

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 5-39001 as follows:

6 (55 ILCS 5/5-39001) (from Ch. 34, par. 5-39001)

7 Sec. 5-39001. Establishment and use; fee. The county board
8 of any county may establish and maintain a county law library,
9 to be located in any county building or privately or publicly
10 owned building at the county seat of government. The term
11 "county building" includes premises leased by the county from
12 a public building commission created under the Public Building
13 Commission Act. After August 2, 1976, the county board of any
14 county may establish and maintain a county law library at the
15 county seat of government and, in addition, branch law
16 libraries in other locations within that county as the county
17 board deems necessary.

18 The facilities of those libraries shall be freely
19 available to all licensed Illinois attorneys, judges, other
20 public officers of the county, and all members of the public,
21 whenever the courthouse ~~court-house~~ is open, and may include
22 self-help centers and other legal assistance programs for the
23 public as part of the services it provides on-site and online.

1 Law libraries in counties with more than 2,000,000 inhabitants
2 may close, even when the courthouse is open, based on
3 operational necessity or as determined by the county board.

4 The expense of establishing and maintaining those
5 libraries shall be borne by the county. To defray that
6 expense, including the expense of any attendant self-help
7 centers and legal assistance programs, in any county having
8 established a county law library or libraries, the clerk of
9 all trial courts located at the county seat of government
10 shall charge and collect a county law library fee of \$2, and
11 the county board may authorize a county law library fee of not
12 to exceed \$21 through December 31, 2021 and \$20 on and after
13 January 1, 2022, to be charged and collected by the clerks of
14 all trial courts located in the county. The fee shall be paid
15 at the time of filing the first pleading, paper, or other
16 appearance filed by each party in all civil cases, but no
17 additional fee shall be required if more than one party is
18 represented in a single pleading, paper, or other appearance.

19 Each clerk shall commence those charges and collections
20 upon receipt of written notice from the chairman of the county
21 board that the board has acted under this Division to
22 establish and maintain a law library.

23 The fees shall be in addition to all other fees and charges
24 of the clerks, assessable as costs, remitted by the clerks
25 monthly to the county treasurer or other appropriate county
26 office, and retained ~~by the county treasurer~~ in a special fund

1 designated as the County Law Library Fund. Except as otherwise
2 provided in this paragraph, disbursements from the fund shall
3 be made ~~by the county treasurer,~~ on order of a majority of the
4 resident circuit judges of the circuit court of the county. In
5 any county with more than 2,000,000 inhabitants, the county
6 board shall order disbursements from the fund and the
7 presiding officer of the county board, with the advice and
8 consent of the county board, may appoint a library committee
9 of not less than 9 members, who, by majority vote, may
10 recommend to the county board as to disbursements of the fund
11 and the operation of the library. In single county circuits
12 with 2,000,000 or fewer inhabitants, disbursements from the
13 County Law Library Fund shall be made ~~by the county treasurer~~
14 on the order of the chief judge of the circuit court of the
15 county. In those single county circuits, the number of
16 personnel necessary to operate and maintain the county law
17 library shall be set by and those personnel shall be appointed
18 by the chief judge. The county law library personnel shall
19 serve at the pleasure of the appointing authority. The
20 salaries of those personnel shall be fixed by the county board
21 of the county. Orders shall be pre-audited, funds shall be
22 audited by the county auditor, and a report of the orders and
23 funds shall be rendered to the county board and to the judges.

24 Fees shall not be charged in any criminal or
25 quasi-criminal case, in any matter coming to the clerk on
26 change of venue, or in any proceeding to review the decision of

1 any administrative officer, agency, or body.

2 No moneys distributed from the County Law Library Fund may
3 be directly or indirectly used for lobbying activities, as
4 defined in Section 2 of the Lobbyist Registration Act or as
5 defined in any ordinance or resolution of a municipality,
6 county, or other unit of local government in Illinois.

7 (Source: P.A. 98-351, eff. 8-15-13; 99-859, eff. 8-19-16.)