

SB1444



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB1444

Introduced 2/23/2005, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

705 ILCS 105/27.3c

from Ch. 25, par. 27.3c

Amends the Clerks of Courts Act. Raises the maximum document fee to \$15 (from \$5).

LRB094 09120 LCB 39350 b

FISCAL NOTE ACT
MAY APPLY

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 27.3c as follows:

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

7 Sec. 27.3c. Document storage system.

8 (a) The expense of establishing and maintaining a document
9 storage system in the offices of the circuit court clerks in
10 the several counties of this State shall be borne by the
11 county. To defray the expense in any county that elects to
12 establish a document storage system and convert the records of
13 the circuit court clerk to electronic or micrographic storage,
14 the county board may require the clerk of the circuit court in
15 its county to collect a court document fee of not less than \$1
16 nor more than \$15 ~~\$5~~, to be charged and collected by the clerk
17 of the court. The fee shall be paid at the time of filing the
18 first pleading, paper, or other appearance filed by each party
19 in all civil cases or by the defendant in any felony,
20 misdemeanor, traffic, ordinance, or conservation matter on a
21 judgment of guilty or grant of supervision, provided that the
22 document storage system is in place or has been authorized by
23 the county board and further that no additional fee shall be
24 required if more than one party is presented in a single
25 pleading, paper, or other appearance. The fee shall be
26 collected in the manner in which all other fees or costs are
27 collected. The court document fee provided in this subsection
28 (a) shall not apply to any petty offense moving violation
29 written by a municipal police department in counties having a
30 population of more than 650,000 but less than 3,000,000
31 inhabitants whether written under the Illinois Vehicle Code or
32 under any municipal ordinance.

1 (b) Each clerk shall commence charges and collections of a
2 court document fee upon receipt of written notice from the
3 chairman of the county board together with a certified copy of
4 the board's resolution, which the clerk shall file of record in
5 his or her office.

6 (c) Court document fees shall be in addition to other fees
7 and charges of the clerk, shall be assessable as costs, and may
8 be waived only if the judge specifically provides for the
9 waiver of the court document storage fee. The fees shall be
10 remitted monthly by the clerk to the county treasurer, to be
11 retained by the treasurer in a special fund designated as the
12 Court Document Storage Fund. The fund shall be audited by the
13 county auditor, and the board shall make expenditures from the
14 fund in payment of any costs relative to the storage of court
15 records, including hardware, software, research and
16 development costs, and related personnel, provided that the
17 expenditure is approved by the clerk of the circuit court.

18 (d) A court document fee shall not be charged in any matter
19 coming to the clerk on change of venue or in any proceeding to
20 review the decision of any administrative officer, agency, or
21 body.

22 (Source: P.A. 86-1386; 87-670.)