

HB1085



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB1085

Introduced 2/17/2021, by Rep. Emanuel Chris Welch

SYNOPSIS AS INTRODUCED:

705 ILCS 105/27.3b

from Ch. 25, par. 27.3b

Amends the Clerks of Courts Act. Makes a technical change in a Section concerning fees paid by credit card.

LRB102 03100 LNS 13113 b

A BILL FOR

1 AN ACT concerning courts.

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

4 Section 5. The Clerks of Courts Act is amended by changing
5 Section 27.3b as follows:

6 (705 ILCS 105/27.3b) (from Ch. 25, par. 27.3b)

7 Sec. 27.3b. The ~~The~~ clerk of court may accept payment of
8 fines, penalties, or costs by credit card or debit card
9 approved by the clerk from an offender who has been convicted
10 of or placed on court supervision for a traffic offense, petty
11 offense, ordinance offense, or misdemeanor or who has been
12 convicted of a felony offense. The clerk of the circuit court
13 may accept credit card payments over the Internet for fines,
14 penalties, or costs from offenders on voluntary electronic
15 pleas of guilty in minor traffic and conservation offenses to
16 satisfy the requirement of written pleas of guilty as provided
17 in Illinois Supreme Court Rule 529. The clerk of the court may
18 also accept payment of statutory fees by a credit card or debit
19 card. The clerk of the court may also accept the credit card or
20 debit card for the cash deposit of bail bond fees.

21 The Clerk of the circuit court is authorized to enter into
22 contracts with credit card or debit card companies approved by
23 the clerk and to negotiate the payment of convenience and

1 administrative fees normally charged by those companies for
2 allowing the clerk of the circuit court to accept their credit
3 cards or debit cards in payment as authorized herein. The
4 clerk of the circuit court is authorized to enter into
5 contracts with third party fund guarantors, facilitators, and
6 service providers under which those entities may contract
7 directly with customers of the clerk of the circuit court and
8 guarantee and remit the payments to the clerk of the circuit
9 court. Where the offender pays fines, penalties, or costs by
10 credit card or debit card or through a third party fund
11 guarantor, facilitator, or service provider, or anyone paying
12 statutory fees of the circuit court clerk or the posting of
13 cash bail, the clerk shall collect a service fee of up to \$5 or
14 the amount charged to the clerk for use of its services by the
15 credit card or debit card issuer, third party fund guarantor,
16 facilitator, or service provider. This service fee shall be in
17 addition to any other fines, penalties, or costs. The clerk of
18 the circuit court is authorized to negotiate the assessment of
19 convenience and administrative fees by the third party fund
20 guarantors, facilitators, and service providers with the
21 revenue earned by the clerk of the circuit court to be remitted
22 to the county general revenue fund.

23 (Source: P.A. 95-331, eff. 8-21-07.)