



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB1348

Introduced 1/28/2025, by Sen. Bill Cunningham

#### SYNOPSIS AS INTRODUCED:

55 ILCS 5/4-12001

from Ch. 34, par. 4-12001

Amends the Counties Code. Provides that a sheriff in a county of the third class may receive a fee of \$60 for serving or attempting to serve any summons filed in person on a defendant and \$40 for serving or attempting to serve any summons filed electronically on a defendant (rather than \$35 for serving or attempting to serve any summons on a defendant). Provides that a sheriff in a county of the third class may receive a fee of \$60 for serving or attempting to serve all other process, filed in person on a defendant and \$40 for serving or attempting to serve all other process filed electronically on a defendant (rather than \$35 for serving or attempting to serve all other process on each defendant). Provides that a sheriff in a county of the third class may receive a fee of \$25 for returning each process initially filed in person and \$15 for returning each process initially filed electronically (rather than \$15 for returning each process).

LRB104 10901 RTM 20983 b

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 Section 4-12001 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  
9 be entitled to receive the fees herein specified, for the  
10 services mentioned and such other fees as may be provided by  
11 law for such other services not herein designated.

12 Fees for Sheriff

13 For serving or attempting to serve any summons filed in  
14 person on each defendant, \$60 ~~\$35~~.

15 For serving or attempting to serve any summons filed  
16 electronically on each defendant, \$40.

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

21 For serving or attempting to serve all other process<sup>7</sup>  
22 filed in person on each defendant, \$60 ~~\$35~~.

23 For serving or attempting to serve all other process filed

1 electronically on each defendant, \$40.

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

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

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

6 For summoning each juror, \$10.

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

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

11 For serving or attempting to serve an order or judgment  
12 for the possession of real estate in an action of ejectment or  
13 in any other action, or for restitution in an eviction action,  
14 without aid, \$35, and when aid is necessary, the sheriff shall  
15 be allowed to tax in addition the actual costs thereof.

16 For serving or attempting to serve notice of judgment,  
17 \$35.

18 For levying to satisfy an order in an action for  
19 attachment, \$25.

20 For executing order of court to seize personal property,  
21 \$25.

22 For making certificate of levy on real estate and filing  
23 or recording same, \$8, and the fee for filing or recording  
24 shall be advanced by the plaintiff in attachment or by the  
25 judgment creditor and taxed as costs. For taking possession of  
26 or removing property levied on, the sheriff shall be allowed

1 to tax the necessary actual costs of such possession or  
2 removal.

3 For advertising property for sale, \$20.

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

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

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

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

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

19 For returning each process initially filed in person,  
20 \$25~~\$15~~.

21 For returning each process initially filed electronically,  
22 \$15.

23 Mileage for service or attempted service of all process is  
24 a \$10 flat fee.

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

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

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

4 For committing to or discharging each prisoner from jail,  
5 \$3.

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

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

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

15 For discharging such prisoners, \$3.

16 For conveying persons to the penitentiary, reformatories,  
17 Illinois State Training School for Boys, Illinois State  
18 Training School for Girls, Reception Centers and Illinois  
19 Security Hospital, the following fees, payable out of the  
20 State Treasury. When one person is conveyed, 20¢ per mile in  
21 going to the penitentiary, reformatories, Illinois State  
22 Training School for Boys, Illinois State Training School for  
23 Girls, Reception Centers and Illinois Security Hospital from  
24 the place of conviction; when 2 persons are conveyed at the  
25 same time, 20¢ per mile for the first and 15¢ per mile for the  
26 second person; when more than 2 persons are conveyed at the

1 same time as Stated above, the sheriff shall be allowed 20¢ per  
2 mile for the first, 15¢ per mile for the second and 10¢ per  
3 mile for each additional person.

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

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

24 For judgments up to \$1,000, \$100;

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

26 For judgments over \$15,000, \$500.

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

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

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

17       (Source: P.A. 100-173, eff. 1-1-18; 101-652, eff. 1-1-23.)