

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing  
5 Section 16-104d as follows:

6 (625 ILCS 5/16-104d)

7 Sec. 16-104d. Additional fee; serious traffic violation.

8 Any person who is convicted of, pleads guilty to, or is placed  
9 on supervision for a serious traffic violation, as defined in  
10 Section 1-187.001 of this Code, a violation of Section 11-501  
11 of this Code, or a violation of a similar provision of a local  
12 ordinance shall pay an additional fee of \$35. Of that fee, \$15  
13 shall be deposited into the Fire Prevention Fund in the State  
14 treasury, \$15 shall be deposited into the Fire Truck Revolving  
15 Loan Fund in the State treasury, and \$5 shall be deposited into  
16 the Circuit Court Clerk Operation and Administrative Fund  
17 created by the Clerk of the Circuit Court.

18 This Section becomes inoperative on January 1, 2020 ~~7 years~~  
19 ~~after the effective date of this amendatory Act of the 95th~~  
20 ~~General Assembly.~~

21 (Source: P.A. 95-154, eff. 10-13-07; 96-286, eff. 8-11-09;  
22 96-1175, eff. 9-20-10.)

1 Section 10. The Clerks of Courts Act is amended by changing  
2 Sections 27.5 and 27.6 as follows:

3 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

4 Sec. 27.5. (a) All fees, fines, costs, additional  
5 penalties, bail balances assessed or forfeited, and any other  
6 amount paid by a person to the circuit clerk that equals an  
7 amount less than \$55, except restitution under Section 5-5-6 of  
8 the Unified Code of Corrections, reimbursement for the costs of  
9 an emergency response as provided under Section 11-501 of the  
10 Illinois Vehicle Code, any fees collected for attending a  
11 traffic safety program under paragraph (c) of Supreme Court  
12 Rule 529, any fee collected on behalf of a State's Attorney  
13 under Section 4-2002 of the Counties Code or a sheriff under  
14 Section 4-5001 of the Counties Code, or any cost imposed under  
15 Section 124A-5 of the Code of Criminal Procedure of 1963, for  
16 convictions, orders of supervision, or any other disposition  
17 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois  
18 Vehicle Code, or a similar provision of a local ordinance, and  
19 any violation of the Child Passenger Protection Act, or a  
20 similar provision of a local ordinance, and except as otherwise  
21 provided in this Section, shall be disbursed within 60 days  
22 after receipt by the circuit clerk as follows: 47% shall be  
23 disbursed to the entity authorized by law to receive the fine  
24 imposed in the case; 12% shall be disbursed to the State  
25 Treasurer; and 41% shall be disbursed to the county's general

1 corporate fund. Of the 12% disbursed to the State Treasurer,  
2 1/6 shall be deposited by the State Treasurer into the Violent  
3 Crime Victims Assistance Fund, 1/2 shall be deposited into the  
4 Traffic and Criminal Conviction Surcharge Fund, and 1/3 shall  
5 be deposited into the Drivers Education Fund. For fiscal years  
6 1992 and 1993, amounts deposited into the Violent Crime Victims  
7 Assistance Fund, the Traffic and Criminal Conviction Surcharge  
8 Fund, or the Drivers Education Fund shall not exceed 110% of  
9 the amounts deposited into those funds in fiscal year 1991. Any  
10 amount that exceeds the 110% limit shall be distributed as  
11 follows: 50% shall be disbursed to the county's general  
12 corporate fund and 50% shall be disbursed to the entity  
13 authorized by law to receive the fine imposed in the case. Not  
14 later than March 1 of each year the circuit clerk shall submit  
15 a report of the amount of funds remitted to the State Treasurer  
16 under this Section during the preceding year based upon  
17 independent verification of fines and fees. All counties shall  
18 be subject to this Section, except that counties with a  
19 population under 2,000,000 may, by ordinance, elect not to be  
20 subject to this Section. For offenses subject to this Section,  
21 judges shall impose one total sum of money payable for  
22 violations. The circuit clerk may add on no additional amounts  
23 except for amounts that are required by Sections 27.3a and  
24 27.3c of this Act, Section 16-104c of the Illinois Vehicle  
25 Code, and subsection (a) of Section 5-1101 of the Counties  
26 Code, unless those amounts are specifically waived by the

1 judge. With respect to money collected by the circuit clerk as  
2 a result of forfeiture of bail, ex parte judgment or guilty  
3 plea pursuant to Supreme Court Rule 529, the circuit clerk  
4 shall first deduct and pay amounts required by Sections 27.3a  
5 and 27.3c of this Act. Unless a court ordered payment schedule  
6 is implemented or fee requirements are waived pursuant to a  
7 court order, the circuit clerk may add to any unpaid fees and  
8 costs a delinquency amount equal to 5% of the unpaid fees that  
9 remain unpaid after 30 days, 10% of the unpaid fees that remain  
10 unpaid after 60 days, and 15% of the unpaid fees that remain  
11 unpaid after 90 days. Notice to those parties may be made by  
12 signage posting or publication. The additional delinquency  
13 amounts collected under this Section shall be deposited in the  
14 Circuit Court Clerk Operation and Administrative Fund to be  
15 used to defray administrative costs incurred by the circuit  
16 clerk in performing the duties required to collect and disburse  
17 funds. This Section is a denial and limitation of home rule  
18 powers and functions under subsection (h) of Section 6 of  
19 Article VII of the Illinois Constitution.

20 (b) The following amounts must be remitted to the State  
21 Treasurer for deposit into the Illinois Animal Abuse Fund:

22 (1) 50% of the amounts collected for felony offenses  
23 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,  
24 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for  
25 Animals Act and Section 26-5 or 48-1 of the Criminal Code  
26 of 1961 or the Criminal Code of 2012;

1           (2) 20% of the amounts collected for Class A and Class  
2           B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,  
3           5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care  
4           for Animals Act and Section 26-5 or 48-1 of the Criminal  
5           Code of 1961 or the Criminal Code of 2012; and

6           (3) 50% of the amounts collected for Class C  
7           misdemeanors under Sections 4.01 and 7.1 of the Humane Care  
8           for Animals Act and Section 26-5 or 48-1 of the Criminal  
9           Code of 1961 or the Criminal Code of 2012.

10          (c) Any person who receives a disposition of court  
11          supervision for a violation of the Illinois Vehicle Code or a  
12          similar provision of a local ordinance shall, in addition to  
13          any other fines, fees, and court costs, pay an additional fee  
14          of \$29, to be disbursed as provided in Section 16-104c of the  
15          Illinois Vehicle Code. In addition to the fee of \$29, the  
16          person shall also pay a fee of \$6, if not waived by the court.  
17          If this \$6 fee is collected, \$5.50 of the fee shall be  
18          deposited into the Circuit Court Clerk Operation and  
19          Administrative Fund created by the Clerk of the Circuit Court  
20          and 50 cents of the fee shall be deposited into the Prisoner  
21          Review Board Vehicle and Equipment Fund in the State treasury.

22          (d) Any person convicted of, pleading guilty to, or placed  
23          on supervision for a serious traffic violation, as defined in  
24          Section 1-187.001 of the Illinois Vehicle Code, a violation of  
25          Section 11-501 of the Illinois Vehicle Code, or a violation of  
26          a similar provision of a local ordinance shall pay an

1 additional fee of \$35, to be disbursed as provided in Section  
2 16-104d of that Code.

3 This subsection (d) becomes inoperative on January 1, 2020  
4 ~~7 years after the effective date of Public Act 95-154.~~

5 (e) In all counties having a population of 3,000,000 or  
6 more inhabitants:

7 (1) A person who is found guilty of or pleads guilty to  
8 violating subsection (a) of Section 11-501 of the Illinois  
9 Vehicle Code, including any person placed on court  
10 supervision for violating subsection (a), shall be fined  
11 \$750 as provided for by subsection (f) of Section 11-501.01  
12 of the Illinois Vehicle Code, payable to the circuit clerk,  
13 who shall distribute the money pursuant to subsection (f)  
14 of Section 11-501.01 of the Illinois Vehicle Code.

15 (2) When a crime laboratory DUI analysis fee of \$150,  
16 provided for by Section 5-9-1.9 of the Unified Code of  
17 Corrections is assessed, it shall be disbursed by the  
18 circuit clerk as provided by subsection (f) of Section  
19 5-9-1.9 of the Unified Code of Corrections.

20 (3) When a fine for a violation of subsection (a) of  
21 Section 11-605 of the Illinois Vehicle Code is \$150 or  
22 greater, the additional \$50 which is charged as provided  
23 for by subsection (f) of Section 11-605 of the Illinois  
24 Vehicle Code shall be disbursed by the circuit clerk to a  
25 school district or districts for school safety purposes as  
26 provided by subsection (f) of Section 11-605.

1           (4) When a fine for a violation of subsection (a) of  
2           Section 11-1002.5 of the Illinois Vehicle Code is \$150 or  
3           greater, the additional \$50 which is charged as provided  
4           for by subsection (c) of Section 11-1002.5 of the Illinois  
5           Vehicle Code shall be disbursed by the circuit clerk to a  
6           school district or districts for school safety purposes as  
7           provided by subsection (c) of Section 11-1002.5 of the  
8           Illinois Vehicle Code.

9           (5) When a mandatory drug court fee of up to \$5 is  
10          assessed as provided in subsection (f) of Section 5-1101 of  
11          the Counties Code, it shall be disbursed by the circuit  
12          clerk as provided in subsection (f) of Section 5-1101 of  
13          the Counties Code.

14          (6) When a mandatory teen court, peer jury, youth  
15          court, or other youth diversion program fee is assessed as  
16          provided in subsection (e) of Section 5-1101 of the  
17          Counties Code, it shall be disbursed by the circuit clerk  
18          as provided in subsection (e) of Section 5-1101 of the  
19          Counties Code.

20          (7) When a Children's Advocacy Center fee is assessed  
21          pursuant to subsection (f-5) of Section 5-1101 of the  
22          Counties Code, it shall be disbursed by the circuit clerk  
23          as provided in subsection (f-5) of Section 5-1101 of the  
24          Counties Code.

25          (8) When a victim impact panel fee is assessed pursuant  
26          to subsection (b) of Section 11-501.01 of the Illinois

1           Vehicle Code, it shall be disbursed by the circuit clerk to  
2           the victim impact panel to be attended by the defendant.

3           (9) When a new fee collected in traffic cases is  
4           enacted after January 1, 2010 (the effective date of Public  
5           Act 96-735), it shall be excluded from the percentage  
6           disbursement provisions of this Section unless otherwise  
7           indicated by law.

8           (f) Any person who receives a disposition of court  
9           supervision for a violation of Section 11-501 of the Illinois  
10          Vehicle Code shall, in addition to any other fines, fees, and  
11          court costs, pay an additional fee of \$50, which shall be  
12          collected by the circuit clerk and then remitted to the State  
13          Treasurer for deposit into the Roadside Memorial Fund, a  
14          special fund in the State treasury. However, the court may  
15          waive the fee if full restitution is complied with. Subject to  
16          appropriation, all moneys in the Roadside Memorial Fund shall  
17          be used by the Department of Transportation to pay fees imposed  
18          under subsection (f) of Section 20 of the Roadside Memorial  
19          Act. The fee shall be remitted by the circuit clerk within one  
20          month after receipt to the State Treasurer for deposit into the  
21          Roadside Memorial Fund.

22          (g) For any conviction or disposition of court supervision  
23          for a violation of Section 11-1429 of the Illinois Vehicle  
24          Code, the circuit clerk shall distribute the fines paid by the  
25          person as specified by subsection (h) of Section 11-1429 of the  
26          Illinois Vehicle Code.



1 (Source: P.A. 96-286, eff. 8-11-09; 96-576, eff. 8-18-09;  
2 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-735, eff. 1-1-10;  
3 96-1000, eff. 7-2-10; 96-1175, eff. 9-20-10; 96-1342, eff.  
4 1-1-11; 97-333, eff. 8-12-11; 97-1108, eff. 1-1-13; 97-1150,  
5 eff. 1-25-13.)

6 (705 ILCS 105/27.6)

7 (Section as amended by P.A. 96-286, 96-576, 96-578, 96-625,  
8 96-667, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, and  
9 97-1150)

10 Sec. 27.6. (a) All fees, fines, costs, additional  
11 penalties, bail balances assessed or forfeited, and any other  
12 amount paid by a person to the circuit clerk equalling an  
13 amount of \$55 or more, except the fine imposed by Section  
14 5-9-1.15 of the Unified Code of Corrections, the additional fee  
15 required by subsections (b) and (c), restitution under Section  
16 5-5-6 of the Unified Code of Corrections, contributions to a  
17 local anti-crime program ordered pursuant to Section  
18 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of  
19 Corrections, reimbursement for the costs of an emergency  
20 response as provided under Section 11-501 of the Illinois  
21 Vehicle Code, any fees collected for attending a traffic safety  
22 program under paragraph (c) of Supreme Court Rule 529, any fee  
23 collected on behalf of a State's Attorney under Section 4-2002  
24 of the Counties Code or a sheriff under Section 4-5001 of the  
25 Counties Code, or any cost imposed under Section 124A-5 of the

1 Code of Criminal Procedure of 1963, for convictions, orders of  
2 supervision, or any other disposition for a violation of  
3 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a  
4 similar provision of a local ordinance, and any violation of  
5 the Child Passenger Protection Act, or a similar provision of a  
6 local ordinance, and except as otherwise provided in this  
7 Section shall be disbursed within 60 days after receipt by the  
8 circuit clerk as follows: 44.5% shall be disbursed to the  
9 entity authorized by law to receive the fine imposed in the  
10 case; 16.825% shall be disbursed to the State Treasurer; and  
11 38.675% shall be disbursed to the county's general corporate  
12 fund. Of the 16.825% disbursed to the State Treasurer, 2/17  
13 shall be deposited by the State Treasurer into the Violent  
14 Crime Victims Assistance Fund, 5.052/17 shall be deposited into  
15 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall  
16 be deposited into the Drivers Education Fund, and 6.948/17  
17 shall be deposited into the Trauma Center Fund. Of the 6.948/17  
18 deposited into the Trauma Center Fund from the 16.825%  
19 disbursed to the State Treasurer, 50% shall be disbursed to the  
20 Department of Public Health and 50% shall be disbursed to the  
21 Department of Healthcare and Family Services. For fiscal year  
22 1993, amounts deposited into the Violent Crime Victims  
23 Assistance Fund, the Traffic and Criminal Conviction Surcharge  
24 Fund, or the Drivers Education Fund shall not exceed 110% of  
25 the amounts deposited into those funds in fiscal year 1991. Any  
26 amount that exceeds the 110% limit shall be distributed as

1 follows: 50% shall be disbursed to the county's general  
2 corporate fund and 50% shall be disbursed to the entity  
3 authorized by law to receive the fine imposed in the case. Not  
4 later than March 1 of each year the circuit clerk shall submit  
5 a report of the amount of funds remitted to the State Treasurer  
6 under this Section during the preceding year based upon  
7 independent verification of fines and fees. All counties shall  
8 be subject to this Section, except that counties with a  
9 population under 2,000,000 may, by ordinance, elect not to be  
10 subject to this Section. For offenses subject to this Section,  
11 judges shall impose one total sum of money payable for  
12 violations. The circuit clerk may add on no additional amounts  
13 except for amounts that are required by Sections 27.3a and  
14 27.3c of this Act, unless those amounts are specifically waived  
15 by the judge. With respect to money collected by the circuit  
16 clerk as a result of forfeiture of bail, ex parte judgment or  
17 guilty plea pursuant to Supreme Court Rule 529, the circuit  
18 clerk shall first deduct and pay amounts required by Sections  
19 27.3a and 27.3c of this Act. This Section is a denial and  
20 limitation of home rule powers and functions under subsection  
21 (h) of Section 6 of Article VII of the Illinois Constitution.

22 (b) In addition to any other fines and court costs assessed  
23 by the courts, any person convicted or receiving an order of  
24 supervision for driving under the influence of alcohol or drugs  
25 shall pay an additional fee of \$100 to the clerk of the circuit  
26 court. This amount, less 2 1/2% that shall be used to defray

1 administrative costs incurred by the clerk, shall be remitted  
2 by the clerk to the Treasurer within 60 days after receipt for  
3 deposit into the Trauma Center Fund. This additional fee of  
4 \$100 shall not be considered a part of the fine for purposes of  
5 any reduction in the fine for time served either before or  
6 after sentencing. Not later than March 1 of each year the  
7 Circuit Clerk shall submit a report of the amount of funds  
8 remitted to the State Treasurer under this subsection during  
9 the preceding calendar year.

10 (b-1) In addition to any other fines and court costs  
11 assessed by the courts, any person convicted or receiving an  
12 order of supervision for driving under the influence of alcohol  
13 or drugs shall pay an additional fee of \$5 to the clerk of the  
14 circuit court. This amount, less 2 1/2% that shall be used to  
15 defray administrative costs incurred by the clerk, shall be  
16 remitted by the clerk to the Treasurer within 60 days after  
17 receipt for deposit into the Spinal Cord Injury Paralysis Cure  
18 Research Trust Fund. This additional fee of \$5 shall not be  
19 considered a part of the fine for purposes of any reduction in  
20 the fine for time served either before or after sentencing. Not  
21 later than March 1 of each year the Circuit Clerk shall submit  
22 a report of the amount of funds remitted to the State Treasurer  
23 under this subsection during the preceding calendar year.

24 (c) In addition to any other fines and court costs assessed  
25 by the courts, any person convicted for a violation of Sections  
26 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the

1 Criminal Code of 2012 or a person sentenced for a violation of  
2 the Cannabis Control Act, the Illinois Controlled Substances  
3 Act, or the Methamphetamine Control and Community Protection  
4 Act shall pay an additional fee of \$100 to the clerk of the  
5 circuit court. This amount, less 2 1/2% that shall be used to  
6 defray administrative costs incurred by the clerk, shall be  
7 remitted by the clerk to the Treasurer within 60 days after  
8 receipt for deposit into the Trauma Center Fund. This  
9 additional fee of \$100 shall not be considered a part of the  
10 fine for purposes of any reduction in the fine for time served  
11 either before or after sentencing. Not later than March 1 of  
12 each year the Circuit Clerk shall submit a report of the amount  
13 of funds remitted to the State Treasurer under this subsection  
14 during the preceding calendar year.

15 (c-1) In addition to any other fines and court costs  
16 assessed by the courts, any person sentenced for a violation of  
17 the Cannabis Control Act, the Illinois Controlled Substances  
18 Act, or the Methamphetamine Control and Community Protection  
19 Act shall pay an additional fee of \$5 to the clerk of the  
20 circuit court. This amount, less 2 1/2% that shall be used to  
21 defray administrative costs incurred by the clerk, shall be  
22 remitted by the clerk to the Treasurer within 60 days after  
23 receipt for deposit into the Spinal Cord Injury Paralysis Cure  
24 Research Trust Fund. This additional fee of \$5 shall not be  
25 considered a part of the fine for purposes of any reduction in  
26 the fine for time served either before or after sentencing. Not

1 later than March 1 of each year the Circuit Clerk shall submit  
2 a report of the amount of funds remitted to the State Treasurer  
3 under this subsection during the preceding calendar year.

4 (d) The following amounts must be remitted to the State  
5 Treasurer for deposit into the Illinois Animal Abuse Fund:

6 (1) 50% of the amounts collected for felony offenses  
7 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,  
8 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for  
9 Animals Act and Section 26-5 or 48-1 of the Criminal Code  
10 of 1961 or the Criminal Code of 2012;

11 (2) 20% of the amounts collected for Class A and Class  
12 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,  
13 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care  
14 for Animals Act and Section 26-5 or 48-1 of the Criminal  
15 Code of 1961 or the Criminal Code of 2012; and

16 (3) 50% of the amounts collected for Class C  
17 misdemeanors under Sections 4.01 and 7.1 of the Humane Care  
18 for Animals Act and Section 26-5 or 48-1 of the Criminal  
19 Code of 1961 or the Criminal Code of 2012.

20 (e) Any person who receives a disposition of court  
21 supervision for a violation of the Illinois Vehicle Code or a  
22 similar provision of a local ordinance shall, in addition to  
23 any other fines, fees, and court costs, pay an additional fee  
24 of \$29, to be disbursed as provided in Section 16-104c of the  
25 Illinois Vehicle Code. In addition to the fee of \$29, the  
26 person shall also pay a fee of \$6, if not waived by the court.

1 If this \$6 fee is collected, \$5.50 of the fee shall be  
2 deposited into the Circuit Court Clerk Operation and  
3 Administrative Fund created by the Clerk of the Circuit Court  
4 and 50 cents of the fee shall be deposited into the Prisoner  
5 Review Board Vehicle and Equipment Fund in the State treasury.

6 (f) This Section does not apply to the additional child  
7 pornography fines assessed and collected under Section  
8 5-9-1.14 of the Unified Code of Corrections.

9 (g) (Blank).

10 (h) (Blank).

11 (i) Of the amounts collected as fines under subsection (b)  
12 of Section 3-712 of the Illinois Vehicle Code, 99% shall be  
13 deposited into the Illinois Military Family Relief Fund and 1%  
14 shall be deposited into the Circuit Court Clerk Operation and  
15 Administrative Fund created by the Clerk of the Circuit Court  
16 to be used to offset the costs incurred by the Circuit Court  
17 Clerk in performing the additional duties required to collect  
18 and disburse funds to entities of State and local government as  
19 provided by law.

20 (j) Any person convicted of, pleading guilty to, or placed  
21 on supervision for a serious traffic violation, as defined in  
22 Section 1-187.001 of the Illinois Vehicle Code, a violation of  
23 Section 11-501 of the Illinois Vehicle Code, or a violation of  
24 a similar provision of a local ordinance shall pay an  
25 additional fee of \$35, to be disbursed as provided in Section  
26 16-104d of that Code.

1           This subsection (j) becomes inoperative on January 1, 2020  
2 ~~7 years after the effective date of Public Act 95-154.~~

3           (k) For any conviction or disposition of court supervision  
4 for a violation of Section 11-1429 of the Illinois Vehicle  
5 Code, the circuit clerk shall distribute the fines paid by the  
6 person as specified by subsection (h) of Section 11-1429 of the  
7 Illinois Vehicle Code.

8           (l) Any person who receives a disposition of court  
9 supervision for a violation of Section 11-501 of the Illinois  
10 Vehicle Code or a similar provision of a local ordinance shall,  
11 in addition to any other fines, fees, and court costs, pay an  
12 additional fee of \$50, which shall be collected by the circuit  
13 clerk and then remitted to the State Treasurer for deposit into  
14 the Roadside Memorial Fund, a special fund in the State  
15 treasury. However, the court may waive the fee if full  
16 restitution is complied with. Subject to appropriation, all  
17 moneys in the Roadside Memorial Fund shall be used by the  
18 Department of Transportation to pay fees imposed under  
19 subsection (f) of Section 20 of the Roadside Memorial Act. The  
20 fee shall be remitted by the circuit clerk within one month  
21 after receipt to the State Treasurer for deposit into the  
22 Roadside Memorial Fund.

23           (m) Of the amounts collected as fines under subsection (c)  
24 of Section 411.4 of the Illinois Controlled Substances Act or  
25 subsection (c) of Section 90 of the Methamphetamine Control and  
26 Community Protection Act, 99% shall be deposited to the law



1 enforcement agency or fund specified and 1% shall be deposited  
2 into the Circuit Court Clerk Operation and Administrative Fund  
3 to be used to offset the costs incurred by the Circuit Court  
4 Clerk in performing the additional duties required to collect  
5 and disburse funds to entities of State and local government as  
6 provided by law.

7 (n) In addition to any other fines and court costs assessed  
8 by the courts, any person who is convicted of or pleads guilty  
9 to a violation of the Criminal Code of 1961 or the Criminal  
10 Code of 2012, or a similar provision of a local ordinance, or  
11 who is convicted of, pleads guilty to, or receives a  
12 disposition of court supervision for a violation of the  
13 Illinois Vehicle Code, or a similar provision of a local  
14 ordinance, shall pay an additional fee of \$15 to the clerk of  
15 the circuit court. This additional fee of \$15 shall not be  
16 considered a part of the fine for purposes of any reduction in  
17 the fine for time served either before or after sentencing.  
18 This amount, less 2.5% that shall be used to defray  
19 administrative costs incurred by the clerk, shall be remitted  
20 by the clerk to the State Treasurer within 60 days after  
21 receipt for deposit into the State Police Merit Board Public  
22 Safety Fund.

23 (Source: P.A. 95-191, eff. 1-1-08; 95-291, eff. 1-1-08; 95-428,  
24 eff. 8-24-07; 95-600, eff. 6-1-08; 95-876, eff. 8-21-08;  
25 96-286, eff. 8-11-09; 96-576, eff. 8-18-09; 96-578, eff.  
26 8-18-09; 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-1175,

1 eff. 9-20-10; 96-1342, eff. 1-1-11; 97-1051, eff. 1-1-13;  
2 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

3 (Section as amended by P.A. 96-576, 96-578, 96-625, 96-667,  
4 96-735, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, and  
5 97-1150)

6 Sec. 27.6. (a) All fees, fines, costs, additional  
7 penalties, bail balances assessed or forfeited, and any other  
8 amount paid by a person to the circuit clerk equalling an  
9 amount of \$55 or more, except the fine imposed by Section  
10 5-9-1.15 of the Unified Code of Corrections, the additional fee  
11 required by subsections (b) and (c), restitution under Section  
12 5-5-6 of the Unified Code of Corrections, contributions to a  
13 local anti-crime program ordered pursuant to Section  
14 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of  
15 Corrections, reimbursement for the costs of an emergency  
16 response as provided under Section 11-501 of the Illinois  
17 Vehicle Code, any fees collected for attending a traffic safety  
18 program under paragraph (c) of Supreme Court Rule 529, any fee  
19 collected on behalf of a State's Attorney under Section 4-2002  
20 of the Counties Code or a sheriff under Section 4-5001 of the  
21 Counties Code, or any cost imposed under Section 124A-5 of the  
22 Code of Criminal Procedure of 1963, for convictions, orders of  
23 supervision, or any other disposition for a violation of  
24 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a  
25 similar provision of a local ordinance, and any violation of

1 the Child Passenger Protection Act, or a similar provision of a  
2 local ordinance, and except as otherwise provided in this  
3 Section shall be disbursed within 60 days after receipt by the  
4 circuit clerk as follows: 44.5% shall be disbursed to the  
5 entity authorized by law to receive the fine imposed in the  
6 case; 16.825% shall be disbursed to the State Treasurer; and  
7 38.675% shall be disbursed to the county's general corporate  
8 fund. Of the 16.825% disbursed to the State Treasurer, 2/17  
9 shall be deposited by the State Treasurer into the Violent  
10 Crime Victims Assistance Fund, 5.052/17 shall be deposited into  
11 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall  
12 be deposited into the Drivers Education Fund, and 6.948/17  
13 shall be deposited into the Trauma Center Fund. Of the 6.948/17  
14 deposited into the Trauma Center Fund from the 16.825%  
15 disbursed to the State Treasurer, 50% shall be disbursed to the  
16 Department of Public Health and 50% shall be disbursed to the  
17 Department of Healthcare and Family Services. For fiscal year  
18 1993, amounts deposited into the Violent Crime Victims  
19 Assistance Fund, the Traffic and Criminal Conviction Surcharge  
20 Fund, or the Drivers Education Fund shall not exceed 110% of  
21 the amounts deposited into those funds in fiscal year 1991. Any  
22 amount that exceeds the 110% limit shall be distributed as  
23 follows: 50% shall be disbursed to the county's general  
24 corporate fund and 50% shall be disbursed to the entity  
25 authorized by law to receive the fine imposed in the case. Not  
26 later than March 1 of each year the circuit clerk shall submit

1 a report of the amount of funds remitted to the State Treasurer  
2 under this Section during the preceding year based upon  
3 independent verification of fines and fees. All counties shall  
4 be subject to this Section, except that counties with a  
5 population under 2,000,000 may, by ordinance, elect not to be  
6 subject to this Section. For offenses subject to this Section,  
7 judges shall impose one total sum of money payable for  
8 violations. The circuit clerk may add on no additional amounts  
9 except for amounts that are required by Sections 27.3a and  
10 27.3c of this Act, Section 16-104c of the Illinois Vehicle  
11 Code, and subsection (a) of Section 5-1101 of the Counties  
12 Code, unless those amounts are specifically waived by the  
13 judge. With respect to money collected by the circuit clerk as  
14 a result of forfeiture of bail, ex parte judgment or guilty  
15 plea pursuant to Supreme Court Rule 529, the circuit clerk  
16 shall first deduct and pay amounts required by Sections 27.3a  
17 and 27.3c of this Act. Unless a court ordered payment schedule  
18 is implemented or fee requirements are waived pursuant to court  
19 order, the clerk of the court may add to any unpaid fees and  
20 costs a delinquency amount equal to 5% of the unpaid fees that  
21 remain unpaid after 30 days, 10% of the unpaid fees that remain  
22 unpaid after 60 days, and 15% of the unpaid fees that remain  
23 unpaid after 90 days. Notice to those parties may be made by  
24 signage posting or publication. The additional delinquency  
25 amounts collected under this Section shall be deposited in the  
26 Circuit Court Clerk Operation and Administrative Fund to be

1 used to defray administrative costs incurred by the circuit  
2 clerk in performing the duties required to collect and disburse  
3 funds. This Section is a denial and limitation of home rule  
4 powers and functions under subsection (h) of Section 6 of  
5 Article VII of the Illinois Constitution.

6 (b) In addition to any other fines and court costs assessed  
7 by the courts, any person convicted or receiving an order of  
8 supervision for driving under the influence of alcohol or drugs  
9 shall pay an additional fee of \$100 to the clerk of the circuit  
10 court. This amount, less 2 1/2% that shall be used to defray  
11 administrative costs incurred by the clerk, shall be remitted  
12 by the clerk to the Treasurer within 60 days after receipt for  
13 deposit into the Trauma Center Fund. This additional fee of  
14 \$100 shall not be considered a part of the fine for purposes of  
15 any reduction in the fine for time served either before or  
16 after sentencing. Not later than March 1 of each year the  
17 Circuit Clerk shall submit a report of the amount of funds  
18 remitted to the State Treasurer under this subsection during  
19 the preceding calendar year.

20 (b-1) In addition to any other fines and court costs  
21 assessed by the courts, any person convicted or receiving an  
22 order of supervision for driving under the influence of alcohol  
23 or drugs shall pay an additional fee of \$5 to the clerk of the  
24 circuit court. This amount, less 2 1/2% that shall be used to  
25 defray administrative costs incurred by the clerk, shall be  
26 remitted by the clerk to the Treasurer within 60 days after

1 receipt for deposit into the Spinal Cord Injury Paralysis Cure  
2 Research Trust Fund. This additional fee of \$5 shall not be  
3 considered a part of the fine for purposes of any reduction in  
4 the fine for time served either before or after sentencing. Not  
5 later than March 1 of each year the Circuit Clerk shall submit  
6 a report of the amount of funds remitted to the State Treasurer  
7 under this subsection during the preceding calendar year.

8 (c) In addition to any other fines and court costs assessed  
9 by the courts, any person convicted for a violation of Sections  
10 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the  
11 Criminal Code of 2012 or a person sentenced for a violation of  
12 the Cannabis Control Act, the Illinois Controlled Substances  
13 Act, or the Methamphetamine Control and Community Protection  
14 Act shall pay an additional fee of \$100 to the clerk of the  
15 circuit court. This amount, less 2 1/2% that shall be used to  
16 defray administrative costs incurred by the clerk, shall be  
17 remitted by the clerk to the Treasurer within 60 days after  
18 receipt for deposit into the Trauma Center Fund. This  
19 additional fee of \$100 shall not be considered a part of the  
20 fine for purposes of any reduction in the fine for time served  
21 either before or after sentencing. Not later than March 1 of  
22 each year the Circuit Clerk shall submit a report of the amount  
23 of funds remitted to the State Treasurer under this subsection  
24 during the preceding calendar year.

25 (c-1) In addition to any other fines and court costs  
26 assessed by the courts, any person sentenced for a violation of

1 the Cannabis Control Act, the Illinois Controlled Substances  
2 Act, or the Methamphetamine Control and Community Protection  
3 Act shall pay an additional fee of \$5 to the clerk of the  
4 circuit court. This amount, less 2 1/2% that shall be used to  
5 defray administrative costs incurred by the clerk, shall be  
6 remitted by the clerk to the Treasurer within 60 days after  
7 receipt for deposit into the Spinal Cord Injury Paralysis Cure  
8 Research Trust Fund. This additional fee of \$5 shall not be  
9 considered a part of the fine for purposes of any reduction in  
10 the fine for time served either before or after sentencing. Not  
11 later than March 1 of each year the Circuit Clerk shall submit  
12 a report of the amount of funds remitted to the State Treasurer  
13 under this subsection during the preceding calendar year.

14 (d) The following amounts must be remitted to the State  
15 Treasurer for deposit into the Illinois Animal Abuse Fund:

16 (1) 50% of the amounts collected for felony offenses  
17 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,  
18 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for  
19 Animals Act and Section 26-5 or 48-1 of the Criminal Code  
20 of 1961 or the Criminal Code of 2012;

21 (2) 20% of the amounts collected for Class A and Class  
22 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,  
23 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care  
24 for Animals Act and Section 26-5 or 48-1 of the Criminal  
25 Code of 1961 or the Criminal Code of 2012; and

26 (3) 50% of the amounts collected for Class C

1           misdemeanors under Sections 4.01 and 7.1 of the Humane Care  
2           for Animals Act and Section 26-5 or 48-1 of the Criminal  
3           Code of 1961 or the Criminal Code of 2012.

4           (e) Any person who receives a disposition of court  
5           supervision for a violation of the Illinois Vehicle Code or a  
6           similar provision of a local ordinance shall, in addition to  
7           any other fines, fees, and court costs, pay an additional fee  
8           of \$29, to be disbursed as provided in Section 16-104c of the  
9           Illinois Vehicle Code. In addition to the fee of \$29, the  
10          person shall also pay a fee of \$6, if not waived by the court.  
11          If this \$6 fee is collected, \$5.50 of the fee shall be  
12          deposited into the Circuit Court Clerk Operation and  
13          Administrative Fund created by the Clerk of the Circuit Court  
14          and 50 cents of the fee shall be deposited into the Prisoner  
15          Review Board Vehicle and Equipment Fund in the State treasury.

16          (f) This Section does not apply to the additional child  
17          pornography fines assessed and collected under Section  
18          5-9-1.14 of the Unified Code of Corrections.

19          (g) Any person convicted of or pleading guilty to a serious  
20          traffic violation, as defined in Section 1-187.001 of the  
21          Illinois Vehicle Code, shall pay an additional fee of \$35, to  
22          be disbursed as provided in Section 16-104d of that Code. This  
23          subsection (g) becomes inoperative on January 1, 2020 ~~7 years~~  
24          ~~after the effective date of Public Act 95-154.~~

25          (h) In all counties having a population of 3,000,000 or  
26          more inhabitants,



1           (1) A person who is found guilty of or pleads guilty to  
2 violating subsection (a) of Section 11-501 of the Illinois  
3 Vehicle Code, including any person placed on court  
4 supervision for violating subsection (a), shall be fined  
5 \$750 as provided for by subsection (f) of Section 11-501.01  
6 of the Illinois Vehicle Code, payable to the circuit clerk,  
7 who shall distribute the money pursuant to subsection (f)  
8 of Section 11-501.01 of the Illinois Vehicle Code.

9           (2) When a crime laboratory DUI analysis fee of \$150,  
10 provided for by Section 5-9-1.9 of the Unified Code of  
11 Corrections is assessed, it shall be disbursed by the  
12 circuit clerk as provided by subsection (f) of Section  
13 5-9-1.9 of the Unified Code of Corrections.

14           (3) When a fine for a violation of Section 11-605.1 of  
15 the Illinois Vehicle Code is \$250 or greater, the person  
16 who violated that Section shall be charged an additional  
17 \$125 as provided for by subsection (e) of Section 11-605.1  
18 of the Illinois Vehicle Code, which shall be disbursed by  
19 the circuit clerk to a State or county Transportation  
20 Safety Highway Hire-back Fund as provided by subsection (e)  
21 of Section 11-605.1 of the Illinois Vehicle Code.

22           (4) When a fine for a violation of subsection (a) of  
23 Section 11-605 of the Illinois Vehicle Code is \$150 or  
24 greater, the additional \$50 which is charged as provided  
25 for by subsection (f) of Section 11-605 of the Illinois  
26 Vehicle Code shall be disbursed by the circuit clerk to a

1 school district or districts for school safety purposes as  
2 provided by subsection (f) of Section 11-605.

3 (5) When a fine for a violation of subsection (a) of  
4 Section 11-1002.5 of the Illinois Vehicle Code is \$150 or  
5 greater, the additional \$50 which is charged as provided  
6 for by subsection (c) of Section 11-1002.5 of the Illinois  
7 Vehicle Code shall be disbursed by the circuit clerk to a  
8 school district or districts for school safety purposes as  
9 provided by subsection (c) of Section 11-1002.5 of the  
10 Illinois Vehicle Code.

11 (6) When a mandatory drug court fee of up to \$5 is  
12 assessed as provided in subsection (f) of Section 5-1101 of  
13 the Counties Code, it shall be disbursed by the circuit  
14 clerk as provided in subsection (f) of Section 5-1101 of  
15 the Counties Code.

16 (7) When a mandatory teen court, peer jury, youth  
17 court, or other youth diversion program fee is assessed as  
18 provided in subsection (e) of Section 5-1101 of the  
19 Counties Code, it shall be disbursed by the circuit clerk  
20 as provided in subsection (e) of Section 5-1101 of the  
21 Counties Code.

22 (8) When a Children's Advocacy Center fee is assessed  
23 pursuant to subsection (f-5) of Section 5-1101 of the  
24 Counties Code, it shall be disbursed by the circuit clerk  
25 as provided in subsection (f-5) of Section 5-1101 of the  
26 Counties Code.

1           (9) When a victim impact panel fee is assessed pursuant  
2           to subsection (b) of Section 11-501.01 of the Vehicle Code,  
3           it shall be disbursed by the circuit clerk to the victim  
4           impact panel to be attended by the defendant.

5           (10) When a new fee collected in traffic cases is  
6           enacted after the effective date of this subsection (h), it  
7           shall be excluded from the percentage disbursement  
8           provisions of this Section unless otherwise indicated by  
9           law.

10          (i) Of the amounts collected as fines under subsection (b)  
11          of Section 3-712 of the Illinois Vehicle Code, 99% shall be  
12          deposited into the Illinois Military Family Relief Fund and 1%  
13          shall be deposited into the Circuit Court Clerk Operation and  
14          Administrative Fund created by the Clerk of the Circuit Court  
15          to be used to offset the costs incurred by the Circuit Court  
16          Clerk in performing the additional duties required to collect  
17          and disburse funds to entities of State and local government as  
18          provided by law.

19          (j) (Blank).

20          (k) For any conviction or disposition of court supervision  
21          for a violation of Section 11-1429 of the Illinois Vehicle  
22          Code, the circuit clerk shall distribute the fines paid by the  
23          person as specified by subsection (h) of Section 11-1429 of the  
24          Illinois Vehicle Code.

25          (l) Any person who receives a disposition of court  
26          supervision for a violation of Section 11-501 of the Illinois

1 Vehicle Code or a similar provision of a local ordinance shall,  
2 in addition to any other fines, fees, and court costs, pay an  
3 additional fee of \$50, which shall be collected by the circuit  
4 clerk and then remitted to the State Treasurer for deposit into  
5 the Roadside Memorial Fund, a special fund in the State  
6 treasury. However, the court may waive the fee if full  
7 restitution is complied with. Subject to appropriation, all  
8 moneys in the Roadside Memorial Fund shall be used by the  
9 Department of Transportation to pay fees imposed under  
10 subsection (f) of Section 20 of the Roadside Memorial Act. The  
11 fee shall be remitted by the circuit clerk within one month  
12 after receipt to the State Treasurer for deposit into the  
13 Roadside Memorial Fund.

14 (m) Of the amounts collected as fines under subsection (c)  
15 of Section 411.4 of the Illinois Controlled Substances Act or  
16 subsection (c) of Section 90 of the Methamphetamine Control and  
17 Community Protection Act, 99% shall be deposited to the law  
18 enforcement agency or fund specified and 1% shall be deposited  
19 into the Circuit Court Clerk Operation and Administrative Fund  
20 to be used to offset the costs incurred by the Circuit Court  
21 Clerk in performing the additional duties required to collect  
22 and disburse funds to entities of State and local government as  
23 provided by law.

24 (n) In addition to any other fines and court costs assessed  
25 by the courts, any person who is convicted of or pleads guilty  
26 to a violation of the Criminal Code of 1961 or the Criminal

1 Code of 2012, or a similar provision of a local ordinance, or  
2 who is convicted of, pleads guilty to, or receives a  
3 disposition of court supervision for a violation of the  
4 Illinois Vehicle Code, or a similar provision of a local  
5 ordinance, shall pay an additional fee of \$15 to the clerk of  
6 the circuit court. This additional fee of \$15 shall not be  
7 considered a part of the fine for purposes of any reduction in  
8 the fine for time served either before or after sentencing.  
9 This amount, less 2.5% that shall be used to defray  
10 administrative costs incurred by the clerk, shall be remitted  
11 by the clerk to the State Treasurer within 60 days after  
12 receipt for deposit into the State Police Merit Board Public  
13 Safety Fund.

14 (Source: P.A. 96-576, eff. 8-18-09; 96-578, eff. 8-18-09;  
15 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-735, eff. 1-1-10;  
16 96-1175, eff. 9-20-10; 96-1342, eff. 1-1-11; 97-434, eff.  
17 1-1-12; 97-1051, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1150,  
18 eff. 1-25-13.)

19 Section 15. The Unified Code of Corrections is amended by  
20 changing Section 5-6-1 as follows:

21 (730 ILCS 5/5-6-1) (from Ch. 38, par. 1005-6-1)

22 Sec. 5-6-1. Sentences of Probation and of Conditional  
23 Discharge and Disposition of Supervision. The General Assembly  
24 finds that in order to protect the public, the criminal justice

1 system must compel compliance with the conditions of probation  
2 by responding to violations with swift, certain and fair  
3 punishments and intermediate sanctions. The Chief Judge of each  
4 circuit shall adopt a system of structured, intermediate  
5 sanctions for violations of the terms and conditions of a  
6 sentence of probation, conditional discharge or disposition of  
7 supervision.

8 (a) Except where specifically prohibited by other  
9 provisions of this Code, the court shall impose a sentence of  
10 probation or conditional discharge upon an offender unless,  
11 having regard to the nature and circumstance of the offense,  
12 and to the history, character and condition of the offender,  
13 the court is of the opinion that:

14 (1) his imprisonment or periodic imprisonment is  
15 necessary for the protection of the public; or

16 (2) probation or conditional discharge would deprecate  
17 the seriousness of the offender's conduct and would be  
18 inconsistent with the ends of justice; or

19 (3) a combination of imprisonment with concurrent or  
20 consecutive probation when an offender has been admitted  
21 into a drug court program under Section 20 of the Drug  
22 Court Treatment Act is necessary for the protection of the  
23 public and for the rehabilitation of the offender.

24 The court shall impose as a condition of a sentence of  
25 probation, conditional discharge, or supervision, that the  
26 probation agency may invoke any sanction from the list of

1 intermediate sanctions adopted by the chief judge of the  
2 circuit court for violations of the terms and conditions of the  
3 sentence of probation, conditional discharge, or supervision,  
4 subject to the provisions of Section 5-6-4 of this Act.

5 (b) The court may impose a sentence of conditional  
6 discharge for an offense if the court is of the opinion that  
7 neither a sentence of imprisonment nor of periodic imprisonment  
8 nor of probation supervision is appropriate.

9 (b-1) Subsections (a) and (b) of this Section do not apply  
10 to a defendant charged with a misdemeanor or felony under the  
11 Illinois Vehicle Code or reckless homicide under Section 9-3 of  
12 the Criminal Code of 1961 or the Criminal Code of 2012 if the  
13 defendant within the past 12 months has been convicted of or  
14 pleaded guilty to a misdemeanor or felony under the Illinois  
15 Vehicle Code or reckless homicide under Section 9-3 of the  
16 Criminal Code of 1961 or the Criminal Code of 2012.

17 (c) The court may, upon a plea of guilty or a stipulation  
18 by the defendant of the facts supporting the charge or a  
19 finding of guilt, defer further proceedings and the imposition  
20 of a sentence, and enter an order for supervision of the  
21 defendant, if the defendant is not charged with: (i) a Class A  
22 misdemeanor, as defined by the following provisions of the  
23 Criminal Code of 1961 or the Criminal Code of 2012: Sections  
24 11-9.1; 12-3.2; 11-1.50 or 12-15; 26-5 or 48-1; 31-1; 31-6;  
25 31-7; paragraphs (2) and (3) of subsection (a) of Section 21-1;  
26 paragraph (1) through (5), (8), (10), and (11) of subsection

1 (a) of Section 24-1; (ii) a Class A misdemeanor violation of  
2 Section 3.01, 3.03-1, or 4.01 of the Humane Care for Animals  
3 Act; or (iii) a felony. If the defendant is not barred from  
4 receiving an order for supervision as provided in this  
5 subsection, the court may enter an order for supervision after  
6 considering the circumstances of the offense, and the history,  
7 character and condition of the offender, if the court is of the  
8 opinion that:

9 (1) the offender is not likely to commit further  
10 crimes;

11 (2) the defendant and the public would be best served  
12 if the defendant were not to receive a criminal record; and

13 (3) in the best interests of justice an order of  
14 supervision is more appropriate than a sentence otherwise  
15 permitted under this Code.

16 (c-5) Subsections (a), (b), and (c) of this Section do not  
17 apply to a defendant charged with a second or subsequent  
18 violation of Section 6-303 of the Illinois Vehicle Code  
19 committed while his or her driver's license, permit or  
20 privileges were revoked because of a violation of Section 9-3  
21 of the Criminal Code of 1961 or the Criminal Code of 2012,  
22 relating to the offense of reckless homicide, or a similar  
23 provision of a law of another state.

24 (d) The provisions of paragraph (c) shall not apply to a  
25 defendant charged with violating Section 11-501 of the Illinois  
26 Vehicle Code or a similar provision of a local ordinance when



1 the defendant has previously been:

2 (1) convicted for a violation of Section 11-501 of the  
3 Illinois Vehicle Code or a similar provision of a local  
4 ordinance or any similar law or ordinance of another state;  
5 or

6 (2) assigned supervision for a violation of Section  
7 11-501 of the Illinois Vehicle Code or a similar provision  
8 of a local ordinance or any similar law or ordinance of  
9 another state; or

10 (3) pleaded guilty to or stipulated to the facts  
11 supporting a charge or a finding of guilty to a violation  
12 of Section 11-503 of the Illinois Vehicle Code or a similar  
13 provision of a local ordinance or any similar law or  
14 ordinance of another state, and the plea or stipulation was  
15 the result of a plea agreement.

16 The court shall consider the statement of the prosecuting  
17 authority with regard to the standards set forth in this  
18 Section.

19 (e) The provisions of paragraph (c) shall not apply to a  
20 defendant charged with violating Section 16-25 or 16A-3 of the  
21 Criminal Code of 1961 or the Criminal Code of 2012 if said  
22 defendant has within the last 5 years been:

23 (1) convicted for a violation of Section 16-25 or 16A-3  
24 of the Criminal Code of 1961 or the Criminal Code of 2012;  
25 or

26 (2) assigned supervision for a violation of Section

1           16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal  
2           Code of 2012.

3           The court shall consider the statement of the prosecuting  
4           authority with regard to the standards set forth in this  
5           Section.

6           (f) The provisions of paragraph (c) shall not apply to a  
7           defendant charged with violating Sections 15-111, 15-112,  
8           15-301, paragraph (b) of Section 6-104, Section 11-605, Section  
9           11-1002.5, or Section 11-1414 of the Illinois Vehicle Code or a  
10          similar provision of a local ordinance.

11          (g) Except as otherwise provided in paragraph (i) of this  
12          Section, the provisions of paragraph (c) shall not apply to a  
13          defendant charged with violating Section 3-707, 3-708, 3-710,  
14          or 5-401.3 of the Illinois Vehicle Code or a similar provision  
15          of a local ordinance if the defendant has within the last 5  
16          years been:

17                 (1) convicted for a violation of Section 3-707, 3-708,  
18                 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar  
19                 provision of a local ordinance; or

20                 (2) assigned supervision for a violation of Section  
21                 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle  
22                 Code or a similar provision of a local ordinance.

23          The court shall consider the statement of the prosecuting  
24          authority with regard to the standards set forth in this  
25          Section.

26          (h) The provisions of paragraph (c) shall not apply to a

1 defendant under the age of 21 years charged with violating a  
2 serious traffic offense as defined in Section 1-187.001 of the  
3 Illinois Vehicle Code:

4 (1) unless the defendant, upon payment of the fines,  
5 penalties, and costs provided by law, agrees to attend and  
6 successfully complete a traffic safety program approved by  
7 the court under standards set by the Conference of Chief  
8 Circuit Judges. The accused shall be responsible for  
9 payment of any traffic safety program fees. If the accused  
10 fails to file a certificate of successful completion on or  
11 before the termination date of the supervision order, the  
12 supervision shall be summarily revoked and conviction  
13 entered. The provisions of Supreme Court Rule 402 relating  
14 to pleas of guilty do not apply in cases when a defendant  
15 enters a guilty plea under this provision; or

16 (2) if the defendant has previously been sentenced  
17 under the provisions of paragraph (c) on or after January  
18 1, 1998 for any serious traffic offense as defined in  
19 Section 1-187.001 of the Illinois Vehicle Code.

20 (h-1) The provisions of paragraph (c) shall not apply to a  
21 defendant under the age of 21 years charged with an offense  
22 against traffic regulations governing the movement of vehicles  
23 or any violation of Section 6-107 or Section 12-603.1 of the  
24 Illinois Vehicle Code, unless the defendant, upon payment of  
25 the fines, penalties, and costs provided by law, agrees to  
26 attend and successfully complete a traffic safety program

1 approved by the court under standards set by the Conference of  
2 Chief Circuit Judges. The accused shall be responsible for  
3 payment of any traffic safety program fees. If the accused  
4 fails to file a certificate of successful completion on or  
5 before the termination date of the supervision order, the  
6 supervision shall be summarily revoked and conviction entered.  
7 The provisions of Supreme Court Rule 402 relating to pleas of  
8 guilty do not apply in cases when a defendant enters a guilty  
9 plea under this provision.

10 (i) The provisions of paragraph (c) shall not apply to a  
11 defendant charged with violating Section 3-707 of the Illinois  
12 Vehicle Code or a similar provision of a local ordinance if the  
13 defendant has been assigned supervision for a violation of  
14 Section 3-707 of the Illinois Vehicle Code or a similar  
15 provision of a local ordinance.

16 (j) The provisions of paragraph (c) shall not apply to a  
17 defendant charged with violating Section 6-303 of the Illinois  
18 Vehicle Code or a similar provision of a local ordinance when  
19 the revocation or suspension was for a violation of Section  
20 11-501 or a similar provision of a local ordinance or a  
21 violation of Section 11-501.1 or paragraph (b) of Section  
22 11-401 of the Illinois Vehicle Code if the defendant has within  
23 the last 10 years been:

24 (1) convicted for a violation of Section 6-303 of the  
25 Illinois Vehicle Code or a similar provision of a local  
26 ordinance; or

1           (2) assigned supervision for a violation of Section  
2           6-303 of the Illinois Vehicle Code or a similar provision  
3           of a local ordinance.

4           (k) The provisions of paragraph (c) shall not apply to a  
5           defendant charged with violating any provision of the Illinois  
6           Vehicle Code or a similar provision of a local ordinance that  
7           governs the movement of vehicles if, within the 12 months  
8           preceding the date of the defendant's arrest, the defendant has  
9           been assigned court supervision on 2 occasions for a violation  
10          that governs the movement of vehicles under the Illinois  
11          Vehicle Code or a similar provision of a local ordinance. The  
12          provisions of this paragraph (k) do not apply to a defendant  
13          charged with violating Section 11-501 of the Illinois Vehicle  
14          Code or a similar provision of a local ordinance.

15          (l) A defendant charged with violating any provision of the  
16          Illinois Vehicle Code or a similar provision of a local  
17          ordinance who receives a disposition of supervision under  
18          subsection (c) shall pay an additional fee of \$29, to be  
19          collected as provided in Sections 27.5 and 27.6 of the Clerks  
20          of Courts Act. In addition to the \$29 fee, the person shall  
21          also pay a fee of \$6, which, if not waived by the court, shall  
22          be collected as provided in Sections 27.5 and 27.6 of the  
23          Clerks of Courts Act. The \$29 fee shall be disbursed as  
24          provided in Section 16-104c of the Illinois Vehicle Code. If  
25          the \$6 fee is collected, \$5.50 of the fee shall be deposited  
26          into the Circuit Court Clerk Operation and Administrative Fund

1 created by the Clerk of the Circuit Court and 50 cents of the  
2 fee shall be deposited into the Prisoner Review Board Vehicle  
3 and Equipment Fund in the State treasury.

4 (m) Any person convicted of, pleading guilty to, or placed  
5 on supervision for a serious traffic violation, as defined in  
6 Section 1-187.001 of the Illinois Vehicle Code, a violation of  
7 Section 11-501 of the Illinois Vehicle Code, or a violation of  
8 a similar provision of a local ordinance shall pay an  
9 additional fee of \$35, to be disbursed as provided in Section  
10 16-104d of that Code.

11 This subsection (m) becomes inoperative on January 1, 2020  
12 ~~7 years after October 13, 2007 (the effective date of Public~~  
13 ~~Act 95-154).~~

14 (n) The provisions of paragraph (c) shall not apply to any  
15 person under the age of 18 who commits an offense against  
16 traffic regulations governing the movement of vehicles or any  
17 violation of Section 6-107 or Section 12-603.1 of the Illinois  
18 Vehicle Code, except upon personal appearance of the defendant  
19 in court and upon the written consent of the defendant's parent  
20 or legal guardian, executed before the presiding judge. The  
21 presiding judge shall have the authority to waive this  
22 requirement upon the showing of good cause by the defendant.

23 (o) The provisions of paragraph (c) shall not apply to a  
24 defendant charged with violating Section 6-303 of the Illinois  
25 Vehicle Code or a similar provision of a local ordinance when  
26 the suspension was for a violation of Section 11-501.1 of the

1 Illinois Vehicle Code and when:

2 (1) at the time of the violation of Section 11-501.1 of  
3 the Illinois Vehicle Code, the defendant was a first  
4 offender pursuant to Section 11-500 of the Illinois Vehicle  
5 Code and the defendant failed to obtain a monitoring device  
6 driving permit; or

7 (2) at the time of the violation of Section 11-501.1 of  
8 the Illinois Vehicle Code, the defendant was a first  
9 offender pursuant to Section 11-500 of the Illinois Vehicle  
10 Code, had subsequently obtained a monitoring device  
11 driving permit, but was driving a vehicle not equipped with  
12 a breath alcohol ignition interlock device as defined in  
13 Section 1-129.1 of the Illinois Vehicle Code.

14 (p) The provisions of paragraph (c) shall not apply to a  
15 defendant charged with violating Section 11-601.5 of the  
16 Illinois Vehicle Code or a similar provision of a local  
17 ordinance.

18 (q) The provisions of paragraph (c) shall not apply to a  
19 defendant charged with violating subsection (b) of Section  
20 11-601 of the Illinois Vehicle Code when the defendant was  
21 operating a vehicle, in an urban district, at a speed in excess  
22 of 25 miles per hour over the posted speed limit.

23 (r) The provisions of paragraph (c) shall not apply to a  
24 defendant charged with violating any provision of the Illinois  
25 Vehicle Code or a similar provision of a local ordinance if the  
26 violation was the proximate cause of the death of another and

1 the defendant's driving abstract contains a prior conviction or  
2 disposition of court supervision for any violation of the  
3 Illinois Vehicle Code, other than an equipment violation, or a  
4 suspension, revocation, or cancellation of the driver's  
5 license.

6 (Source: P.A. 97-333, eff. 8-12-11; 97-597, eff. 1-1-12;  
7 97-831, eff. 7-1-13; 97-1108, eff. 1-1-13; 97-1150, eff.  
8 1-25-13; 98-169, eff. 1-1-14.)

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law.