local government of

the arresting agency, who shall deposit the money

as follows:

(i) \$2 into the E-citation Fund of the unit of local government; and

(ii) \$350 into the DUI Fund of the unit of local government; or

(B) as provided in subsection (c) of Section 10-5 of this Act if the arresting agency is a State agency.

Section 15-35. SCHEDULE 7; misdemeanor drug offenses.

SCHEDULE 7: For a misdemeanor under the Illinois Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act, the Clerk of the Circuit Court shall collect \$905 and remit as follows:

(1) As the county's portion, \$282 to the county treasurer, who shall deposit the money

as follows:

(A) \$20 into the Court Automation Fund;

(B) \$20 into the Court Document Storage Fund;

(C) \$5 into the Circuit Court Clerk Operation and
Administrative Fund;

(D) \$8 into the Circuit Court Clerk Electronic Citation
Fund;

(E) \$185 into the county's General Fund;

(F) \$10 into the Child **Advocacy Center** Fund;

(G) \$2 into the State's Attorney Records Automation
Fund;

(H) \$2 into the Public Defenders Records Automation
Fund;

(I) \$10 into the County Jail Medical Costs Fund; and

(J) \$20 into the Probation and Court Services Fund.

(2) As the State's portion, \$621 to the State Treasurer, who shall deposit the money

as follows:

(A) \$50 into the State Police Operations Assistance
Fund;

(B) \$75 into the Violent Crime Victims Assistance Fund;

(C) \$100 into the Trauma **Center** Fund;

(D) \$5 into the Spinal Cord Injury Paralysis Cure
Research Trust Fund;

(E) \$300 into the Drug Treatment Fund;

(F) \$38 into the Prescription Pill and Drug Disposal
Fund;

(G) \$28 into the Criminal Justice Information Projects
Fund;

(H) \$5 into the State Police Merit Board Public Safety

Fund; and

(I) \$20 into the Traffic and Criminal Conviction

Surcharge Fund.

(3) As the arresting agency's portion, \$2, to the treasurer of the unit of local government of the arresting agency, who shall deposit the money into the E-citation Fund of that unit of local government or as provided in subsection (c) of Section 10-5 of this Act if the arresting agency is a State agency, unless more than one agency is responsible for the arrest in which case the amount shall be remitted to each unit of government equally.

Section 15-40. SCHEDULE 8; misdemeanor sex offenses.

SCHEDULE 8: For a misdemeanor or attempted misdemeanor under

Article 11 of the Criminal Code of 2012, the Clerk of the Circuit Court shall collect \$1,184 and remit

as follows:

(1) As the county's portion, \$282 to the county treasurer, who shall deposit the money

as follows:

(A) \$20 into the Court Automation Fund;

(B) \$20 into the Court Document Storage Fund;

(C) \$5 into the Circuit Court Clerk Operation and
Administrative Fund;

(D) \$8 into the Circuit Court Clerk Electronic Citation
Fund;

(E) \$185 into the county's General Fund;

(F) \$10 into the Child Advocacy Center Fund;

(G) \$2 into the State's Attorney Records Automation
Fund;

(H) \$2 into the Public Defenders Records Automation
Fund;

(I) \$10 into the County Jail Medical Costs Fund; and

(J) \$20 into the Probation and Court Services Fund.

(2) As the State's portion, \$900 to the State Treasurer, who shall deposit the money

as follows:

(A) \$500 into the State Police Operations Assistance
Fund;

(B) \$75 into the Violent Crime Victims Assistance Fund;

(C) \$200 into the Sexual Assault Services Fund;

(D) \$100 into the Domestic Violence Shelter and Service
Fund;

(E) \$5 into the State Police Merit Board Public Safety
Fund; and

(F) \$20 into the Traffic and Criminal Conviction

Surcharge Fund.

(3) As the arresting agency's portion, \$2, to the treasurer of the unit of local government of the arresting agency, who shall deposit the money into the E-citation Fund of that unit of local government or as provided in subsection (c) of Section 10-5 of this Act if the arresting agency is a State agency, unless more than one agency is responsible for the arrest in which case the amount shall be remitted to each unit of government equally.

Section 15-45. SCHEDULE 9; major traffic offenses.

SCHEDULE 9: For a major traffic offense, the Clerk of the Circuit Court shall collect \$325 plus, if applicable, the amount established under paragraph (1.5) of this Section and remit as follows:

(1) As the county's portion, \$203 to the county treasurer, who shall deposit the money

as follows:

(A) \$20 into the Court Automation Fund;

(B) \$20 into the Court Document Storage Fund;

(C) \$5 into the Circuit Court Clerk Operation and
Administrative Fund;

(D) \$8 into the Circuit Court Clerk Electronic Citation
Fund; and

(E) \$150 into the county's General Fund.

(1.5) In a county with a population of 3,000,000 or more, the county board may by ordinance or resolution establish an additional assessment not to exceed \$37 to be remitted to the county treasurer of which \$5 shall be deposited into the Court Automation Fund, \$5 shall be deposited into the Court Document Storage Fund, \$2 shall be deposited into the State's Attorneys Records Automation Fund, \$2 shall be deposited into the Public Defenders Records Automation Fund, \$10 shall be deposited into the Probation and Court Services Fund, and the remainder shall be used for purposes related to the operation of the court system.

(2) As the State's portion, \$97 to the State Treasurer, who shall deposit the money

as follows:

(A) \$20 into the State Police Operations Assistance
Fund;

(B) \$5 into the Drivers Education Fund;

(C) \$5 into the State Police Merit Board Public Safety
Fund;

(D) \$22 into the Fire Prevention Fund;

(E) \$40 into the Traffic and Criminal Conviction
Surcharge Fund; and

(F) \$5 into the Violent Crime Victims Assistance Fund.

(3) As the arresting agency's portion, \$25, to the treasurer of the unit of local government of the arresting agency, who shall deposit the money

as follows:

(A) \$2 into the E-citation Fund of that unit of local government or as provided in subsection (c) of Section 10-5 of this Act if the arresting agency is a State agency, unless more than one

agency is responsible for the arrest in which case the amount shall be remitted to each unit of government equally.

(B) \$23 into the General Fund of that unit of local government or as provided in subsection (c) of Section 10-5 of this Act if the arresting agency is a State agency, unless more than one agency is responsible for the arrest in which case the amount shall be remitted to each unit of government equally.

Section 15-50. SCHEDULE 10; minor traffic offenses.

SCHEDULE 10: For a minor traffic offense, the Clerk of the Circuit Court shall collect \$226 plus, if applicable, the amount established under paragraph (1.5) of this Section and remit as follows:

(1) As the county's portion, \$168 to the county treasurer, who shall deposit the money

as follows:

(A) \$20 into the Court Automation Fund;

(B) \$20 into the Court Document Storage Fund;

(C) \$5 into the Circuit Court Clerk Operation and Administrative Fund;

(D) \$8 into the Circuit Court Clerk Electronic Citation Fund; and

(E) \$115 into the county's General Fund.

(1.5) In a county with a population of 3,000,000 or more, the county board may by ordinance or resolution establish an additional assessment not to exceed \$28 to be remitted to the county treasurer of which \$5 shall be deposited into the Court Automation Fund, \$5 shall be deposited into the Court Document Storage Fund, \$2 shall be deposited into the State's Attorneys Records Automation Fund, \$2 shall be deposited into the Public Defenders Records Automation Fund, \$10 shall be deposited into the Probation and Court Services Fund, and the remainder shall be used for purposes related to the operation of the court system.

(2) As the State's portion, \$46 to the State Treasurer, who shall deposit the money

as follows:

(A) \$10 into the State Police Operations Assistance

Fund;

(B) \$5 into the State Police Merit Board Public Safety

Fund;

(C) \$4 into the Drivers Education Fund;

(D) \$20 into the Traffic and Criminal Conviction

Surcharge Fund;

(E) \$4 into the Law Enforcement Camera Grant Fund; and

(F) \$3 into the Violent Crime Victims Assistance Fund.

(3) As the arresting agency's portion, \$12, to the treasurer of the unit of local government of the arresting agency, who shall deposit the money

as follows:

(A) \$2 into the E-citation Fund of that unit of local government or as provided in subsection (c) of Section 10-5 of this Act if the arresting agency is a State agency, unless more than one agency is responsible for the arrest in which case the amount shall be remitted to each unit

of government equally.

(B) \$10 into the General Fund of that unit of local government or as provided in subsection (c) of Section 10-5 of this Act if the arresting agency is a State agency, unless more than one agency is responsible for the arrest in which case the amount shall be remitted to each unit of government equally.

Section 15-52. SCHEDULE 10.5; truck weight and load offenses.

SCHEDULE 10.5: For an offense under paragraph (1), (2), or (3) of subsection (d) of Section 3-401 or Section 15-111 of the Illinois Vehicle Code, the Clerk of the Circuit Court shall collect \$260 and remit

as follows:

(1) As the county's portion, \$168 to the county treasurer, who shall deposit the money

as follows:

(A) \$20 into the Court Automation Fund;

(B) \$20 into the Court Document Storage Fund;

(C) \$5 into the Circuit Court Clerk Operation and
Administrative Fund;

(D) \$8 into the Circuit Court Clerk Electronic Citation
Fund; and

(E) \$115 into the county's General Fund.

(2) As the State's portion, \$92 to the State Treasurer, who shall deposit the money

as follows:

(A) \$31 into the State Police Merit Board Public Safety

Fund, regardless of the type of overweight citation or arresting law enforcement agency;

(B) \$31 into the Traffic and Criminal Conviction
Surcharge Fund; and

(C) \$30 to the State Police Operations Assistance Fund.

Section 15-55. SCHEDULE 11; conservation offenses.

SCHEDULE 11: For a conservation offense, the Clerk of the Circuit Court shall collect \$195 and remit

as follows:

(1) As the county's portion, \$168, to the county treasurer, who shall deposit the money

as follows:

(A) \$20 into the Court Automation Fund;

(B) \$20 into the Court Document Storage Fund;

(C) \$5 into the Circuit Court Clerk Operation and
Administrative Fund;

(D) \$8 into the Circuit Court Clerk Electronic Citation
Fund; and

(E) \$115 into the county's General Fund.

(2) As the State's portion, \$25, to the State Treasurer, who shall deposit the money into the Conservation Police Operations Assistance Fund.

(3) As the arresting agency's portion, \$2, to the treasurer of the unit of local government of the arresting agency, who shall deposit the money into the E-citation Fund of that unit of local government or as provided in subsection (c) of Section 10-5 of this Act if the arresting agency is a State agency, unless more than one agency is responsible for the arrest in which case the amount shall be remitted to each unit of government equally.

Section 15-60. SCHEDULE 12; dispositions under Supreme Court Rule 529. SCHEDULE 12: For a disposition under Supreme Court Rule 529, the Clerk of the Circuit Court shall collect \$164 and remit

as follows:

(1) As the county's portion, \$100, to the county treasurer, who shall deposit the money

as follows:

(A) \$20 into the Court Automation Fund;

(B) \$20 into the Court Document Storage Fund;

(C) \$5 into the Circuit Court Clerk Operation and

Administrative Fund;

(D) \$8 into the Circuit Court Clerk Electronic Citation

Fund; and

(E) \$47 into the county's General Fund.

(2) As the State's portion, \$14 to the State Treasurer, who shall deposit the money

as follows:

(A) \$3 into the Drivers Education Fund;

(B) \$2 into the State Police Merit Board Public Safety

Fund;

(C) \$4 into the Traffic and Criminal Conviction

Surcharge Fund;

(D) \$1 into the Law Enforcement Camera Grant Fund; and

(E) \$4 into the Violent Crime Victims Assistance Fund.

(3) As the arresting agency's portion, \$50

as follows, unless more than one agency is responsible for the arrest in which case the amount shall be remitted to each unit of government equally:

(A) if the arresting agency is a local agency to the treasurer of the unit of local government of the arresting agency, who shall deposit the money

as follows:

(i) \$2 into the E-citation Fund of the unit of local government; and

(ii) \$48 into the General Fund of the unit of local government; or

(B) as provided in subsection (c) of Section 10-5 of this Act if the arresting agency is a State agency.

Section 15-65. SCHEDULE 13; non-traffic violations.

SCHEDULE 13: For a petty offense, business offense, or non-traffic ordinance violation, the Clerk of the Circuit Court shall collect \$100 and remit

as follows:

(1) As the county's portion, \$75, to the county treasurer, who shall deposit the money

as follows:

- (A) \$20 into the Court Automation Fund;
 - (B) \$20 into the Court Document Storage Fund;
 - (C) \$5 into the Circuit Court Clerk Operation and Administrative Fund;
 - (D) \$8 into the Circuit Court Clerk Electronic Citation Fund; and
 - (E) \$22 into the county's General Fund.
- (2) As the arresting agency's portion, \$25

as follows, unless more than one agency is responsible for the arrest in which case the amount shall be remitted to each unit of government equally:

(A) if the arresting agency is a local agency to the treasurer of the unit of local government of the arresting agency, who shall deposit the money

as follows:

- (i) \$2 into the E-citation Fund of the unit of local government; and
 - (ii) \$23 into the General Fund of the unit of local government; or
- (B) as provided in subsection (c) of Section 10-5 of this Act if the arresting agency is a State agency.

Section 15-70. Conditional Assessments.

In addition to payments under one of the Schedule of Assessments 1 through 13 of this Act, the court shall also order payment of any of the following conditional assessment amounts for each sentenced violation in the case to which a conditional assessment is applicable, which shall be collected and remitted by the Clerk of the Circuit Court as provided in this Section:

(1) arson, residential arson, or aggravated arson, \$500 per conviction to the State Treasurer for deposit into the Fire Prevention Fund;

(2) child pornography under Section 11-20.1 of the

Criminal Code of 1961 or the Criminal Code of 2012, \$500 per conviction, unless more than one agency is responsible for the arrest in which case the amount shall be remitted to each unit of government equally:

(A) if the arresting agency is an agency of a unit of local government \$500 to the treasurer of the unit of local government for deposit into the unit of local government's General Fund, except that if the

Department of State Police provides digital or electronic forensic examination assistance, or both, to the arresting agency then \$100 to the State

Treasurer for deposit into the State Crime Laboratory

Fund; or

(B) if the arresting agency is the Department of

State Police remitted to the State Treasurer for deposit into the State Crime Laboratory Fund;

(3) crime laboratory drug analysis for a drug-related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance as defined in the Cannabis Control Act, the Illinois Controlled

Substances Act, or the Methamphetamine Control and

Community Protection Act, \$100 reimbursement for laboratory analysis, as set forth in subsection (f) of

Section 5-9-1.4 of the Unified Code of Corrections;

(4) DNA analysis, \$250 on each conviction in which it was used to the State Treasurer for deposit into the State

Offender DNA Identification System Fund as set forth in

Section 5-4-3 of the Unified Code of Corrections;

(5) DUI analysis, \$150 on each sentenced violation in which it was used as set forth in subsection (f) of Section

5-9-1.9 of the Unified Code of Corrections;

(6) drug-related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance, other than methamphetamine, as defined in the Cannabis Control Act or the Illinois

Controlled Substances Act, an amount not less than the full street value of the cannabis or controlled substance seized for each conviction to be disbursed

as follows:

(A) 12.5% of the street value assessment shall be paid into the Youth Drug Abuse Prevention Fund, to be used by the Department of Human Services for the funding of programs and services for drug-abuse treatment, and prevention and education services;

(B) 37.5% to the county in which the charge was prosecuted, to be deposited into the county General

Fund;

(C) 50% to the treasurer of the arresting law enforcement agency of the municipality or county, or to the State Treasurer if the arresting agency was a state agency;

(D) if the arrest was made in combination with multiple law enforcement agencies, the clerk shall equitably allocate the portion in subparagraph (C) of this paragraph (6) among the law enforcement agencies involved in the arrest;

(6.5) Kane County or Will County, in felony, misdemeanor, local or county ordinance, traffic, or conservation cases, up to \$30 as set by the county board under Section 5-1101.3 of the Counties Code upon the entry of a judgment of conviction, an order of supervision, or a sentence of probation without entry of judgment under

Section 10 of the Cannabis Control Act, Section 410 of the

Illinois Controlled Substances Act, Section 70 of the

Methamphetamine Control and Community Protection Act,

Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012,

Section 10-102 of the Illinois Alcoholism and Other Drug

Dependency Act, or Section 10 of the Steroid Control Act;

except in local or county ordinance, traffic, and conservation cases, if fines are paid in full without a court appearance, then the assessment shall not be imposed or collected. Distribution of assessments collected under this paragraph (6.5) shall be as provided in Section

5-1101.3 of the Counties Code;

(7) methamphetamine-related offense involving possession or delivery of methamphetamine or any salt of an optical isomer of methamphetamine or possession of a methamphetamine manufacturing material as set forth in

Section 10 of the Methamphetamine Control and Community

Protection Act with the intent to manufacture a substance containing methamphetamine or salt of an optical isomer of methamphetamine, an amount not less than the full street value of the methamphetamine or salt of an optical isomer of methamphetamine or methamphetamine manufacturing materials seized for each conviction to be disbursed as follows:

(A) 12.5% of the street value assessment shall be paid into the Youth Drug Abuse Prevention Fund, to be used by the Department of Human Services for the funding of programs and services for drug-abuse treatment, and prevention and education services;

(B) 37.5% to the county in which the charge was prosecuted, to be deposited into the county General

Fund;

(C) 50% to the treasurer of the arresting law enforcement agency of the municipality or county, or to the State Treasurer if the arresting agency was a state agency;

(D) if the arrest was made in combination with multiple law enforcement agencies, the clerk shall equitably allocate the portion in subparagraph (C) of this paragraph (6) among the law enforcement agencies involved in the arrest;

(8) order of protection violation under Section 12-3.4 of the Criminal Code of 2012, \$200 for each conviction to the county treasurer for deposit into the Probation and

Court Services Fund for implementation of a domestic violence surveillance program and any other assessments or fees imposed under Section 5-9-1.16 of the Unified Code of

Corrections;

(9) order of protection violation, \$25 for each violation to the State Treasurer, for deposit into the

Domestic Violence Abuser Services Fund;

(10) prosecution by the State's Attorney of a:

(A) petty or business offense, \$4 to the county treasurer of which \$2 deposited into the State's

Attorney Records Automation Fund and \$2 into the Public

Defender Records Automation Fund;

(B) conservation or traffic offense, \$2 to the county treasurer for deposit into the State's Attorney

Records Automation Fund;

(11) speeding in a construction zone violation, \$250 to the State Treasurer for deposit into the Transportation

Safety Highway Hire-back Fund, unless (i) the violation occurred on a highway other than an interstate highway and

(ii) a county police officer wrote the ticket for the violation, in which case to the county treasurer for deposit into that county's Transportation Safety Highway

Hire-back Fund;

(12) supervision disposition on an offense under the

Illinois Vehicle Code or similar provision of a local ordinance, 50 cents, unless waived by the court, into the

Prisoner Review Board Vehicle and Equipment Fund;

(13) victim and offender are family or household members as defined in Section 103 of the Illinois Domestic

Violence Act of 1986 and offender pleads guilty or no contest to or is convicted of murder, voluntary manslaughter, involuntary manslaughter, burglary, residential burglary, criminal trespass to residence, criminal trespass to vehicle, criminal trespass to land, criminal damage to property, telephone harassment, kidnapping, aggravated kidnapping, unlawful restraint, forcible detention, child abduction, indecent solicitation of a child, sexual relations between siblings, exploitation of a child, child pornography, assault, aggravated assault, battery, aggravated battery, heinous battery, aggravated battery of a child, domestic battery, reckless conduct, intimidation, criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, violation of an order of protection, disorderly conduct, endangering the life or health of a child, child abandonment, contributing to dependency or neglect of child, or cruelty to children and others, \$200 for each sentenced violation to the State Treasurer for deposit

as follows: (i) for sexual assault, as defined in

Section 5-9-1.7 of the Unified Code of Corrections, when the offender and victim are family members, one-half to the

Domestic Violence Shelter and Service Fund, and one-half to the Sexual Assault Services Fund; (ii) for the remaining offenses to the Domestic Violence Shelter and Service Fund;

(14) violation of Section 11-501 of the Illinois

Vehicle Code, Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and

Safety Act, or a similar provision, whose operation of a motor vehicle, snowmobile, or watercraft while in violation of Section 11-501, Section 5-7 of the Snowmobile

Registration and Safety Act, Section 5-16 of the Boat

Registration and Safety Act, or a similar provision proximately caused an incident resulting in an appropriate emergency response, \$1,000 maximum to the public agency that provided an emergency response related to the person's violation, and if more than one agency responded, the amount payable to public agencies shall be shared equally;

(15) violation of Section 401, 407, or 407.2 of the

Illinois Controlled Substances Act that proximately caused any incident resulting in an appropriate drug-related emergency response, \$1,000 as reimbursement for the emergency response to the law enforcement agency that made the arrest, and if more than one agency is responsible for the arrest, the amount payable to law enforcement agencies shall be shared equally;

(16) violation of reckless driving, aggravated reckless driving, or driving 26 miles per hour or more in excess of the speed limit that triggered an emergency response, \$1,000 maximum reimbursement for the emergency response to be distributed in its entirety to a public agency that provided an emergency response related to the person's violation, and if more than one agency responded, the amount payable to public agencies shall be shared equally;

(17) violation based upon each plea of guilty, stipulation of facts, or finding of guilt resulting in a judgment of conviction or order of supervision for an offense under Section 10-9, 11-14.1, 11-14.3, or 11-18 of the Criminal Code of 2012 that results in the imposition of a fine, to be distributed

as follows:

(A) \$50 to the county treasurer for deposit into the Circuit Court Clerk Operation and Administrative

Fund to cover the costs in administering this paragraph

(17);

(B) \$300 to the State Treasurer who shall deposit the portion

as follows:

(i) if the arresting or investigating agency is the Department of State Police, into the State

Police Operations Assistance Fund;

(ii) if the arresting or investigating agency is the Department of Natural Resources, into the Conservation Police Operations Assistance Fund;

(iii) if the arresting or investigating agency is the Secretary of State, into the Secretary of State Police Services Fund;

(iv) if the arresting or investigating agency is the Illinois Commerce Commission, into the Public Utility Fund; or

(v) if more than one of the State agencies in this subparagraph (B) is the arresting or investigating agency, then equal shares with the shares deposited as provided in the applicable items (i) through (iv) of this subparagraph (B);

and

(C) the remainder for deposit into the Specialized

Services for Survivors of Human Trafficking Fund; and

(18) weapons violation under Section 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the Criminal Code of 2012, \$100 for each conviction to the State Treasurer for deposit into the Trauma Center Fund.

Article 20. Repeal

Section 20-5. Repeal. This Act is repealed on January 1, 2021.

Article 900. Amendatory Provisions effective July 1, 2018

Section 900-5. The Unified Code of Corrections is amended by changing Sections 5-9-1.1 and 5-9-1.1-5

as follows: (730 ILCS 5/5-9-1.1) (from Ch. 38, par. 1005-9-1.1) (Text of Section from P.A. 94-550, 96-132, 96-402, 96-1234, 97-545, 98-537, and 99-480)

Sec. 5-9-1.1. Drug related offenses.

(a) When a person has been adjudged guilty of a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance, other than methamphetamine, as defined in the Cannabis Control Act, as amended, or the Illinois Controlled Substances Act, as amended, in addition to any other penalty imposed, a fine shall be levied by the court at not less than the full street value of the cannabis or controlled substances seized.

"Street value" shall be determined by the court on the basis of testimony of law enforcement personnel and the defendant as to the amount seized and such testimony as may be required by the court as to the current street value of the cannabis or controlled substance seized.

(b) In addition to any penalty imposed under subsection (a) of this Section, a fine of \$100 shall be levied by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Trauma Center Fund for distribution as provided under Section 3.225 of the Emergency Medical Services (EMS) Systems Act.

(c) In addition to any penalty imposed under subsection (a) of this Section, a fee of \$5 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of \$5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing.

(d) ~~Blank). In addition to any penalty imposed under subsection (a) of this Section for a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance as defined in the Cannabis Control Act, the Illinois Controlled~~

~~Substances Act, or the Methamphetamine Control and Community Protection Act, a fee of \$50 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Performance-enhancing Substance Testing Fund. This additional fee of \$50 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. The provisions of this subsection (d), other than this sentence, are inoperative after June 30, 2011.~~

(e) In addition to any penalty imposed under subsection (a) of this Section, a \$25 assessment shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer for deposit into the Criminal Justice Information Projects Fund. The moneys deposited into the Criminal Justice Information Projects Fund under this Section shall be appropriated to and administered by the Illinois Criminal Justice Information Authority for **distribution to fund Department of State Police** ~~funding of drug task forces and Metropolitan Enforcement Groups by dividing the funds equally by the total number of Department of State Police drug task forces and Illinois Metropolitan Enforcement Groups.~~

(f) In addition to any penalty imposed under subsection (a) of this Section, a \$40 assessment shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk. Of the collected proceeds, (i) 90% shall be remitted to the State Treasurer for deposit into the Prescription Pill and Drug Disposal Fund; (ii) 5% shall be remitted for deposit into the Criminal Justice Information Projects Fund, for use by the Illinois Criminal Justice Information Authority for the costs associated with making grants from the Prescription Pill and Drug Disposal Fund; and (iii) the Circuit Clerk shall retain 5% for deposit into the Circuit Court Clerk Operation and

Administrative Fund for the costs associated with administering this subsection. (Source: P.A. 98-537, eff. 8-23-13; 99-480, eff. 9-9-15.) (Text of Section from P.A. 94-556, 96-132, 96-402, 96-1234, 97-545, 98-537, and 99-480)

Sec. 5-9-1.1. Drug related offenses.

(a) When a person has been adjudged guilty of a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance as defined in the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, in addition to any other penalty imposed, a fine shall be levied by the court at not less than the full street value of the cannabis or controlled substances seized.

"Street value" shall be determined by the court on the basis of testimony of law enforcement personnel and the defendant as to the amount seized and such testimony as may be required by the court as to the current street value of the cannabis or controlled substance seized.

(b) In addition to any penalty imposed under subsection (a) of this Section, a fine of \$100 shall be levied by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Trauma Center Fund for distribution as provided under Section 3.225 of the

Emergency Medical Services (EMS) Systems Act.

(c) In addition to any penalty imposed under subsection (a) of this Section, a fee of \$5 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of \$5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing.

(d) **(Blank).** ~~In addition to any penalty imposed under subsection (a) of this Section for a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance as defined in the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, a fee of \$50 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Performance-enhancing Substance Testing Fund. This additional fee of \$50~~

~~shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. The provisions of this subsection (d), other than this sentence, are inoperative after June 30, 2011.~~

(e) In addition to any penalty imposed under subsection (a) of this Section, a \$25 assessment shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer for deposit into the Criminal Justice Information Projects Fund. The moneys deposited into the Criminal Justice Information Projects Fund under this Section shall be appropriated to and administered by the Illinois Criminal Justice Information Authority for **distribution to fund Department of State Police** ~~funding of~~ drug task forces and Metropolitan Enforcement Groups **by dividing the funds equally by the total number of Department of State Police drug task forces and Illinois Metropolitan Enforcement Groups.**

(f) In addition to any penalty imposed under subsection (a) of this Section, a \$40 assessment shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk. Of the collected proceeds, (i) 90% shall be remitted to the State Treasurer for deposit into the Prescription Pill and Drug Disposal Fund; (ii) 5% shall be remitted for deposit into the Criminal Justice Information Projects Fund, for use by the Illinois Criminal Justice Information Authority for the costs associated with making grants from the Prescription Pill and Drug Disposal Fund; and (iii) the Circuit Clerk shall retain 5% for deposit into the Circuit Court Clerk Operation and Administrative Fund for the costs associated with administering this subsection. (Source: P.A. 98-537, eff. 8-23-13; 99-480, eff. 9-9-15.) (730 ILCS 5/5-9-1.1-5)

Sec. 5-9-1.1-5. Methamphetamine related offenses.

(a) When a person has been adjudged guilty of a methamphetamine related offense involving possession or delivery of methamphetamine or any salt of an optical isomer of methamphetamine or possession of a methamphetamine manufacturing material as set forth in Section 10 of the Methamphetamine Control and Community Protection Act with the intent to manufacture a substance containing methamphetamine or salt of an optical isomer of methamphetamine, in addition to any other penalty imposed, a fine shall be levied by the court at not less than the full street value of the methamphetamine or salt of an optical isomer of methamphetamine or methamphetamine manufacturing materials seized.

"Street value" shall be determined by the court on the basis of testimony of law enforcement personnel and the defendant as to the amount seized and such testimony as may be required by the court as to the current street value of the methamphetamine or salt of an optical isomer of methamphetamine or methamphetamine manufacturing materials seized.

(b) In addition to any penalty imposed under subsection (a) of this Section, a fine of \$100 shall be levied by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Methamphetamine Law Enforcement Fund and allocated as provided in subsection (d) of

Section 5-9-1.2.

(c) In addition to any penalty imposed under subsection (a) of this Section, a \$25 assessment shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer for deposit into the Criminal Justice Information Projects Fund. The moneys deposited into the Criminal Justice Information Projects Fund under this Section shall be appropriated to and administered by the Illinois Criminal Justice Information Authority for **distribution to fund the Department of State Police** ~~funding of~~ drug task forces and Metropolitan Enforcement Groups **by dividing the funds equally by the total number of Department of State Police drug task forces and Metropolitan Enforcement Groups.**

(d) In addition to any penalty imposed under subsection (a) of this Section, a \$40 assessment shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk. Of the collected proceeds, (i) 90% shall be remitted to the State Treasurer for deposit into the Prescription Pill and Drug Disposal Fund; (ii) 5% shall be remitted for deposit into the Criminal Justice Information Projects Fund, for use by the Illinois Criminal Justice Information Authority for the costs associated with making grants from the Prescription Pill and Drug Disposal Fund; and (iii) the Circuit Clerk shall retain 5% for deposit into the Circuit Court Clerk Operation and Administrative Fund for the costs associated with administering

this subsection. (Source: P.A. 98-537, eff. 8-23-13; 99-480, eff. 9-9-15.)

Article 905. Amendatory Provisions effective July 1, 2019

Section 905-5. The Domestic Violence Shelters Act is amended by changing Section 3.2

as follows: (20 ILCS 1310/3.2) (from Ch. 40, par. 2403.2)

Sec. 3.2. All funds collected pursuant to P.A. 82-645, which are held in escrow for refund and for which a refund is not approved by September 1, 1988, shall be forwarded to the State Treasurer for deposit into the Domestic Violence Shelter and Service Fund. The Domestic Violence Shelter and Service Fund shall also include ~~assessments fines~~ received by the State Treasurer from circuit clerks ~~under the Criminal and Traffic Assessment Act in accordance with Section 5-9-1.5 of the Unified Code of Corrections~~. Monies deposited in the Fund pursuant to this Section and the income tax check-off for the Domestic Violence Shelter and Service Fund authorized by Section 507F of the Illinois Income Tax Act shall be appropriated to the Department of Human Services for the purpose of providing services specified by this Act; however, the Department may waive the matching funds requirement of this Act with respect to such monies. Any such waiver shall be uniform throughout the State. This amendatory Act of 1987 applies to all funds collected pursuant to PA 82-645, held in escrow and for which no refund is approved by September 1, 1988, whether those funds are administered by the State, a county, a court, or any other unit or agency of government. (Source: P.A. 89-507, eff. 7-1-97.)

Section 905-10. The Burn Victims Relief Act is amended by changing Section 10

as follows: (20 ILCS 1410/10)

Sec. 10. Payments to the George Bailey Memorial Fund. The George Bailey Memorial Fund is created as a special fund in the State treasury. ~~The George Bailey Memorial Fund shall be funded pursuant to subsection (p) of Section 27-6 of the Clerks of Courts Act and Section 16-104d of the Illinois Vehicle Code.~~ Funds received under Section 16-104d of the Illinois Vehicle Code shall be repaid in full to the Fire Truck Revolving Loan Fund, without the deduction of the 20% administrative fee authorized in subsection (b) of Section 5, upon receipt by the George Bailey Memorial Fund from the person or his or her estate, trust, or heirs of any moneys from a settlement for the injury that is the proximate cause of the person's disability under this Act or moneys received from Social Security disability benefits. Moneys in the George Bailey Memorial Fund may only be used for the purposes set forth in this Act. (Source: P.A. 99-455, eff. 1-1-16.)

Section 905-15. The State Police Act is amended by changing Section 7.2

as follows: (20 ILCS 2610/7.2)

Sec. 7.2. State Police Merit Board Public Safety Fund.

(a) A special fund in the State treasury is hereby created which shall be known as the State Police Merit Board Public Safety Fund. The Fund shall be used by the State Police Merit Board to provide a cadet program for State Police personnel and to meet all costs associated with the functions of the State Police Merit Board. Notwithstanding any other law to the contrary, the State Police Merit Board Public Safety Fund is not subject to sweeps, administrative charge-backs, or any other fiscal or budgetary maneuver that would in any way transfer any amounts from the State Police Merit Board Public Safety Fund into any other fund of the State.

(b) The Fund may receive State appropriations, gifts, grants, and federal funds and shall include earnings from the investment of moneys in the Fund.

(c) The administration of this Fund shall be the responsibility of the State Police Merit Board. The Board shall establish terms and conditions for the operation of the Fund. The Board shall establish and implement fiscal controls and accounting periods for programs operated using the Fund. All fees or moneys received by the State Treasurer under the

~~Criminal and Traffic Assessment Act subsection (n) of Section 27.6 of the Clerks of Courts Act~~ shall be deposited into the Fund. The moneys deposited in the State Police Merit Board Public Safety Fund shall be appropriated to the State Police Merit Board for expenses of the Board for the administration and conduct of all its programs for State Police personnel. (Source: P.A. 97-1051, eff. 1-1-13.)

Section 905-20. The Illinois Criminal Justice Information Act is amended by changing Section 9.1

as follows: (20 ILCS 3930/9.1)

Sec. 9.1. Criminal Justice Information Projects Fund. The Criminal Justice Information Projects Fund is hereby created as a special fund in the State Treasury. Grants and other moneys obtained by the Authority from governmental entities (other than the federal government), private sources, and not-for-profit organizations for use in investigating criminal justice issues or undertaking other criminal justice information projects shall be deposited into the Fund. Moneys in the Fund may be used by the Authority, subject to appropriation, for undertaking such projects and for the operating and other expenses of the Authority incidental to those projects, **and for the costs associated with making grants from the Prescription Pill and Drug Disposal Fund. The moneys deposited into the Criminal Justice Information Projects Fund under Sections 15-15 and 15-35 of the Criminal and Traffic Assessment Act shall be appropriated to and administered by the Illinois Criminal Justice Information Authority for distribution to fund Department of State Police drug task forces and Metropolitan Enforcement Groups by dividing the funds equally by the total number of Department of State Police drug task forces and Illinois Metropolitan Enforcement Groups.** (Source: P.A. 88-538.)

Section 905-25. The State Finance Act is amended by changing Sections 6b-4, 6z-82, 6z-87, 8p, and 8q and by adding Sections 5.886 and 6z-105

as follows: (30 ILCS 105/5.886 new)

Sec. 5.886. The State Police Law Enforcement Administration Fund.

(30 ILCS 105/6b-4) (from Ch. 127, par. 142b4)

Sec. 6b-4. On the second Monday of every month, the Director of Public Health shall certify to the State Comptroller and the State Treasurer the amount generated by the issuance of commemorative birth certificates under subsection

(14) of Section 25 of the Vital Records Act in excess of the costs incurred in issuing the documents. Within 15 days of receipt of the certification required by this Section, the State Comptroller and the State Treasurer shall transfer from the General Revenue Fund, one-half of the amount certified as being received from the issuance of commemorative birth certificates to the Child Abuse Prevention Fund and one-half of the amount to the Domestic Violence Shelter and Service Fund.

The State Treasurer shall deposit into the Domestic Violence Shelter and Service Fund each **assessment received under the Criminal and Traffic Assessment Act** ~~fine received from circuit clerks under Section 5-9-1.5 of the Unified Code of Corrections~~.

The State Treasurer shall deposit into the Sexual Assault Services Fund and the Domestic Violence Shelter and Service Fund each of those fines received from circuit clerks under Section 5-9-1.7 of the Unified Code of Corrections in accordance with the provisions of that Section. (Source: P.A. 87-791; 87-1072.) (30 ILCS 105/6z-82)

Sec. 6z-82. State Police Operations Assistance Fund.

(a) There is created in the State treasury a special fund known as the State Police Operations Assistance Fund. The Fund shall receive revenue **under the Criminal and Traffic Assessment Act pursuant to Section 27.3a of the Clerks of Courts Act**. The Fund may also receive revenue from grants, donations, appropriations, and any other legal source.

(b) The Department of State Police may use moneys in the Fund to finance any of its lawful purposes or functions.

(c) Expenditures may be made from the Fund only as appropriated by the General Assembly by law.

(d) Investment income that is attributable to the investment of moneys in the Fund shall be retained in the Fund for the uses specified in this Section.

(e) The State Police Operations Assistance Fund shall not be subject to administrative

chargebacks.

(f) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2012, and until June 30, 2013, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Director of State Police, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the State Police Operations Assistance Fund from the designated funds not exceeding the following totals:

State Police Vehicle Fund.....\$2,250,000

State Police Wireless Service

Emergency Fund.....\$2,500,000

State Police Services Fund.....\$3,500,000 (Source: P.A. 96-1029, eff. 7-13-10; 97-333, eff. 8-12-11; 97-732, eff. 6-30-12.) (30 ILCS 105/6z-87)

Sec. 6z-87. Conservation Police Operations Assistance Fund.

(a) There is created in the State treasury a special fund known as the Conservation Police Operations Assistance Fund. The Fund shall receive revenue **under the Criminal and Traffic Assessment Act** pursuant to ~~Section 27.3a of the Clerks of Courts Act~~. The Fund may also receive revenue from grants, donations, appropriations, and any other legal source.

(b) The Department of Natural Resources may use moneys in the Fund to support any lawful operations of the Illinois Conservation Police.

(c) Expenditures may be made from the Fund only as appropriated by the General Assembly by law.

(d) Investment income that is attributable to the investment of moneys in the Fund shall be retained in the Fund for the uses specified in this Section.

(e) The Conservation Police Operations Assistance Fund shall not be subject to administrative chargebacks. (Source: P.A. 97-46, eff. 7-1-12; 97-813, eff. 7-13-12.) (30 ILCS 105/6z-105 new)

Sec. 6z-105. State Police Law Enforcement Administration Fund.

(a) There is created in the State treasury a special fund known as the State Police Law Enforcement Administration Fund. The Fund shall receive revenue under subsection

(c) of Section 10-5 of the Criminal and Traffic Assessment Act. The Fund may also receive revenue from grants, donations, appropriations, and any other legal source.

(b) The Department of State Police may use moneys in the Fund to finance any of its lawful purposes or functions; however, the primary purpose shall be to finance State Police cadet classes in May and October of each year.

(c) Expenditures may be made from the Fund only as appropriated by the General Assembly by law.

(d) Investment income that is attributable to the investment of moneys in the Fund shall be retained in the Fund for the uses specified in this Section.

(e) The State Police Law Enforcement Administration Fund shall not be subject to administrative chargebacks.

(30 ILCS 105/8p)

Sec. 8p. State Police Streetgang-Related Crime Fund.

(a) The State Police Streetgang-Related Crime Fund is created as a special fund in the State treasury.

(b) All moneys collected and payable to the Department of State Police **from the State Police Streetgang-Related Crime Fund** under ~~Section 5-9-1.19 of the Unified Code of Corrections~~ shall be deposited into the State Police Streetgang-Related Crime Fund and shall be appropriated to and administered by the Department of State Police for operations and initiatives to combat and prevent streetgang-related crime.

(c) The State Police Streetgang-Related Crime Fund shall not be subject to administrative chargebacks. (Source: P.A. 96-1029, eff. 7-13-10.) (30 ILCS 105/8q)

Sec. 8q. Illinois Department of Corrections Parole Division Offender Supervision Fund.

(a) The Illinois Department of Corrections Parole Division Offender Supervision Fund is created as a special fund in the State treasury.

(b) All moneys collected and payable to the Department of Corrections ~~and under Section 5-9-1.20 of the Unified Code of Corrections shall be~~ deposited into the Illinois Department of Corrections Parole Division Offender Supervision Fund and shall be appropriated to and administered by the Department of Corrections for operations and initiatives to combat and supervise paroled offenders in the community.

(c) The Illinois Department of Corrections Parole Division Offender Supervision Fund shall not be subject to administrative chargebacks. (Source: P.A. 97-262, eff. 8-5-11.)

Section 905-30. The State Property Control Act is amended by changing Section 7c

as follows: (30 ILCS 605/7c)

Sec. 7c. Acquisition of State Police vehicles. The State Police Vehicle Fund is created as a special fund in the State treasury. ~~The Fund shall consist of fees received pursuant to~~

~~Section 16-104c of the Illinois Vehicle Code.~~ All moneys in the Fund, subject to appropriation, shall be used by the Department of State Police:

(1) for the acquisition of vehicles for that

Department; or

(2) for debt service on bonds issued to finance the acquisition of vehicles for that Department. (Source: P.A. 94-839, eff. 6-6-06.)

Section 905-35. Illinois Police Training Act is amended by changing Section 9

as follows: (50 ILCS 705/9) (from Ch. 85, par. 509)

Sec. 9. A special fund is hereby established in the State Treasury to be known as the Traffic and Criminal Conviction Surcharge Fund ~~and shall be financed as provided in Section 9-1 of this Act and Section 5-9-1 of the Unified Code of Corrections, unless the fines, costs, or additional amounts imposed are subject to disbursement by the circuit clerk under Section 27.5 of the Clerks of Courts Act~~. Moneys in this Fund shall be expended

as follows:

(1) a portion of the total amount deposited in the Fund may be used, as appropriated by the General Assembly, for the ordinary and contingent expenses of the Illinois Law

Enforcement Training Standards Board;

(2) a portion of the total amount deposited in the Fund shall be appropriated for the reimbursement of local governmental agencies participating in training programs certified by the Board, in an amount equaling 1/2 of the total sum paid by such agencies during the State's previous fiscal year for mandated training for probationary police officers or probationary county corrections officers and for optional advanced and specialized law enforcement or county corrections training; these reimbursements may include the costs for tuition at training schools, the salaries of trainees while in schools, and the necessary travel and room and board expenses for each trainee; if the appropriations under this paragraph (2) are not sufficient to fully reimburse the participating local governmental agencies, the available funds shall be apportioned among such agencies, with priority first given to repayment of the costs of mandatory training given to law enforcement officer or county corrections officer recruits, then to repayment of costs of advanced or specialized training for permanent police officers or permanent county corrections officers;

(3) a portion of the total amount deposited in the Fund may be used to fund the Intergovernmental Law Enforcement

Officer's In-Service Training Act, veto overridden October

29, 1981, as now or hereafter amended, at a rate and method to be determined by the board;

(4) a portion of the Fund also may be used by the

Illinois Department of State Police for expenses incurred in the training of employees from any State, county or municipal agency whose function includes enforcement of criminal or traffic law;

(5) a portion of the Fund may be used by the Board to fund grant-in-aid programs and services for the training of employees from any county or municipal agency whose functions include corrections or the enforcement of criminal or traffic law;

(6) for fiscal years 2013 through 2017 only, a portion of the Fund also may be used by the Department of State

Police to finance any of its lawful purposes or functions;

and

(7) a portion of the Fund may be used by the Board, subject to appropriation, to administer grants to local law enforcement agencies for the purpose of purchasing bulletproof vests under the Law Enforcement Officer

Bulletproof Vest Act.

All payments from the Traffic and Criminal Conviction Surcharge Fund shall be made each year from moneys appropriated for the purposes specified in this Section. No more than 50% of any appropriation under this Act shall be spent in any city having a population of more than 500,000. The State Comptroller and the State Treasurer shall from time to time, at the direction of the Governor, transfer from the Traffic and Criminal Conviction Surcharge Fund to the General Revenue Fund in the State Treasury such amounts as the Governor determines are in excess of the amounts required to meet the obligations of the Traffic and Criminal Conviction Surcharge Fund. (Source: P.A. 98-24, eff. 6-19-13; 98-674, eff. 6-30-14; 98-743, eff. 1-1-15; 99-78, eff. 7-20-15; 99-523, eff. 6-30-16.) (50 ILCS 705/9.1 rep.)

Section 905-37. Illinois Police Training Act is amended by repealing Section 9.1.

Section 905-40. The Counties Code is amended by changing Sections 3-6023, 4-2004, 4-2005, and 4-2006

as follows: (55 ILCS 5/3-6023) (from Ch. 34, par. 3-6023)

Sec. 3-6023. Attendance at courts. Each sheriff shall, in person or by deputy, county corrections officer, or court security officer, attend upon all courts held in his or her county when in session, and obey the lawful orders and directions of the court, and shall maintain the security of the courthouse. Court services customarily performed by sheriffs shall be provided by the sheriff or his or her deputies, county corrections officers, or court security officers, rather than by employees of the court, unless there are no deputies, county corrections officers, or court security officers available to perform such services. The expenses of the sheriff in carrying out his or her duties under this Section, including the compensation of deputies, county corrections officers, or court security officers assigned to such services, shall be paid to the county from fees collected pursuant to court order for services of the sheriff and from any court services fees collected by the county **under the Criminal and Traffic Assessment Act pursuant to Section 5-1103, as now or hereafter amended**. (Source: P.A. 89-685, eff. 6-1-97; 89-707, eff. 6-1-97.) (55 ILCS 5/4-2004) (from Ch. 34, par. 4-2004)

Sec. 4-2004. Collection and disposition of fines and forfeitures. It shall be the duty of State's attorneys to attend to the collection of all fines and forfeitures in criminal cases, and they shall, without delay, pay over all fines and forfeitures collected by them to the county treasurer to be deposited into the general corporate fund of the county, except as otherwise specifically provided by law ~~and except for such portion as is required by Section 9.1 of "The Illinois Police Training Act" and Section 5-9.1 of the "Unified Code of Corrections" to be paid into The Traffic and Criminal Conviction Surcharge Fund in the State Treasury;~~ unless the fines and forfeitures are subject to disbursement by the circuit clerk under ~~Section 27.5 of the Clerks of Courts Act~~. (Source: P.A. 86-962; 87-670.) (55 ILCS 5/4-2005) (from Ch. 34, par. 4-2005)

Sec. 4-2005. Payment of salaries; disposition of fees. The salaries of the State's attorneys, excepting that part which is to be paid out of the State treasury as now provided for by law, and the salaries of all Assistant State's attorneys shall be paid out of the general corporate fund of the county treasury of the county in which the State's attorney resides, on the order of the county board by the treasurer of the county: The fees which are now, or may hereafter, be provided by law to be paid by the defendant or defendants, as State's attorney's fees, shall be taxed as costs and all fees, fines, forfeitures and penalties shall be collected by the State's attorney, except **as otherwise specifically provided by law for those amounts required by Section 9-1 of the "Illinois Police Training Act" and Section 5-9-1 of the "Unified Code of Corrections" to be paid into The Traffic and Criminal Conviction Surcharge Fund** and those amounts subject to disbursement by the circuit clerk under Section 27-5 of the Clerks of Courts Act , and shall be paid by him directly into the county treasury to be deposited into the general corporate fund of the county. The county treasurer shall receipt therefor. (Source: P.A. 86-982; 87-670.) (55 ILCS 5/4-2006) (from Ch. 34, par. 4-2006)

Sec. 4-2006. Report of fees.

(a) It is hereby made the duty of all State's attorneys to report to the circuit court at such times as the court shall determine by rule, the payment and collection of all fees, fines, forfeitures and penalties and to satisfy the court by voucher or otherwise, that all fees, fines, forfeitures and penalties by them collected, except **as otherwise specifically provided by law for those amounts required by Section 9-1 of the Illinois Police Training Act and Section 5-9-1 of the Unified Code of Corrections to be paid into the Traffic and Criminal Conviction Surcharge Fund** , have been duly paid over to the county treasurer, as required by Section 4-2005, and the State's attorney shall have no further interest in conviction fees, fines, forfeitures and penalties or moneys collected by virtue of such office. The court shall note the filing of the report and fix a day certain not less than 30 days thereafter, when objections in writing may be filed to such report by any one or more taxpayers of the county, and when objections are filed to such report a hearing may be had upon such report and objections at such time and in such manner as the court may direct and after such hearing the court may approve or disapprove of such report as justice may require, and make all proper orders in reference thereto, and if no objections have been filed, the court shall inspect such report and require the State's attorney to produce evidence in proof of his having paid over as required by law all fines and forfeitures collected by him; and if it appears to the court that any

State's attorney has failed or refused to turn over the fines and forfeitures collected by him as required by law the court shall at once suspend him and appoint a State's attorney pro tempore to perform the duties of the office until such State's attorney shall have complied with the provisions of this Division or the orders of the court in regard thereto. The court, for the purpose of carrying out the provisions of this Section shall have the power to examine books and papers and to issue subpoenas to compel the appearance of persons and the production of books and records: Provided, however, no order entered under this Section shall be a bar to any proper proceedings against such State's attorney and his bondsman to require him to account for moneys collected and not paid over by him as required by law.

(b) Waiver of report of fees. The filing of the report of fees as provided by subsection (a) of this Section may be waived by written administrative order of the chief judge of the circuit upon written request and affidavit of the State's attorney of a county within the circuit that all fines, fees, forfeitures, and restitution are collected by the clerk of the circuit court and that none of those funds pass through the office of the State's attorney. (Source: P.A. 86-962; 87-1201.)

55 ILCS 5/3-4012 rep.

55 ILCS 5/4-2002 rep.

55 ILCS 5/4-2002.1 rep.

55 ILCS 5/5-1101 rep.

55 ILCS 5/5-1101.5 rep.

55 ILCS 5/5-1103 rep.

Section 905-43. The Counties Code is amended by repealing Sections 3-4012, 4-2002, 4-2002.1, 5-1101, 5-1101.5, and 5-1103.