

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
5 Sections 4-12001 and 4-12001.1 as follows:

6 (55 ILCS 5/4-12001) (from Ch. 34, par. 4-12001)

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

12 Fees for Sheriff

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

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

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

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

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

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

25 For summoning each juror, \$10.

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

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

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

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

4 For serving or attempting to serve notice of judgment, \$35
5 ~~\$15~~.

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

8 For executing order of court to seize personal property,
9 \$25 ~~\$15~~.

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

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

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

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

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

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

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

31 For taking special bail, \$5.

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

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

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

3 For executing requisitions from other States, \$13.

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

6 For committing to or discharging each prisoner from jail,
7 \$3.

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

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

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

17 For discharging such prisoners, \$3.

18 For conveying persons to the penitentiary, reformatories,
19 Illinois State Training School for Boys, Illinois State
20 Training School for Girls, Reception Centers and Illinois
21 Security Hospital, the following fees, payable out of the State
22 Treasury. When one person is conveyed, 20¢ per mile in going to
23 the penitentiary, reformatories, Illinois State Training
24 School for Boys, Illinois State Training School for Girls,
25 Reception Centers and Illinois Security Hospital from the place
26 of conviction; when 2 persons are conveyed at the same time,
27 20¢ per mile for the first and 15¢ per mile for the second
28 person; when more than 2 persons are conveyed at the same time
29 as Stated above, the sheriff shall be allowed 20¢ per mile for
30 the first, 15¢ per mile for the second and 10¢ per mile for
31 each additional person.

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

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

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

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

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

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

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

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

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

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

35 (55 ILCS 5/4-12001.1) (from Ch. 34, par. 4-12001.1)

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

8 Fees for Sheriff

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

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

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

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

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

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

21 For summoning each juror, \$4.

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

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

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

32 For serving or attempting to serve notice of judgment, \$25
33 ~~\$10~~.

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

36 For executing order of court to seize personal property,

1 ~~\$25~~ \$10.

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

8 For advertising property for sale, \$3.

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

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

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

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

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

23 For taking special bail, \$2.

24 For returning each process, \$5.

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

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

31 For executing requisitions from other States, \$5.

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

34 For committing to or discharging each prisoner from jail,
35 \$1.

36 For feeding each prisoner, such compensation to cover

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

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

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

9 For discharging such prisoners, \$1.

10 For conveying persons to the penitentiary, reformatories,
11 Illinois State Training School for Boys, Illinois State
12 Training School for Girls, Reception Centers and Illinois
13 Security Hospital, the following fees, payable out of the State
14 Treasury. When one person is conveyed, 15¢ per mile in going to
15 the penitentiary, reformatories, Illinois State Training
16 School for Boys, Illinois State Training School for Girls,
17 Reception Centers and Illinois Security Hospital from the place
18 of conviction; when 2 persons are conveyed at the same time,
19 15¢ per mile for the first and 10¢ per mile for the second
20 person; when more than 2 persons are conveyed at the same time
21 as stated above, the sheriff shall be allowed 15¢ per mile for
22 the first, 10¢ per mile for the second and 5¢ per mile for each
23 additional person.

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

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

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

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

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

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

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

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

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