



Rep. Suzanne Bassi

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09500HB3509ham001

LRB095 09306 RLC 33236 a

1 AMENDMENT TO HOUSE BILL 3509

2 AMENDMENT NO. _____. Amend House Bill 3509 by replacing
3 everything after the enacting clause with the following:

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.~~

1 Such additional amount shall be assessed by the court
2 imposing sentence and shall be collected by the Circuit Clerk
3 in addition to the fine, if any, and costs in the case. Each
4 such additional penalty shall be remitted by the Circuit Clerk
5 within one month after receipt to the State Treasurer for
6 deposit into the Domestic Violence Shelter and Service Fund.
7 The Circuit Clerk shall retain 10% of such penalty to cover the
8 costs incurred in administering and enforcing this Section.
9 Such additional penalty shall not be considered a part of the
10 fine for purposes of any reduction in the fine for time served
11 either before or after sentencing.

12 Not later than March 1 of each year the Clerk of the
13 Circuit Court shall submit to the State Comptroller a report of
14 the amount of funds remitted by him to the State Treasurer
15 under this Section during the preceding calendar year. Except
16 as otherwise provided by Supreme Court Rules, if a court in
17 sentencing an offender levies a gross amount for fine, costs,
18 fees and penalties, the amount of the additional penalty
19 provided for herein shall be collected from the amount
20 remaining after deducting from the gross amount levied all fees
21 of the Circuit Clerk, the State's Attorney and the Sheriff.
22 After deducting from the gross amount levied the fees and
23 additional penalty provided for herein, less any other
24 additional penalties provided by law, the clerk shall remit the
25 net balance remaining to the entity authorized by law to
26 receive the fine imposed in the case. For purposes of this

1 Section "fees of the Circuit Clerk" shall include, if
2 applicable, the fee provided for under Section 27.3a of the
3 Clerks of Courts Act and the fee, if applicable, payable to the
4 county in which the violation occurred under Section 5-1101 of
5 the Counties Code.

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