

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 16-104d as follows:

6 (625 ILCS 5/16-104d)

7 Sec. 16-104d. Additional fee; serious traffic violation.
8 Any person who is convicted of, pleads guilty to, or is placed
9 on supervision for a serious traffic violation, as defined in
10 Section 1-187.001 of this Code, a violation of Section 11-501
11 of this Code, or a violation of a similar provision of a local
12 ordinance shall pay an additional fee of \$35. Of that fee, \$15
13 shall be deposited into the Fire Prevention Fund in the State
14 treasury, \$15 shall be deposited into the Fire Truck Revolving
15 Loan Fund in the State treasury, and \$5 shall be deposited into
16 the Circuit Court Clerk Operation and Administrative Fund
17 created by the Clerk of the Circuit Court.

18 This Section becomes inoperative on January 1, 2020 ~~7 years~~
19 ~~after the effective date of this amendatory Act of the 95th~~
20 ~~General Assembly.~~

21 (Source: P.A. 95-154, eff. 10-13-07; 96-286, eff. 8-11-09;
22 96-1175, eff. 9-20-10.)

1 Section 10. The Clerks of Courts Act is amended by changing
2 Sections 27.5 and 27.6 as follows:

3 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

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

1 corporate fund. Of the 12% disbursed to the State Treasurer,
2 1/6 shall be deposited by the State Treasurer into the Violent
3 Crime Victims Assistance Fund, 1/2 shall be deposited into the
4 Traffic and Criminal Conviction Surcharge Fund, and 1/3 shall
5 be deposited into the Drivers Education Fund. For fiscal years
6 1992 and 1993, amounts deposited into the Violent Crime Victims
7 Assistance Fund, the Traffic and Criminal Conviction Surcharge
8 Fund, or the Drivers Education Fund shall not exceed 110% of
9 the amounts deposited into those funds in fiscal year 1991. Any
10 amount that exceeds the 110% limit shall be distributed as
11 follows: 50% shall be disbursed to the county's general
12 corporate fund and 50% shall be disbursed to the entity
13 authorized by law to receive the fine imposed in the case. Not
14 later than March 1 of each year the circuit clerk shall submit
15 a report of the amount of funds remitted to the State Treasurer
16 under this Section during the preceding year based upon
17 independent verification of fines and fees. All counties shall
18 be subject to this Section, except that counties with a
19 population under 2,000,000 may, by ordinance, elect not to be
20 subject to this Section. For offenses subject to this Section,
21 judges shall impose one total sum of money payable for
22 violations. The circuit clerk may add on no additional amounts
23 except for amounts that are required by Sections 27.3a and
24 27.3c of this Act, Section 16-104c of the Illinois Vehicle
25 Code, and subsection (a) of Section 5-1101 of the Counties
26 Code, unless those amounts are specifically waived by the

1 judge. With respect to money collected by the circuit clerk as
2 a result of forfeiture of bail, ex parte judgment or guilty
3 plea pursuant to Supreme Court Rule 529, the circuit clerk
4 shall first deduct and pay amounts required by Sections 27.3a
5 and 27.3c of this Act. Unless a court ordered payment schedule
6 is implemented or fee requirements are waived pursuant to a
7 court order, the circuit clerk may add to any unpaid fees and
8 costs a delinquency amount equal to 5% of the unpaid fees that
9 remain unpaid after 30 days, 10% of the unpaid fees that remain
10 unpaid after 60 days, and 15% of the unpaid fees that remain
11 unpaid after 90 days. Notice to those parties may be made by
12 signage posting or publication. The additional delinquency
13 amounts collected under this Section shall be deposited in the
14 Circuit Court Clerk Operation and Administrative Fund to be
15 used to defray administrative costs incurred by the circuit
16 clerk in performing the duties required to collect and disburse
17 funds. This Section is a denial and limitation of home rule
18 powers and functions under subsection (h) of Section 6 of
19 Article VII of the Illinois Constitution.

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

22 (1) 50% of the amounts collected for felony offenses
23 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
24 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
25 Animals Act and Section 26-5 or 48-1 of the Criminal Code
26 of 1961 or the Criminal Code of 2012;

1 (2) 20% of the amounts collected for Class A and Class
2 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
3 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
4 for Animals Act and Section 26-5 or 48-1 of the Criminal
5 Code of 1961 or the Criminal Code of 2012; and

6 (3) 50% of the amounts collected for Class C
7 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
8 for Animals Act and Section 26-5 or 48-1 of the Criminal
9 Code of 1961 or the Criminal Code of 2012.

10 (c) Any person who receives a disposition of court
11 supervision for a violation of the Illinois Vehicle Code or a
12 similar provision of a local ordinance shall, in addition to
13 any other fines, fees, and court costs, pay an additional fee
14 of \$29, to be disbursed as provided in Section 16-104c of the
15 Illinois Vehicle Code. In addition to the fee of \$29, the
16 person shall also pay a fee of \$6, if not waived by the court.
17 If this \$6 fee is collected, \$5.50 of the fee shall be
18 deposited into the Circuit Court Clerk Operation and
19 Administrative Fund created by the Clerk of the Circuit Court
20 and 50 cents of the fee shall be deposited into the Prisoner
21 Review Board Vehicle and Equipment Fund in the State treasury.

22 (d) Any person convicted of, pleading guilty to, or placed
23 on supervision for a serious traffic violation, as defined in
24 Section 1-187.001 of the Illinois Vehicle Code, a violation of
25 Section 11-501 of the Illinois Vehicle Code, or a violation of
26 a similar provision of a local ordinance shall pay an

1 additional fee of \$35, to be disbursed as provided in Section
2 16-104d of that Code.

3 This subsection (d) becomes inoperative on January 1, 2020
4 ~~7 years after the effective date of Public Act 95-154.~~

5 (e) In all counties having a population of 3,000,000 or
6 more inhabitants:

7 (1) A person who is found guilty of or pleads guilty to
8 violating subsection (a) of Section 11-501 of the Illinois
9 Vehicle Code, including any person placed on court
10 supervision for violating subsection (a), shall be fined
11 \$750 as provided for by subsection (f) of Section 11-501.01
12 of the Illinois Vehicle Code, payable to the circuit clerk,
13 who shall distribute the money pursuant to subsection (f)
14 of Section 11-501.01 of the Illinois Vehicle Code.

15 (2) When a crime laboratory DUI analysis fee of \$150,
16 provided for by Section 5-9-1.9 of the Unified Code of
17 Corrections is assessed, it shall be disbursed by the
18 circuit clerk as provided by subsection (f) of Section
19 5-9-1.9 of the Unified Code of Corrections.

20 (3) When a fine for a violation of subsection (a) of
21 Section 11-605 of the Illinois Vehicle Code is \$150 or
22 greater, the additional \$50 which is charged as provided
23 for by subsection (f) of Section 11-605 of the Illinois
24 Vehicle Code shall be disbursed by the circuit clerk to a
25 school district or districts for school safety purposes as
26 provided by subsection (f) of Section 11-605.

1 (4) When a fine for a violation of subsection (a) of
2 Section 11-1002.5 of the Illinois Vehicle Code is \$150 or
3 greater, the additional \$50 which is charged as provided
4 for by subsection (c) of Section 11-1002.5 of the Illinois
5 Vehicle Code shall be disbursed by the circuit clerk to a
6 school district or districts for school safety purposes as
7 provided by subsection (c) of Section 11-1002.5 of the
8 Illinois Vehicle Code.

9 (5) When a mandatory drug court fee of up to \$5 is
10 assessed as provided in subsection (f) of Section 5-1101 of
11 the Counties Code, it shall be disbursed by the circuit
12 clerk as provided in subsection (f) of Section 5-1101 of
13 the Counties Code.

14 (6) When a mandatory teen court, peer jury, youth
15 court, or other youth diversion program fee is assessed as
16 provided in subsection (e) of Section 5-1101 of the
17 Counties Code, it shall be disbursed by the circuit clerk
18 as provided in subsection (e) of Section 5-1101 of the
19 Counties Code.

20 (7) When a Children's Advocacy Center fee is assessed
21 pursuant to subsection (f-5) of Section 5-1101 of the
22 Counties Code, it shall be disbursed by the circuit clerk
23 as provided in subsection (f-5) of Section 5-1101 of the
24 Counties Code.

25 (8) When a victim impact panel fee is assessed pursuant
26 to subsection (b) of Section 11-501.01 of the Illinois

1 Vehicle Code, it shall be disbursed by the circuit clerk to
2 the victim impact panel to be attended by the defendant.

3 (9) When a new fee collected in traffic cases is
4 enacted after January 1, 2010 (the effective date of Public
5 Act 96-735), it shall be excluded from the percentage
6 disbursement provisions of this Section unless otherwise
7 indicated by law.

8 (f) Any person who receives a disposition of court
9 supervision for a violation of Section 11-501 of the Illinois
10 Vehicle Code shall, in addition to any other fines, fees, and
11 court costs, pay an additional fee of \$50, which shall be
12 collected by the circuit clerk and then remitted to the State
13 Treasurer for deposit into the Roadside Memorial Fund, a
14 special fund in the State treasury. However, the court may
15 waive the fee if full restitution is complied with. Subject to
16 appropriation, all moneys in the Roadside Memorial Fund shall
17 be used by the Department of Transportation to pay fees imposed
18 under subsection (f) of Section 20 of the Roadside Memorial
19 Act. The fee shall be remitted by the circuit clerk within one
20 month after receipt to the State Treasurer for deposit into the
21 Roadside Memorial Fund.

22 (g) For any conviction or disposition of court supervision
23 for a violation of Section 11-1429 of the Illinois Vehicle
24 Code, the circuit clerk shall distribute the fines paid by the
25 person as specified by subsection (h) of Section 11-1429 of the
26 Illinois Vehicle Code.

1 (Source: P.A. 96-286, eff. 8-11-09; 96-576, eff. 8-18-09;
2 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-735, eff. 1-1-10;
3 96-1000, eff. 7-2-10; 96-1175, eff. 9-20-10; 96-1342, eff.
4 1-1-11; 97-333, eff. 8-12-11; 97-1108, eff. 1-1-13; 97-1150,
5 eff. 1-25-13.)

6 (705 ILCS 105/27.6)

7 (Section as amended by P.A. 96-286, 96-576, 96-578, 96-625,
8 96-667, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, and
9 97-1150)

10 Sec. 27.6. (a) All fees, fines, costs, additional
11 penalties, bail balances assessed or forfeited, and any other
12 amount paid by a person to the circuit clerk equalling an
13 amount of \$55 or more, except the fine imposed by Section
14 5-9-1.15 of the Unified Code of Corrections, the additional fee
15 required by subsections (b) and (c), restitution under Section
16 5-5-6 of the Unified Code of Corrections, contributions to a
17 local anti-crime program ordered pursuant to Section
18 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of
19 Corrections, reimbursement for the costs of an emergency
20 response as provided under Section 11-501 of the Illinois
21 Vehicle Code, any fees collected for attending a traffic safety
22 program under paragraph (c) of Supreme Court Rule 529, any fee
23 collected on behalf of a State's Attorney under Section 4-2002
24 of the Counties Code or a sheriff under Section 4-5001 of the
25 Counties Code, or any cost imposed under Section 124A-5 of the

1 Code of Criminal Procedure of 1963, for convictions, orders of
2 supervision, or any other disposition for a violation of
3 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a
4 similar provision of a local ordinance, and any violation of
5 the Child Passenger Protection Act, or a similar provision of a
6 local ordinance, and except as otherwise provided in this
7 Section shall be disbursed within 60 days after receipt by the
8 circuit clerk as follows: 44.5% shall be disbursed to the
9 entity authorized by law to receive the fine imposed in the
10 case; 16.825% shall be disbursed to the State Treasurer; and
11 38.675% shall be disbursed to the county's general corporate
12 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
13 shall be deposited by the State Treasurer into the Violent
14 Crime Victims Assistance Fund, 5.052/17 shall be deposited into
15 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall
16 be deposited into the Drivers Education Fund, and 6.948/17
17 shall be deposited into the Trauma Center Fund. Of the 6.948/17
18 deposited into the Trauma Center Fund from the 16.825%
19 disbursed to the State Treasurer, 50% shall be disbursed to the
20 Department of Public Health and 50% shall be disbursed to the
21 Department of Healthcare and Family Services. For fiscal year
22 1993, amounts deposited into the Violent Crime Victims
23 Assistance Fund, the Traffic and Criminal Conviction Surcharge
24 Fund, or the Drivers Education Fund shall not exceed 110% of
25 the amounts deposited into those funds in fiscal year 1991. Any
26 amount that exceeds the 110% limit shall be distributed as

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

22 (b) In addition to any other fines and court costs assessed
23 by the courts, any person convicted or receiving an order of
24 supervision for driving under the influence of alcohol or drugs
25 shall pay an additional fee of \$100 to the clerk of the circuit
26 court. This amount, less 2 1/2% that shall be used to defray

1 administrative costs incurred by the clerk, shall be remitted
2 by the clerk to the Treasurer within 60 days after receipt for
3 deposit into the Trauma Center Fund. This additional fee of
4 \$100 shall not be considered a part of the fine for purposes of
5 any reduction in the fine for time served either before or
6 after sentencing. Not later than March 1 of each year the
7 Circuit Clerk shall submit a report of the amount of funds
8 remitted to the State Treasurer under this subsection during
9 the preceding calendar year.

10 (b-1) In addition to any other fines and court costs
11 assessed by the courts, any person convicted or receiving an
12 order of supervision for driving under the influence of alcohol
13 or drugs shall pay an additional fee of \$5 to the clerk of the
14 circuit court. This amount, less 2 1/2% that shall be used to
15 defray administrative costs incurred by the clerk, shall be
16 remitted by the clerk to the Treasurer within 60 days after
17 receipt for deposit into the Spinal Cord Injury Paralysis Cure
18 Research Trust Fund. This additional fee of \$5 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) In addition to any other fines and court costs assessed
25 by the courts, any person convicted for a violation of Sections
26 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the

1 Criminal Code of 2012 or a person sentenced for a violation of
2 the Cannabis Control Act, the Illinois Controlled Substances
3 Act, or the Methamphetamine Control and Community Protection
4 Act shall pay an additional fee of \$100 to the clerk of the
5 circuit court. This amount, less 2 1/2% that shall be used to
6 defray administrative costs incurred by the clerk, shall be
7 remitted by the clerk to the Treasurer within 60 days after
8 receipt for deposit into the Trauma Center Fund. This
9 additional fee of \$100 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. Not later than March 1 of
12 each year the Circuit Clerk shall submit a report of the amount
13 of funds remitted to the State Treasurer under this subsection
14 during the preceding calendar year.

15 (c-1) In addition to any other fines and court costs
16 assessed by the courts, any person sentenced for a violation of
17 the Cannabis Control Act, the Illinois Controlled Substances
18 Act, or the Methamphetamine Control and Community Protection
19 Act shall pay an additional fee of \$5 to the clerk of the
20 circuit court. This amount, less 2 1/2% that shall be used to
21 defray administrative costs incurred by the clerk, shall be
22 remitted by the clerk to the Treasurer within 60 days after
23 receipt for deposit into the Spinal Cord Injury Paralysis Cure
24 Research Trust Fund. This additional fee of \$5 shall not be
25 considered a part of the fine for purposes of any reduction in
26 the fine for time served either before or after sentencing. Not

1 later than March 1 of each year the Circuit Clerk shall submit
2 a report of the amount of funds remitted to the State Treasurer
3 under this subsection during the preceding calendar year.

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

6 (1) 50% of the amounts collected for felony offenses
7 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
8 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
9 Animals Act and Section 26-5 or 48-1 of the Criminal Code
10 of 1961 or the Criminal Code of 2012;

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 or 48-1 of the Criminal
15 Code of 1961 or the Criminal Code of 2012; 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 or 48-1 of the Criminal
19 Code of 1961 or the Criminal Code of 2012.

20 (e) Any person who receives a disposition of court
21 supervision for a violation of the Illinois Vehicle Code or a
22 similar provision of a local ordinance shall, in addition to
23 any other fines, fees, and court costs, pay an additional fee
24 of \$29, to be disbursed as provided in Section 16-104c of the
25 Illinois Vehicle Code. In addition to the fee of \$29, the
26 person shall also pay a fee of \$6, if not waived by the court.

1 If this \$6 fee is collected, \$5.50 of the fee shall be
2 deposited into the Circuit Court Clerk Operation and
3 Administrative Fund created by the Clerk of the Circuit Court
4 and 50 cents of the fee shall be deposited into the Prisoner
5 Review Board Vehicle and Equipment Fund in the State treasury.

6 (f) This Section does not apply to the additional child
7 pornography fines assessed and collected under Section
8 5-9-1.14 of the Unified Code of Corrections.

9 (g) (Blank).

10 (h) (Blank).

11 (i) Of the amounts collected as fines under subsection (b)
12 of Section 3-712 of the Illinois Vehicle Code, 99% shall be
13 deposited into the Illinois Military Family Relief Fund and 1%
14 shall be deposited into the Circuit Court Clerk Operation and
15 Administrative Fund created by the Clerk of the Circuit Court
16 to be used to offset the costs incurred by the Circuit Court
17 Clerk in performing the additional duties required to collect
18 and disburse funds to entities of State and local government as
19 provided by law.

20 (j) Any person convicted of, pleading guilty to, or placed
21 on supervision for a serious traffic violation, as defined in
22 Section 1-187.001 of the Illinois Vehicle Code, a violation of
23 Section 11-501 of the Illinois Vehicle Code, or a violation of
24 a similar provision of a local ordinance shall pay an
25 additional fee of \$35, to be disbursed as provided in Section
26 16-104d of that Code.

1 This subsection (j) becomes inoperative on January 1, 2020
2 ~~7 years after the effective date of Public Act 95-154.~~

3 (k) For any conviction or disposition of court supervision
4 for a violation of Section 11-1429 of the Illinois Vehicle
5 Code, the circuit clerk shall distribute the fines paid by the
6 person as specified by subsection (h) of Section 11-1429 of the
7 Illinois Vehicle Code.

8 (l) Any person who receives a disposition of court
9 supervision for a violation of Section 11-501 of the Illinois
10 Vehicle Code or a similar provision of a local ordinance shall,
11 in addition to any other fines, fees, and court costs, pay an
12 additional fee of \$50, which shall be collected by the circuit
13 clerk and then remitted to the State Treasurer for deposit into
14 the Roadside Memorial Fund, a special fund in the State
15 treasury. However, the court may waive the fee if full
16 restitution is complied with. Subject to appropriation, all
17 moneys in the Roadside Memorial Fund shall be used by the
18 Department of Transportation to pay fees imposed under
19 subsection (f) of Section 20 of the Roadside Memorial Act. The
20 fee shall be remitted by the circuit clerk within one month
21 after receipt to the State Treasurer for deposit into the
22 Roadside Memorial Fund.

23 (m) Of the amounts collected as fines under subsection (c)
24 of Section 411.4 of the Illinois Controlled Substances Act or
25 subsection (c) of Section 90 of the Methamphetamine Control and
26 Community Protection Act, 99% shall be deposited to the law

1 enforcement agency or fund specified and 1% shall be deposited
2 into the Circuit Court Clerk Operation and Administrative Fund
3 to be used to offset the costs incurred by the Circuit Court
4 Clerk in performing the additional duties required to collect
5 and disburse funds to entities of State and local government as
6 provided by law.

7 (n) In addition to any other fines and court costs assessed
8 by the courts, any person who is convicted of or pleads guilty
9 to a violation of the Criminal Code of 1961 or the Criminal
10 Code of 2012, or a similar provision of a local ordinance, or
11 who is convicted of, pleads guilty to, or receives a
12 disposition of court supervision for a violation of the
13 Illinois Vehicle Code, or a similar provision of a local
14 ordinance, shall pay an additional fee of \$15 to the clerk of
15 the circuit court. This additional fee of \$15 shall not be
16 considered a part of the fine for purposes of any reduction in
17 the fine for time served either before or after sentencing.
18 This amount, less 2.5% that shall be used to defray
19 administrative costs incurred by the clerk, shall be remitted
20 by the clerk to the State Treasurer within 60 days after
21 receipt for deposit into the State Police Merit Board Public
22 Safety Fund.

23 (Source: P.A. 95-191, eff. 1-1-08; 95-291, eff. 1-1-08; 95-428,
24 eff. 8-24-07; 95-600, eff. 6-1-08; 95-876, eff. 8-21-08;
25 96-286, eff. 8-11-09; 96-576, eff. 8-18-09; 96-578, eff.
26 8-18-09; 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-1175,

1 eff. 9-20-10; 96-1342, eff. 1-1-11; 97-1051, eff. 1-1-13;
2 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

3 (Section as amended by P.A. 96-576, 96-578, 96-625, 96-667,
4 96-735, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, and
5 97-1150)

6 Sec. 27.6. (a) All fees, fines, costs, additional
7 penalties, bail balances assessed or forfeited, and any other
8 amount paid by a person to the circuit clerk equalling an
9 amount of \$55 or more, except the fine imposed by Section
10 5-9-1.15 of the Unified Code of Corrections, the additional fee
11 required by subsections (b) and (c), restitution under Section
12 5-5-6 of the Unified Code of Corrections, contributions to a
13 local anti-crime program ordered pursuant to Section
14 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of
15 Corrections, reimbursement for the costs of an emergency
16 response as provided under Section 11-501 of the Illinois
17 Vehicle Code, any fees collected for attending a traffic safety
18 program under paragraph (c) of Supreme Court Rule 529, any fee
19 collected on behalf of a State's Attorney under Section 4-2002
20 of the Counties Code or a sheriff under Section 4-5001 of the
21 Counties Code, or any cost imposed under Section 124A-5 of the
22 Code of Criminal Procedure of 1963, for convictions, orders of
23 supervision, or any other disposition for a violation of
24 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a
25 similar provision of a local ordinance, and any violation of

1 the Child Passenger Protection Act, or a similar provision of a
2 local ordinance, and except as otherwise provided in this
3 Section shall be disbursed within 60 days after receipt by the
4 circuit clerk as follows: 44.5% shall be disbursed to the
5 entity authorized by law to receive the fine imposed in the
6 case; 16.825% shall be disbursed to the State Treasurer; and
7 38.675% shall be disbursed to the county's general corporate
8 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
9 shall be deposited by the State Treasurer into the Violent
10 Crime Victims Assistance Fund, 5.052/17 shall be deposited into
11 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall
12 be deposited into the Drivers Education Fund, and 6.948/17
13 shall be deposited into the Trauma Center Fund. Of the 6.948/17
14 deposited into the Trauma Center Fund from the 16.825%
15 disbursed to the State Treasurer, 50% shall be disbursed to the
16 Department of Public Health and 50% shall be disbursed to the
17 Department of Healthcare and Family Services. For fiscal year
18 1993, amounts deposited into the Violent Crime Victims
19 Assistance Fund, the Traffic and Criminal Conviction Surcharge
20 Fund, or the Drivers Education Fund shall not exceed 110% of
21 the amounts deposited into those funds in fiscal year 1991. Any
22 amount that exceeds the 110% limit shall be distributed as
23 follows: 50% shall be disbursed to the county's general
24 corporate fund and 50% shall be disbursed to the entity
25 authorized by law to receive the fine imposed in the case. Not
26 later than March 1 of each year the circuit clerk shall submit

1 a report of the amount of funds remitted to the State Treasurer
2 under this Section during the preceding year based upon
3 independent verification of fines and fees. All counties shall
4 be subject to this Section, except that counties with a
5 population under 2,000,000 may, by ordinance, elect not to be
6 subject to this Section. For offenses subject to this Section,
7 judges shall impose one total sum of money payable for
8 violations. The circuit clerk may add on no additional amounts
9 except for amounts that are required by Sections 27.3a and
10 27.3c of this Act, Section 16-104c of the Illinois Vehicle
11 Code, and subsection (a) of Section 5-1101 of the Counties
12 Code, unless those amounts are specifically waived by the
13 judge. With respect to money collected by the circuit clerk as
14 a result of forfeiture of bail, ex parte judgment or guilty
15 plea pursuant to Supreme Court Rule 529, the circuit clerk
16 shall first deduct and pay amounts required by Sections 27.3a
17 and 27.3c of this Act. Unless a court ordered payment schedule
18 is implemented or fee requirements are waived pursuant to court
19 order, the clerk of the court may add to any unpaid fees and
20 costs a delinquency amount equal to 5% of the unpaid fees that
21 remain unpaid after 30 days, 10% of the unpaid fees that remain
22 unpaid after 60 days, and 15% of the unpaid fees that remain
23 unpaid after 90 days. Notice to those parties may be made by
24 signage posting or publication. The additional delinquency
25 amounts collected under this Section shall be deposited in the
26 Circuit Court Clerk Operation and Administrative Fund to be

1 used to defray administrative costs incurred by the circuit
2 clerk in performing the duties required to collect and disburse
3 funds. This Section is a denial and limitation of home rule
4 powers and functions under subsection (h) of Section 6 of
5 Article VII of the Illinois Constitution.

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

20 (b-1) In addition to any other fines and court costs
21 assessed by the courts, any person convicted or receiving an
22 order of supervision for driving under the influence of alcohol
23 or drugs shall pay an additional fee of \$5 to the clerk of the
24 circuit court. This amount, less 2 1/2% that shall be used to
25 defray administrative costs incurred by the clerk, shall be
26 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 the
11 Criminal Code of 2012 or a person sentenced for a violation of
12 the Cannabis Control Act, the Illinois Controlled Substances
13 Act, or the Methamphetamine Control and Community Protection
14 Act shall pay an additional fee of \$100 to the clerk of the
15 circuit court. This amount, less 2 1/2% that shall be used to
16 defray administrative costs incurred by the clerk, shall be
17 remitted by the clerk to the Treasurer within 60 days after
18 receipt for deposit into the Trauma Center Fund. This
19 additional fee of \$100 shall not be considered a part of the
20 fine for purposes of any reduction in the fine for time served
21 either before or after sentencing. Not later than March 1 of
22 each year the Circuit Clerk shall submit a report of the amount
23 of funds remitted to the State Treasurer under this subsection
24 during the preceding calendar year.

25 (c-1) In addition to any other fines and court costs
26 assessed by the courts, any person sentenced for a violation of

1 the Cannabis Control Act, the Illinois Controlled Substances
2 Act, or the Methamphetamine Control and Community Protection
3 Act shall pay an additional fee of \$5 to the clerk of the
4 circuit court. This amount, less 2 1/2% that shall be used to
5 defray administrative costs incurred by the clerk, shall be
6 remitted by the clerk to the Treasurer within 60 days after
7 receipt for deposit into the Spinal Cord Injury Paralysis Cure
8 Research Trust Fund. This additional fee of \$5 shall not be
9 considered a part of the fine for purposes of any reduction in
10 the fine for time served either before or after sentencing. Not
11 later than March 1 of each year the Circuit Clerk shall submit
12 a report of the amount of funds remitted to the State Treasurer
13 under this subsection during the preceding calendar year.

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

16 (1) 50% of the amounts collected for felony offenses
17 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
18 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
19 Animals Act and Section 26-5 or 48-1 of the Criminal Code
20 of 1961 or the Criminal Code of 2012;

21 (2) 20% of the amounts collected for Class A and Class
22 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
23 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
24 for Animals Act and Section 26-5 or 48-1 of the Criminal
25 Code of 1961 or the Criminal Code of 2012; and

26 (3) 50% of the amounts collected for Class C

1 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
2 for Animals Act and Section 26-5 or 48-1 of the Criminal
3 Code of 1961 or the Criminal Code of 2012.

4 (e) Any person who receives a disposition of court
5 supervision for a violation of the Illinois Vehicle Code or a
6 similar provision of a local ordinance shall, in addition to
7 any other fines, fees, and court costs, pay an additional fee
8 of \$29, to be disbursed as provided in Section 16-104c of the
9 Illinois Vehicle Code. In addition to the fee of \$29, the
10 person shall also pay a fee of \$6, if not waived by the court.
11 If this \$6 fee is collected, \$5.50 of the fee shall be
12 deposited into the Circuit Court Clerk Operation and
13 Administrative Fund created by the Clerk of the Circuit Court
14 and 50 cents of the fee shall be deposited into the Prisoner
15 Review Board Vehicle and Equipment Fund in the State treasury.

16 (f) This Section does not apply to the additional child
17 pornography fines assessed and collected under Section
18 5-9-1.14 of the Unified Code of Corrections.

19 (g) Any person convicted of or pleading guilty to a serious
20 traffic violation, as defined in Section 1-187.001 of the
21 Illinois Vehicle Code, shall pay an additional fee of \$35, to
22 be disbursed as provided in Section 16-104d of that Code. This
23 subsection (g) becomes inoperative on January 1, 2020 ~~7 years~~
24 ~~after the effective date of Public Act 95-154.~~

25 (h) In all counties having a population of 3,000,000 or
26 more inhabitants,

1 (1) A person who is found guilty of or pleads guilty to
2 violating subsection (a) of Section 11-501 of the Illinois
3 Vehicle Code, including any person placed on court
4 supervision for violating subsection (a), shall be fined
5 \$750 as provided for by subsection (f) of Section 11-501.01
6 of the Illinois Vehicle Code, payable to the circuit clerk,
7 who shall distribute the money pursuant to subsection (f)
8 of Section 11-501.01 of the Illinois Vehicle Code.

9 (2) When a crime laboratory DUI analysis fee of \$150,
10 provided for by Section 5-9-1.9 of the Unified Code of
11 Corrections is assessed, it shall be disbursed by the
12 circuit clerk as provided by subsection (f) of Section
13 5-9-1.9 of the Unified Code of Corrections.

14 (3) When a fine for a violation of Section 11-605.1 of
15 the Illinois Vehicle Code is \$250 or greater, the person
16 who violated that Section shall be charged an additional
17 \$125 as provided for by subsection (e) of Section 11-605.1
18 of the Illinois Vehicle Code, which shall be disbursed by
19 the circuit clerk to a State or county Transportation
20 Safety Highway Hire-back Fund as provided by subsection (e)
21 of Section 11-605.1 of the Illinois Vehicle Code.

22 (4) When a fine for a violation of subsection (a) of
23 Section 11-605 of the Illinois Vehicle Code is \$150 or
24 greater, the additional \$50 which is charged as provided
25 for by subsection (f) of Section 11-605 of the Illinois
26 Vehicle Code shall be disbursed by the circuit clerk to a

1 school district or districts for school safety purposes as
2 provided by subsection (f) of Section 11-605.

3 (5) When a fine for a violation of subsection (a) of
4 Section 11-1002.5 of the Illinois Vehicle Code is \$150 or
5 greater, the additional \$50 which is charged as provided
6 for by subsection (c) of Section 11-1002.5 of the Illinois
7 Vehicle Code shall be disbursed by the circuit clerk to a
8 school district or districts for school safety purposes as
9 provided by subsection (c) of Section 11-1002.5 of the
10 Illinois Vehicle Code.

11 (6) When a mandatory drug court fee of up to \$5 is
12 assessed as provided in subsection (f) of Section 5-1101 of
13 the Counties Code, it shall be disbursed by the circuit
14 clerk as provided in subsection (f) of Section 5-1101 of
15 the Counties Code.

16 (7) When a mandatory teen court, peer jury, youth
17 court, or other youth diversion program fee is assessed as
18 provided in subsection (e) of Section 5-1101 of the
19 Counties Code, it shall be disbursed by the circuit clerk
20 as provided in subsection (e) of Section 5-1101 of the
21 Counties Code.

22 (8) When a Children's Advocacy Center fee is assessed
23 pursuant to subsection (f-5) of Section 5-1101 of the
24 Counties Code, it shall be disbursed by the circuit clerk
25 as provided in subsection (f-5) of Section 5-1101 of the
26 Counties Code.

1 (9) When a victim impact panel fee is assessed pursuant
2 to subsection (b) of Section 11-501.01 of the Vehicle Code,
3 it shall be disbursed by the circuit clerk to the victim
4 impact panel to be attended by the defendant.

5 (10) When a new fee collected in traffic cases is
6 enacted after the effective date of this subsection (h), it
7 shall be excluded from the percentage disbursement
8 provisions of this Section unless otherwise indicated by
9 law.

10 (i) Of the amounts collected as fines under subsection (b)
11 of Section 3-712 of the Illinois Vehicle Code, 99% shall be
12 deposited into the Illinois Military Family Relief Fund and 1%
13 shall be deposited into the Circuit Court Clerk Operation and
14 Administrative Fund created by the Clerk of the Circuit Court
15 to be used to offset the costs incurred by the Circuit Court
16 Clerk in performing the additional duties required to collect
17 and disburse funds to entities of State and local government as
18 provided by law.

19 (j) (Blank).

20 (k) For any conviction or disposition of court supervision
21 for a violation of Section 11-1429 of the Illinois Vehicle
22 Code, the circuit clerk shall distribute the fines paid by the
23 person as specified by subsection (h) of Section 11-1429 of the
24 Illinois Vehicle Code.

25 (l) Any person who receives a disposition of court
26 supervision for a violation of Section 11-501 of the Illinois

1 Vehicle Code or a similar provision of a local ordinance shall,
2 in addition to any other fines, fees, and court costs, pay an
3 additional fee of \$50, which shall be collected by the circuit
4 clerk and then remitted to the State Treasurer for deposit into
5 the Roadside Memorial Fund, a special fund in the State
6 treasury. However, the court may waive the fee if full
7 restitution is complied with. Subject to appropriation, all
8 moneys in the Roadside Memorial Fund shall be used by the
9 Department of Transportation to pay fees imposed under
10 subsection (f) of Section 20 of the Roadside Memorial Act. The
11 fee shall be remitted by the circuit clerk within one month
12 after receipt to the State Treasurer for deposit into the
13 Roadside Memorial Fund.

14 (m) Of the amounts collected as fines under subsection (c)
15 of Section 411.4 of the Illinois Controlled Substances Act or
16 subsection (c) of Section 90 of the Methamphetamine Control and
17 Community Protection Act, 99% shall be deposited to the law
18 enforcement agency or fund specified and 1% shall be deposited
19 into the Circuit Court Clerk Operation and Administrative Fund
20 to be used to offset the costs incurred by the Circuit Court
21 Clerk in performing the additional duties required to collect
22 and disburse funds to entities of State and local government as
23 provided by law.

24 (n) In addition to any other fines and court costs assessed
25 by the courts, any person who is convicted of or pleads guilty
26 to a violation of the Criminal Code of 1961 or the Criminal

1 Code of 2012, or a similar provision of a local ordinance, or
2 who is convicted of, pleads guilty to, or receives a
3 disposition of court supervision for a violation of the
4 Illinois Vehicle Code, or a similar provision of a local
5 ordinance, shall pay an additional fee of \$15 to the clerk of
6 the circuit court. This additional fee of \$15 shall not be
7 considered a part of the fine for purposes of any reduction in
8 the fine for time served either before or after sentencing.
9 This amount, less 2.5% that shall be used to defray
10 administrative costs incurred by the clerk, shall be remitted
11 by the clerk to the State Treasurer within 60 days after
12 receipt for deposit into the State Police Merit Board Public
13 Safety Fund.

14 (Source: P.A. 96-576, eff. 8-18-09; 96-578, eff. 8-18-09;
15 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-735, eff. 1-1-10;
16 96-1175, eff. 9-20-10; 96-1342, eff. 1-1-11; 97-434, eff.
17 1-1-12; 97-1051, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1150,
18 eff. 1-25-13.)

19 Section 15. The Unified Code of Corrections is amended by
20 changing Section 5-6-1 as follows:

21 (730 ILCS 5/5-6-1) (from Ch. 38, par. 1005-6-1)

22 Sec. 5-6-1. Sentences of Probation and of Conditional
23 Discharge and Disposition of Supervision. The General Assembly
24 finds that in order to protect the public, the criminal justice

1 system must compel compliance with the conditions of probation
2 by responding to violations with swift, certain and fair
3 punishments and intermediate sanctions. The Chief Judge of each
4 circuit shall adopt a system of structured, intermediate
5 sanctions for violations of the terms and conditions of a
6 sentence of probation, conditional discharge or disposition of
7 supervision.

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

14 (1) his imprisonment or periodic imprisonment is
15 necessary for the protection of the public; or

16 (2) probation or conditional discharge would deprecate
17 the seriousness of the offender's conduct and would be
18 inconsistent with the ends of justice; or

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

24 The court shall impose as a condition of a sentence of
25 probation, conditional discharge, or supervision, that the
26 probation agency may invoke any sanction from the list of

1 intermediate sanctions adopted by the chief judge of the
2 circuit court for violations of the terms and conditions of the
3 sentence of probation, conditional discharge, or supervision,
4 subject to the provisions of Section 5-6-4 of this Act.

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

9 (b-1) Subsections (a) and (b) of this Section do not apply
10 to a defendant charged with a misdemeanor or felony under the
11 Illinois Vehicle Code or reckless homicide under Section 9-3 of
12 the Criminal Code of 1961 or the Criminal Code of 2012 if the
13 defendant within the past 12 months has been convicted of or
14 pleaded guilty to a misdemeanor or felony under the Illinois
15 Vehicle Code or reckless homicide under Section 9-3 of the
16 Criminal Code of 1961 or the Criminal Code of 2012.

17 (c) The court may, upon a plea of guilty or a stipulation
18 by the defendant of the facts supporting the charge or a
19 finding of guilt, defer further proceedings and the imposition
20 of a sentence, and enter an order for supervision of the
21 defendant, if the defendant is not charged with: (i) a Class A
22 misdemeanor, as defined by the following provisions of the
23 Criminal Code of 1961 or the Criminal Code of 2012: Sections
24 11-9.1; 12-3.2; 11-1.50 or 12-15; 26-5 or 48-1; 31-1; 31-6;
25 31-7; paragraphs (2) and (3) of subsection (a) of Section 21-1;
26 paragraph (1) through (5), (8), (10), and (11) of subsection

1 (a) of Section 24-1; (ii) a Class A misdemeanor violation of
2 Section 3.01, 3.03-1, or 4.01 of the Humane Care for Animals
3 Act; or (iii) a felony. If the defendant is not barred from
4 receiving an order for supervision as provided in this
5 subsection, the court may enter an order for supervision after
6 considering the circumstances of the offense, and the history,
7 character and condition of the offender, if the court is of the
8 opinion that:

9 (1) the offender is not likely to commit further
10 crimes;

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

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

16 (c-5) Subsections (a), (b), and (c) of this Section do not
17 apply to a defendant charged with a second or subsequent
18 violation of Section 6-303 of the Illinois Vehicle Code
19 committed while his or her driver's license, permit or
20 privileges were revoked because of a violation of Section 9-3
21 of the Criminal Code of 1961 or the Criminal Code of 2012,
22 relating to the offense of reckless homicide, or a similar
23 provision of a law of another state.

24 (d) The provisions of paragraph (c) shall not apply to a
25 defendant charged with violating Section 11-501 of the Illinois
26 Vehicle Code or a similar provision of a local ordinance when

1 the defendant has previously been:

2 (1) convicted for a violation of Section 11-501 of the
3 Illinois Vehicle Code or a similar provision of a local
4 ordinance or any similar law or ordinance of another state;
5 or

6 (2) assigned supervision for a violation of Section
7 11-501 of the Illinois Vehicle Code or a similar provision
8 of a local ordinance or any similar law or ordinance of
9 another state; or

10 (3) pleaded guilty to or stipulated to the facts
11 supporting a charge or a finding of guilty to a violation
12 of Section 11-503 of the Illinois Vehicle Code or a similar
13 provision of a local ordinance or any similar law or
14 ordinance of another state, and the plea or stipulation was
15 the result of a plea agreement.

16 The court shall consider the statement of the prosecuting
17 authority with regard to the standards set forth in this
18 Section.

19 (e) The provisions of paragraph (c) shall not apply to a
20 defendant charged with violating Section 16-25 or 16A-3 of the
21 Criminal Code of 1961 or the Criminal Code of 2012 if said
22 defendant has within the last 5 years been:

23 (1) convicted for a violation of Section 16-25 or 16A-3
24 of the Criminal Code of 1961 or the Criminal Code of 2012;
25 or

26 (2) assigned supervision for a violation of Section

1 16-25 or 16A-3 of the Criminal Code of 1961 or the Criminal
2 Code of 2012.

3 The court shall consider the statement of the prosecuting
4 authority with regard to the standards set forth in this
5 Section.

6 (f) The provisions of paragraph (c) shall not apply to a
7 defendant charged with violating Sections 15-111, 15-112,
8 15-301, paragraph (b) of Section 6-104, Section 11-605, Section
9 11-1002.5, or Section 11-1414 of the Illinois Vehicle Code or a
10 similar provision of a local ordinance.

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

17 (1) convicted for a violation of Section 3-707, 3-708,
18 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar
19 provision of a local ordinance; or

20 (2) assigned supervision for a violation of Section
21 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle
22 Code or a similar provision of a local ordinance.

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

26 (h) The provisions of paragraph (c) shall not apply to a

1 defendant under the age of 21 years charged with violating a
2 serious traffic offense as defined in Section 1-187.001 of the
3 Illinois Vehicle Code:

4 (1) unless the defendant, upon payment of the fines,
5 penalties, and costs provided by law, agrees to attend and
6 successfully complete a traffic safety program approved by
7 the court under standards set by the Conference of Chief
8 Circuit Judges. The accused shall be responsible for
9 payment of any traffic safety program fees. If the accused
10 fails to file a certificate of successful completion on or
11 before the termination date of the supervision order, the
12 supervision shall be summarily revoked and conviction
13 entered. The provisions of Supreme Court Rule 402 relating
14 to pleas of guilty do not apply in cases when a defendant
15 enters a guilty plea under this provision; or

16 (2) if the defendant has previously been sentenced
17 under the provisions of paragraph (c) on or after January
18 1, 1998 for any serious traffic offense as defined in
19 Section 1-187.001 of the Illinois Vehicle Code.

20 (h-1) The provisions of paragraph (c) shall not apply to a
21 defendant under the age of 21 years charged with an offense
22 against traffic regulations governing the movement of vehicles
23 or any violation of Section 6-107 or Section 12-603.1 of the
24 Illinois Vehicle Code, unless the defendant, upon payment of
25 the fines, penalties, and costs provided by law, agrees to
26 attend and successfully complete a traffic safety program

1 approved by the court under standards set by the Conference of
2 Chief Circuit Judges. The accused shall be responsible for
3 payment of any traffic safety program fees. If the accused
4 fails to file a certificate of successful completion on or
5 before the termination date of the supervision order, the
6 supervision shall be summarily revoked and conviction entered.
7 The provisions of Supreme Court Rule 402 relating to pleas of
8 guilty do not apply in cases when a defendant enters a guilty
9 plea under this provision.

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

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

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

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

4 (k) The provisions of paragraph (c) shall not apply to a
5 defendant charged with violating any provision of the Illinois
6 Vehicle Code or a similar provision of a local ordinance that
7 governs the movement of vehicles if, within the 12 months
8 preceding the date of the defendant's arrest, the defendant has
9 been assigned court supervision on 2 occasions for a violation
10 that governs the movement of vehicles under the Illinois
11 Vehicle Code or a similar provision of a local ordinance. The
12 provisions of this paragraph (k) do not apply to a defendant
13 charged with violating Section 11-501 of the Illinois Vehicle
14 Code or a similar provision of a local ordinance.

15 (l) A defendant charged with violating any provision of the
16 Illinois Vehicle Code or a similar provision of a local
17 ordinance who receives a disposition of supervision under
18 subsection (c) shall pay an additional fee of \$29, to be
19 collected as provided in Sections 27.5 and 27.6 of the Clerks
20 of Courts Act. In addition to the \$29 fee, the person shall
21 also pay a fee of \$6, which, if not waived by the court, shall
22 be collected as provided in Sections 27.5 and 27.6 of the
23 Clerks of Courts Act. The \$29 fee shall be disbursed as
24 provided in Section 16-104c of the Illinois Vehicle Code. If
25 the \$6 fee is collected, \$5.50 of the fee shall be deposited
26 into the Circuit Court Clerk Operation and Administrative Fund

1 created by the Clerk of the Circuit Court and 50 cents of the
2 fee shall be deposited into the Prisoner Review Board Vehicle
3 and Equipment Fund in the State treasury.

4 (m) Any person convicted of, pleading guilty to, or placed
5 on supervision for a serious traffic violation, as defined in
6 Section 1-187.001 of the Illinois Vehicle Code, a violation of
7 Section 11-501 of the Illinois Vehicle Code, or a violation of
8 a similar provision of a local ordinance shall pay an
9 additional fee of \$35, to be disbursed as provided in Section
10 16-104d of that Code.

11 This subsection (m) becomes inoperative on January 1, 2020
12 ~~7 years after October 13, 2007 (the effective date of Public~~
13 ~~Act 95-154).~~

14 (n) The provisions of paragraph (c) shall not apply to any
15 person under the age of 18 who commits an offense against
16 traffic regulations governing the movement of vehicles or any
17 violation of Section 6-107 or Section 12-603.1 of the Illinois
18 Vehicle Code, except upon personal appearance of the defendant
19 in court and upon the written consent of the defendant's parent
20 or legal guardian, executed before the presiding judge. The
21 presiding judge shall have the authority to waive this
22 requirement upon the showing of good cause by the defendant.

23 (o) The provisions of paragraph (c) shall not apply to a
24 defendant charged with violating Section 6-303 of the Illinois
25 Vehicle Code or a similar provision of a local ordinance when
26 the suspension was for a violation of Section 11-501.1 of the

1 Illinois Vehicle Code and when:

2 (1) at the time of the violation of Section 11-501.1 of
3 the Illinois Vehicle Code, the defendant was a first
4 offender pursuant to Section 11-500 of the Illinois Vehicle
5 Code and the defendant failed to obtain a monitoring device
6 driving permit; or

7 (2) at the time of the violation of Section 11-501.1 of
8 the Illinois Vehicle Code, the defendant was a first
9 offender pursuant to Section 11-500 of the Illinois Vehicle
10 Code, had subsequently obtained a monitoring device
11 driving permit, but was driving a vehicle not equipped with
12 a breath alcohol ignition interlock device as defined in
13 Section 1-129.1 of the Illinois Vehicle Code.

14 (p) The provisions of paragraph (c) shall not apply to a
15 defendant charged with violating Section 11-601.5 of the
16 Illinois Vehicle Code or a similar provision of a local
17 ordinance.

18 (q) The provisions of paragraph (c) shall not apply to a
19 defendant charged with violating subsection (b) of Section
20 11-601 of the Illinois Vehicle Code when the defendant was
21 operating a vehicle, in an urban district, at a speed in excess
22 of 25 miles per hour over the posted speed limit.

23 (r) The provisions of paragraph (c) shall not apply to a
24 defendant charged with violating any provision of the Illinois
25 Vehicle Code or a similar provision of a local ordinance if the
26 violation was the proximate cause of the death of another and

1 the defendant's driving abstract contains a prior conviction or
2 disposition of court supervision for any violation of the
3 Illinois Vehicle Code, other than an equipment violation, or a
4 suspension, revocation, or cancellation of the driver's
5 license.

6 (Source: P.A. 97-333, eff. 8-12-11; 97-597, eff. 1-1-12;
7 97-831, eff. 7-1-13; 97-1108, eff. 1-1-13; 97-1150, eff.
8 1-25-13; 98-169, eff. 1-1-14.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.