



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB4527

Introduced 1/11/2006, by Rep. Jay C. Hoffman

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1101

from Ch. 34, par. 5-1101

Amends the Counties Code. Provides that the \$10 fee that a county may impose on each defendant on a judgment of guilty or a grant of supervision may be used to finance the county drug court, the county mental health court, or both (instead of the county mental health court only). Effective immediately.

LRB094 15761 HLH 50975 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by changing Section
5 5-1101 as follows:

6 (55 ILCS 5/5-1101) (from Ch. 34, par. 5-1101)

7 Sec. 5-1101. Additional fees to finance court system. A
8 county board may enact by ordinance or resolution the following
9 fees:

10 (a) A \$5 fee to be paid by the defendant on a judgment of
11 guilty or a grant of supervision for violation of the Illinois
12 Vehicle Code other than Section 11-501 or violations of similar
13 provisions contained in county or municipal ordinances
14 committed in the county, and up to a \$30 fee to be paid by the
15 defendant on a judgment of guilty or a grant of supervision for
16 violation of Section 11-501 of the Illinois Vehicle Code or a
17 violation of a similar provision contained in county or
18 municipal ordinances committed in the county.

19 (b) In the case of a county having a population of
20 1,000,000 or less, a \$5 fee to be collected in all civil cases
21 by the clerk of the circuit court.

22 (c) A fee to be paid by the defendant on a judgment of
23 guilty or a grant of supervision under Section 5-9-1 of the
24 Unified Code of Corrections, as follows:

- 25 (1) for a felony, \$50;
26 (2) for a class A misdemeanor, \$25;
27 (3) for a class B or class C misdemeanor, \$15;
28 (4) for a petty offense, \$10;
29 (5) for a business offense, \$10.

30 (d) A \$100 fee for the second and subsequent violations of
31 Section 11-501 of the Illinois Vehicle Code or violations of
32 similar provisions contained in county or municipal ordinances

1 committed in the county. The proceeds of this fee shall be
2 placed in the county general fund and used to finance education
3 programs related to driving under the influence of alcohol or
4 drugs.

5 (d-5) A \$10 fee to be paid by the defendant on a judgment
6 of guilty or a grant of supervision under Section 5-9-1 of the
7 Unified Code of Corrections to be placed in the county general
8 fund and used to finance the county mental health court, the
9 county drug court, or both.

10 (e) In each county in which a teen court, peer court, peer
11 jury, youth court, or other youth diversion program has been
12 created, a county may adopt a mandatory fee of up to \$5 to be
13 assessed as provided in this subsection. Assessments collected
14 by the clerk of the circuit court pursuant to this subsection
15 must be deposited into an account specifically for the
16 operation and administration of a teen court, peer court, peer
17 jury, youth court, or other youth diversion program. The clerk
18 of the circuit court shall collect the fees established in this
19 subsection and must remit the fees to the teen court, peer
20 court, peer jury, youth court, or other youth diversion program
21 monthly, less 5%, which is to be retained as fee income to the
22 office of the clerk of the circuit court. The fees are to be
23 paid as follows:

24 (1) a fee of up to \$5 paid by the defendant on a
25 judgment of guilty or grant of supervision for violation of
26 the Illinois Vehicle Code or violations of similar
27 provisions contained in county or municipal ordinances
28 committed in the county;

29 (2) a fee of up to \$5 paid by the defendant on a
30 judgment of guilty or grant of supervision under Section
31 5-9-1 of the Unified Code of Corrections for a felony; for
32 a Class A, Class B, or Class C misdemeanor; for a petty
33 offense; and for a business offense.

34 (f) The proceeds of all fees enacted under this Section
35 must, except as provided in subsections (d) ~~and~~ (d-5) ~~and~~
36 (e), be placed in the county general fund and used to finance

1 the court system in the county, unless the fee is subject to
2 disbursement by the circuit clerk as provided under Section
3 27.5 of the Clerks of Courts Act.

4 (Source: P.A. 93-892, eff. 1-1-05; 93-992, eff. 1-1-05; revised
5 10-14-04.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.