



Sen. John J. Millner

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LRB094 17027 DRH 57341 a

1 AMENDMENT TO HOUSE BILL 4521

2 AMENDMENT NO. _____. Amend House Bill 4521, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The State Finance Act is amended by adding
6 Section 5.663 as follows:

7 (30 ILCS 105/5.663 new)

8 Sec. 5.663. The Prisoner Review Board Vehicle and Equipment
9 Fund.

10 Section 10. The Illinois Vehicle Code is amended by adding
11 Section 16-104c as follows:

12 (625 ILCS 5/16-104c new)

13 Sec. 16-104c. Court supervision fees.

14 (a) Any person who, after a court appearance in the same
15 matter, receives a disposition of court supervision for a
16 violation of any provision of this Code shall pay an additional
17 fee of \$20, which shall be disbursed as follows:

18 (1) if an officer of the Department of State Police
19 arrested the person for the violation, the \$20 fee shall be
20 deposited into the State Police Vehicle Fund in the State
21 treasury; or

22 (2) if an officer of any law enforcement agency in the

1 State other than the Department of State Police arrested
2 the person for the violation, the \$20 fee shall be paid to
3 the law enforcement agency that employed the arresting
4 officer and shall be used for the acquisition or
5 maintenance of police vehicles.

6 (b) In addition to the fee provided for in subsection (a),
7 a person who, after a court appearance in the same matter,
8 receives a disposition of court supervision for any violation
9 of this Code shall also pay an additional fee of \$5, if not
10 waived by the court. Of this \$5 fee, \$4.50 shall be deposited
11 into the Circuit Court Clerk Operation and Administrative Fund
12 created by the Clerk of the Circuit Court and 50 cents shall be
13 deposited into the Prisoner Review Board Vehicle and Equipment
14 Fund in the State treasury.

15 (c) The Prisoner Review Board Vehicle and Equipment Fund is
16 created as a special fund in the State treasury. The Prisoner
17 Review Board shall, subject to appropriation by the General
18 Assembly and approval by the Secretary, use all moneys in the
19 Prisoner Review Board Vehicle and Equipment Fund for the
20 purchase and operation of vehicles and equipment.

21 Section 15. The Clerks of Courts Act is amended by changing
22 Sections 27.5 and 27.6 and adding Section 27.3d as follows:

23 (705 ILCS 105/27.3d new)

24 Sec. 27.3d. Circuit Court Clerk Operation and
25 Administrative Fund. Each Circuit Court Clerk shall create a
26 Circuit Court Clerk Operation and Administrative Fund, to be
27 used to offset the costs incurred by the Circuit Court Clerk in
28 performing the additional duties required to collect and
29 disburse funds to entities of State and local government as
30 provided by law. The Circuit Court Clerk shall be the
31 custodian, ex officio, of this Fund and shall use the Fund to
32 perform the duties required by the office. The Fund shall be

1 audited by the auditor retained by the Clerk for the purpose of
2 conducting the Annual Circuit Court Clerk Audit. Expenditures
3 shall be made from the Fund by the Circuit Court Clerk for
4 expenses related to the cost of collection for and disbursement
5 to entities of State and local government.

6 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

7 Sec. 27.5. (a) All fees, fines, costs, additional
8 penalties, bail balances assessed or forfeited, and any other
9 amount paid by a person to the circuit clerk that equals an
10 amount less than \$55, except restitution under Section 5-5-6 of
11 the Unified Code of Corrections, reimbursement for the costs of
12 an emergency response as provided under Section 11-501 of the
13 Illinois Vehicle Code, any fees collected for attending a
14 traffic safety program under paragraph (c) of Supreme Court
15 Rule 529, any fee collected on behalf of a State's Attorney
16 under Section 4-2002 of the Counties Code or a sheriff under
17 Section 4-5001 of the Counties Code, or any cost imposed under
18 Section 124A-5 of the Code of Criminal Procedure of 1963, for
19 convictions, orders of supervision, or any other disposition
20 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois
21 Vehicle Code, or a similar provision of a local ordinance, and
22 any violation of the Child Passenger Protection Act, or a
23 similar provision of a local ordinance, and except as provided
24 in subsection (b) shall be disbursed within 60 days after
25 receipt by the circuit clerk as follows: 47% shall be disbursed
26 to the entity authorized by law to receive the fine imposed in
27 the case; 12% shall be disbursed to the State Treasurer; and
28 41% shall be disbursed to the county's general corporate fund.
29 Of the 12% disbursed to the State Treasurer, 1/6 shall be
30 deposited by the State Treasurer into the Violent Crime Victims
31 Assistance Fund, 1/2 shall be deposited into the Traffic and
32 Criminal Conviction Surcharge Fund, and 1/3 shall be deposited
33 into the Drivers Education Fund. For fiscal years 1992 and

1 1993, amounts deposited into the Violent Crime Victims
2 Assistance Fund, the Traffic and Criminal Conviction Surcharge
3 Fund, or the Drivers Education Fund shall not exceed 110% of
4 the amounts deposited into those funds in fiscal year 1991. Any
5 amount that exceeds the 110% limit shall be distributed as
6 follows: 50% shall be disbursed to the county's general
7 corporate fund and 50% shall be disbursed to the entity
8 authorized by law to receive the fine imposed in the case. Not
9 later than March 1 of each year the circuit clerk shall submit
10 a report of the amount of funds remitted to the State Treasurer
11 under this Section during the preceding year based upon
12 independent verification of fines and fees. All counties shall
13 be subject to this Section, except that counties with a
14 population under 2,000,000 may, by ordinance, elect not to be
15 subject to this Section. For offenses subject to this Section,
16 judges shall impose one total sum of money payable for
17 violations. The circuit clerk may add on no additional amounts
18 except for amounts that are required by Sections 27.3a and
19 27.3c of this Act, unless those amounts are specifically waived
20 by the judge. With respect to money collected by the circuit
21 clerk as a result of forfeiture of bail, ex parte judgment or
22 guilty plea pursuant to Supreme Court Rule 529, the circuit
23 clerk shall first deduct and pay amounts required by Sections
24 27.3a and 27.3c of this Act. This Section is a denial and
25 limitation of home rule powers and functions under subsection
26 (h) of Section 6 of Article VII of the Illinois Constitution.

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

29 (1) 50% of the amounts collected for felony offenses
30 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
31 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
32 Animals Act and Section 26-5 of the Criminal Code of 1961;

33 (2) 20% of the amounts collected for Class A and Class
34 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,

1 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
2 for Animals Act and Section 26-5 of the Criminal Code of
3 1961; and

4 (3) 50% of the amounts collected for Class C
5 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
6 for Animals Act and Section 26-5 of the Criminal Code of
7 1961.

8 (c) Any person who receives a disposition of court
9 supervision for a violation of the Illinois Vehicle Code shall,
10 in addition to any other fines, fees, and court costs, pay
11 additional fee of \$20, to be disbursed as provided in Section
12 16-104c of the Illinois Vehicle Code. In addition to the fee of
13 \$20, the person shall also pay a fee of \$5, if not waived by the
14 court. If this \$5 fee is collected, \$4.50 of the fee shall be
15 deposited into the Circuit Court Clerk Operation and
16 Administrative Fund created by the Clerk of the Circuit Court
17 and 50 cents of the fee shall be deposited into the Prisoner
18 Review Board Vehicle and Equipment Fund in the State treasury.

19 (Source: P.A. 92-454, eff. 1-1-02; 92-650, eff. 7-11-02;
20 93-800, eff. 1-1-05.)

21 (705 ILCS 105/27.6)

22 Sec. 27.6. (a) All fees, fines, costs, additional
23 penalties, bail balances assessed or forfeited, and any other
24 amount paid by a person to the circuit clerk equalling an
25 amount of \$55 or more, except the additional fee required by
26 subsections (b) and (c), restitution under Section 5-5-6 of the
27 Unified Code of Corrections, reimbursement for the costs of an
28 emergency response as provided under Section 11-501 of the
29 Illinois Vehicle Code, any fees collected for attending a
30 traffic safety program under paragraph (c) of Supreme Court
31 Rule 529, any fee collected on behalf of a State's Attorney
32 under Section 4-2002 of the Counties Code or a sheriff under
33 Section 4-5001 of the Counties Code, or any cost imposed under

1 Section 124A-5 of the Code of Criminal Procedure of 1963, for
2 convictions, orders of supervision, or any other disposition
3 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois
4 Vehicle Code, or a similar provision of a local ordinance, and
5 any violation of the Child Passenger Protection Act, or a
6 similar provision of a local ordinance, and except as provided
7 in subsection (d) shall be disbursed within 60 days after
8 receipt by the circuit clerk as follows: 44.5% shall be
9 disbursed to the entity authorized by law to receive the fine
10 imposed in the case; 16.825% shall be disbursed to the State
11 Treasurer; and 38.675% shall be disbursed to the county's
12 general corporate fund. Of the 16.825% disbursed to the State
13 Treasurer, 2/17 shall be deposited by the State Treasurer into
14 the Violent Crime Victims Assistance Fund, 5.052/17 shall be
15 deposited into the Traffic and Criminal Conviction Surcharge
16 Fund, 3/17 shall be deposited into the Drivers Education Fund,
17 and 6.948/17 shall be deposited into the Trauma Center Fund. Of
18 the 6.948/17 deposited into the Trauma Center Fund from the
19 16.825% disbursed to the State Treasurer, 50% shall be
20 disbursed to the Department of Public Health and 50% shall be
21 disbursed to the Department of Healthcare and Family Services
22 ~~Public Aid~~. For fiscal year 1993, amounts deposited into the
23 Violent Crime Victims Assistance Fund, the Traffic and Criminal
24 Conviction Surcharge Fund, or the Drivers Education Fund shall
25 not exceed 110% of the amounts deposited into those funds in
26 fiscal year 1991. Any amount that exceeds the 110% limit shall
27 be distributed as follows: 50% shall be disbursed to the
28 county's general corporate fund and 50% shall be disbursed to
29 the entity authorized by law to receive the fine imposed in the
30 case. Not later than March 1 of each year the circuit clerk
31 shall submit a report of the amount of funds remitted to the
32 State Treasurer under this Section during the preceding year
33 based upon independent verification of fines and fees. All
34 counties shall be subject to this Section, except that counties

1 with a population under 2,000,000 may, by ordinance, elect not
2 to be subject to this Section. For offenses subject to this
3 Section, judges shall impose one total sum of money payable for
4 violations. The circuit clerk may add on no additional amounts
5 except for amounts that are required by Sections 27.3a and
6 27.3c of this Act, unless those amounts are specifically waived
7 by the judge. With respect to money collected by the circuit
8 clerk as a result of forfeiture of bail, ex parte judgment or
9 guilty plea pursuant to Supreme Court Rule 529, the circuit
10 clerk shall first deduct and pay amounts required by Sections
11 27.3a and 27.3c of this Act. This Section is a denial and
12 limitation of home rule powers and functions under subsection
13 (h) of Section 6 of Article VII of the Illinois Constitution.

14 (b) In addition to any other fines and court costs assessed
15 by the courts, any person convicted or receiving an order of
16 supervision for driving under the influence of alcohol or drugs
17 shall pay an additional fee of \$100 to the clerk of the circuit
18 court. This amount, less 2 1/2% that shall be used to defray
19 administrative costs incurred by the clerk, shall be remitted
20 by the clerk to the Treasurer within 60 days after receipt for
21 deposit into the Trauma Center Fund. This additional fee of
22 \$100 shall not be considered a part of the fine for purposes of
23 any reduction in the fine for time served either before or
24 after sentencing. Not later than March 1 of each year the
25 Circuit Clerk shall submit a report of the amount of funds
26 remitted to the State Treasurer under this subsection during
27 the preceding calendar year.

28 (b-1) In addition to any other fines and court costs
29 assessed by the courts, any person convicted or receiving an
30 order of supervision for driving under the influence of alcohol
31 or drugs shall pay an additional fee of \$5 to the clerk of the
32 circuit court. This amount, less 2 1/2% that shall be used to
33 defray administrative costs incurred by the clerk, shall be
34 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 a
11 person sentenced for a violation of the Cannabis Control Act,
12 the Illinois Controlled Substances Act, or the Methamphetamine
13 Control and Community Protection Act shall pay an additional
14 fee of \$100 to the clerk of the circuit court. This amount,
15 less 2 1/2% that shall be used to defray administrative costs
16 incurred by the clerk, shall be remitted by the clerk to the
17 Treasurer within 60 days after receipt for deposit into the
18 Trauma Center Fund. This additional fee of \$100 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-1) In addition to any other fines and court costs
25 assessed by the courts, any person sentenced for a violation of
26 the Cannabis Control Act, the Illinois Controlled Substances
27 Act, or the Methamphetamine Control and Community Protection
28 Act shall pay an additional fee of \$5 to the clerk of the
29 circuit court. This amount, less 2 1/2% that shall be used to
30 defray administrative costs incurred by the clerk, shall be
31 remitted by the clerk to the Treasurer within 60 days after
32 receipt for deposit into the Spinal Cord Injury Paralysis Cure
33 Research Trust Fund. This additional fee of \$5 shall not be
34 considered a part of the fine for purposes of any reduction in

1 the fine for time served either before or after sentencing. Not
2 later than March 1 of each year the Circuit Clerk shall submit
3 a report of the amount of funds remitted to the State Treasurer
4 under this subsection during the preceding calendar year.

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

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

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 of the Criminal Code of
15 1961; 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 of the Criminal Code of
19 1961.

20 (e) Any person who receives a disposition of court
21 supervision for a violation of the Illinois Vehicle Code shall,
22 in addition to any other fines, fees, and court costs, pay
23 additional fee of \$20, to be disbursed as provided in Section
24 16-104c of the Illinois Vehicle Code. In addition to the fee of
25 \$20, the person shall also pay a fee of \$5, if not waived by the
26 court. If this \$5 fee is collected, \$4.50 of the fee shall be
27 deposited into the Circuit Court Clerk Operation and
28 Administrative Fund created by the Clerk of the Circuit Court
29 and 50 cents of the fee shall be deposited into the Prisoner
30 Review Board Vehicle and Equipment Fund in the State treasury.

31 (Source: P.A. 93-800, eff. 1-1-05; 94-556, eff. 9-11-05;
32 revised 12-15-05.)

33 Section 20. The Unified Code of Corrections is amended by

1 changing Section 5-6-1 as follows:

2 (730 ILCS 5/5-6-1) (from Ch. 38, par. 1005-6-1)

3 Sec. 5-6-1. Sentences of Probation and of Conditional
4 Discharge and Disposition of Supervision. The General Assembly
5 finds that in order to protect the public, the criminal justice
6 system must compel compliance with the conditions of probation
7 by responding to violations with swift, certain and fair
8 punishments and intermediate sanctions. The Chief Judge of each
9 circuit shall adopt a system of structured, intermediate
10 sanctions for violations of the terms and conditions of a
11 sentence of probation, conditional discharge or disposition of
12 supervision.

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

19 (1) his imprisonment or periodic imprisonment is
20 necessary for the protection of the public; or

21 (2) probation or conditional discharge would deprecate
22 the seriousness of the offender's conduct and would be
23 inconsistent with the ends of justice; or

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

29 The court shall impose as a condition of a sentence of
30 probation, conditional discharge, or supervision, that the
31 probation agency may invoke any sanction from the list of
32 intermediate sanctions adopted by the chief judge of the
33 circuit court for violations of the terms and conditions of the

1 sentence of probation, conditional discharge, or supervision,
2 subject to the provisions of Section 5-6-4 of this Act.

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

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

14 (c) The court may, upon a plea of guilty or a stipulation
15 by the defendant of the facts supporting the charge or a
16 finding of guilt, defer further proceedings and the imposition
17 of a sentence, and enter an order for supervision of the
18 defendant, if the defendant is not charged with: (i) a Class A
19 misdemeanor, as defined by the following provisions of the
20 Criminal Code of 1961: Sections 11-9.1; 12-3.2; 12-15; 26-5;
21 31-1; 31-6; 31-7; subsections (b) and (c) of Section 21-1;
22 paragraph (1) through (5), (8), (10), and (11) of subsection
23 (a) of Section 24-1; (ii) a Class A misdemeanor violation of
24 Section 3.01, 3.03-1, or 4.01 of the Humane Care for Animals
25 Act; or (iii) felony. If the defendant is not barred from
26 receiving an order for supervision as provided in this
27 subsection, the court may enter an order for supervision after
28 considering the circumstances of the offense, and the history,
29 character and condition of the offender, if the court is of the
30 opinion that:

31 (1) the offender is not likely to commit further
32 crimes;

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

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

4 (d) The provisions of paragraph (c) shall not apply to a
5 defendant charged with violating Section 11-501 of the Illinois
6 Vehicle Code or a similar provision of a local ordinance when
7 the defendant has previously been:

8 (1) convicted for a violation of Section 11-501 of the
9 Illinois Vehicle Code or a similar provision of a local
10 ordinance or any similar law or ordinance of another state;
11 or

12 (2) assigned supervision for a violation of Section
13 11-501 of the Illinois Vehicle Code or a similar provision
14 of a local ordinance or any similar law or ordinance of
15 another state; or

16 (3) pleaded guilty to or stipulated to the facts
17 supporting a charge or a finding of guilty to a violation
18 of Section 11-503 of the Illinois Vehicle Code or a similar
19 provision of a local ordinance or any similar law or
20 ordinance of another state, and the plea or stipulation was
21 the result of a plea agreement.

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

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

29 (1) convicted for a violation of Section 16A-3 of the
30 Criminal Code of 1961; or

31 (2) assigned supervision for a violation of Section
32 16A-3 of the Criminal Code of 1961.

33 The court shall consider the statement of the prosecuting
34 authority with regard to the standards set forth in this

1 Section.

2 (f) The provisions of paragraph (c) shall not apply to a
3 defendant charged with violating Sections 15-111, 15-112,
4 15-301, paragraph (b) of Section 6-104, Section 11-605, or
5 Section 11-1414 of the Illinois Vehicle Code or a similar
6 provision of a local ordinance.

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

13 (1) convicted for a violation of Section 3-707, 3-708,
14 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar
15 provision of a local ordinance; or

16 (2) assigned supervision for a violation of Section
17 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle
18 Code or a similar provision of a local ordinance.

19 The court shall consider the statement of the prosecuting
20 authority with regard to the standards set forth in this
21 Section.

22 (h) The provisions of paragraph (c) shall not apply to a
23 defendant under the age of 21 years charged with violating a
24 serious traffic offense as defined in Section 1-187.001 of the
25 Illinois Vehicle Code:

26 (1) unless the defendant, upon payment of the fines,
27 penalties, and costs provided by law, agrees to attend and
28 successfully complete a traffic safety program approved by
29 the court under standards set by the Conference of Chief
30 Circuit Judges. The accused shall be responsible for
31 payment of any traffic safety program fees. If the accused
32 fails to file a certificate of successful completion on or
33 before the termination date of the supervision order, the
34 supervision shall be summarily revoked and conviction

1 entered. The provisions of Supreme Court Rule 402 relating
2 to pleas of guilty do not apply in cases when a defendant
3 enters a guilty plea under this provision; or

4 (2) if the defendant has previously been sentenced
5 under the provisions of paragraph (c) on or after January
6 1, 1998 for any serious traffic offense as defined in
7 Section 1-187.001 of the Illinois Vehicle Code.

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

14 (j) The provisions of paragraph (c) shall not apply to a
15 defendant charged with violating Section 6-303 of the Illinois
16 Vehicle Code or a similar provision of a local ordinance when
17 the revocation or suspension was for a violation of Section
18 11-501 or a similar provision of a local ordinance, a violation
19 of Section 11-501.1 or paragraph (b) of Section 11-401 of the
20 Illinois Vehicle Code, or a violation of Section 9-3 of the
21 Criminal Code of 1961 if the defendant has within the last 10
22 years been:

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

26 (2) assigned supervision for a violation of Section
27 6-303 of the Illinois Vehicle Code or a similar provision
28 of a local ordinance.

29 (k) The provisions of paragraph (c) shall not apply to a
30 defendant charged with violating any provision of the Illinois
31 Vehicle Code or a similar provision of a local ordinance that
32 governs the movement of vehicles if, within the 12 months
33 preceding the date of the defendant's arrest, the defendant has
34 been assigned court supervision on 2 occasions for a violation

1 that governs the movement of vehicles under the Illinois
2 Vehicle Code or a similar provision of a local ordinance.

3 (1) A defendant charged with violating any provision of the
4 Illinois Vehicle Code who, after a court appearance in the same
5 matter, receives a disposition of supervision under subsection
6 (c) shall pay an additional fee of \$20, to be collected as
7 provided in Sections 27.5 and 27.6 of the Clerks of Courts Act.
8 In addition to the \$20 fee, the person shall also pay a fee of
9 \$5, which, if not waived by the court, shall be collected as
10 provided in Sections 27.5 and 27.6 of the Clerks of Courts Act.
11 The \$20 fee shall be disbursed as provided in Section 16-104c
12 of the Illinois Vehicle Code. If the \$5 fee is collected, \$4.50
13 of the fee shall be deposited into the Circuit Court Clerk
14 Operation and Administrative Fund created by the Clerk of the
15 Circuit Court and 50 cents of the fee shall be deposited into
16 the Prisoner Review Board Vehicle and Equipment Fund in the
17 State treasury.

18 (Source: P.A. 93-388, eff. 7-25-03; 93-1014, eff. 1-1-05;
19 94-169, eff. 1-1-06; 94-330, eff. 1-1-06; 94-375, eff. 1-1-06;
20 revised 8-19-05.)".