

1 AN ACT concerning criminal law.

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

4 Section 5. The Unified Code of Corrections is amended by
5 changing Section 5-9-1.6 as follows:

6 (730 ILCS 5/5-9-1.6) (from Ch. 38, par. 1005-9-1.6)

7 Sec. 5-9-1.6. Fine for certain domestic offenses ~~Domestic~~
8 ~~Battery.~~ For the offense of domestic battery or aggravated
9 domestic battery, when the offender and victim are family or
10 household members as defined in Section 103 of the Illinois
11 Domestic Violence Act of 1986, a fine of up to \$200 may ~~There~~
12 ~~shall be added to every penalty imposed in sentencing for the~~
13 ~~offense of domestic battery an additional fine in the amount of~~
14 ~~\$10 to~~ be imposed upon a plea of guilty, stipulation of facts
15 or finding of guilty resulting in a judgment of conviction ~~or~~
16 ~~order of supervision.~~

17 Such additional amount shall be assessed by the court
18 imposing sentence and shall be collected by the Circuit Clerk
19 in addition to the fine, if any, and costs in the case. Each
20 such additional penalty shall be remitted by the Circuit Clerk
21 within one month after receipt to the State Treasurer for
22 deposit into the Domestic Violence Shelter and Service Fund.
23 The Circuit Clerk shall retain 10% of such penalty to cover the

1 costs incurred in administering and enforcing this Section.
2 Such additional penalty shall not be considered a part of the
3 fine for purposes of any reduction in the fine for time served
4 either before or after sentencing.

5 Not later than March 1 of each year the Clerk of the
6 Circuit Court shall submit to the State Comptroller a report of
7 the amount of funds remitted by him to the State Treasurer
8 under this Section during the preceding calendar year. Except
9 as otherwise provided by Supreme Court Rules, if a court in
10 sentencing an offender levies a gross amount for fine, costs,
11 fees and penalties, the amount of the additional penalty
12 provided for herein shall be collected from the amount
13 remaining after deducting from the gross amount levied all fees
14 of the Circuit Clerk, the State's Attorney and the Sheriff.
15 After deducting from the gross amount levied the fees and
16 additional penalty provided for herein, less any other
17 additional penalties provided by law, the clerk shall remit the
18 net balance remaining to the entity authorized by law to
19 receive the fine imposed in the case. For purposes of this
20 Section "fees of the Circuit Clerk" shall include, if
21 applicable, the fee provided for under Section 27.3a of the
22 Clerks of Courts Act and the fee, if applicable, payable to the
23 county in which the violation occurred under Section 5-1101 of
24 the Counties Code.

25 (Source: P.A. 87-480; 87-895.)