

1 AN ACT in relation to vehicles.

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

4 Section 5. The Emergency Medical Services (EMS) Systems
5 Act is amended by changing Section 3.225 as follows:

6 (210 ILCS 50/3.225)

7 Sec. 3.225. Trauma Center Fund.

8 (a) Except as provided in subsection (a-1), the
9 Department shall distribute 97.5% of 50% of the moneys
10 deposited into the Trauma Center Fund, a special fund in the
11 State Treasury, to Illinois hospitals that are designated as
12 trauma centers. The payments to those hospitals shall be in
13 addition to any other payments paid and shall be in an amount
14 calculated under subsection paragraph (b) of this Section.

15 (a-1) Of the moneys deposited into the Fund from fees
16 collected under subsections (b) and (c) of Section 27.6 of
17 the Clerks of Courts Act, 97.5% must be distributed to
18 Illinois hospitals that are designated as trauma centers.
19 The payments to those hospitals shall be in addition to any
20 other payments paid and shall be in an amount calculated
21 under subsection (b) of this Section. The Department may
22 retain 2.5% of the deposited moneys to defray the cost of
23 administering the distributions.

24 (b) Trauma payment calculation.

25 (1) The Department shall implement an accounting
26 system to ensure that the moneys in the fund are
27 distributed.

28 (2) The moneys in the fund shall be allocated
29 proportionately to each EMS region so that the EMS region
30 receives the moneys collected from within its region for
31 violations of laws or ordinances regulating the movement

1 of traffic.

2 (3) The formula for distribution to individual
3 hospitals shall be based on factors identified in rules
4 adopted by the Department pursuant to this Act. No
5 moneys may be distributed to a trauma center located
6 outside of the State.

7 (c) Except as provided in subsection (a-1), the
8 Department may retain 2.5% of 50% of the moneys in the Trauma
9 Center Fund to defray the cost of administering the
10 distributions.

11 (Source: P.A. 89-177, eff. 7-19-95.)

12 Section 10. The Illinois Vehicle Code is amended by
13 changing Section 11-501 as follows:

14 (625 ILCS 5/11-501) (from Ch. 95 1/2, par. 11-501)

15 Sec. 11-501. Driving while under the influence of
16 alcohol, other drug or drugs, intoxicating compound or
17 compounds or any combination thereof.

18 (a) A person shall not drive or be in actual physical
19 control of any vehicle within this State while:

20 (1) the alcohol concentration in the person's blood
21 or breath is 0.08 or more based on the definition of
22 blood and breath units in Section 11-501.2;

23 (2) under the influence of alcohol;

24 (3) under the influence of any intoxicating
25 compound or combination of intoxicating compounds to a
26 degree that renders the person incapable of driving
27 safely;

28 (4) under the influence of any other drug or
29 combination of drugs to a degree that renders the person
30 incapable of safely driving;

31 (5) under the combined influence of alcohol, other
32 drug or drugs, or intoxicating compound or compounds to a

1 degree that renders the person incapable of safely
2 driving; or

3 (6) there is any amount of a drug, substance, or
4 compound in the person's breath, blood, or urine
5 resulting from the unlawful use or consumption of
6 cannabis listed in the Cannabis Control Act, a controlled
7 substance listed in the Illinois Controlled Substances
8 Act, or an intoxicating compound listed in the Use of
9 Intoxicating Compounds Act.

10 (b) The fact that any person charged with violating this
11 Section is or has been legally entitled to use alcohol, other
12 drug or drugs, or intoxicating compound or compounds, or any
13 combination thereof, shall not constitute a defense against
14 any charge of violating this Section.

15 (c) Except as provided under paragraphs (c-3) and (d) of
16 this Section, every person convicted of violating this
17 Section or a similar provision of a local ordinance, shall be
18 guilty of a Class A misdemeanor and, in addition to any other
19 criminal or administrative action, for any second conviction
20 of violating this Section or a similar provision of a law of
21 another state or local ordinance committed within 5 years of
22 a previous violation of this Section or a similar provision
23 of a local ordinance shall be mandatorily sentenced to a
24 minimum of 48 consecutive hours of imprisonment or assigned
25 to a minimum of 100 hours of community service as may be
26 determined by the court. Every person convicted of violating
27 this Section or a similar provision of a local ordinance
28 shall be subject to a mandatory minimum fine of \$500 and a
29 mandatory 5 days of community service in a program benefiting
30 children if the person committed a violation of paragraph (a)
31 or a similar provision of a local ordinance while
32 transporting a person under age 16. Every person convicted a
33 second time for violating this Section or a similar provision
34 of a local ordinance within 5 years of a previous violation

1 of this Section or a similar provision of a law of another
2 state or local ordinance shall be subject to a mandatory
3 minimum fine of \$500 and 10 days of mandatory community
4 service in a program benefiting children if the current
5 offense was committed while transporting a person under age
6 16. The imprisonment or assignment under this subsection
7 shall not be subject to suspension nor shall the person be
8 eligible for probation in order to reduce the sentence or
9 assignment.

10 (c-1) (1) A person who violates this Section during a
11 period in which his or her driving privileges are revoked
12 or suspended, where the revocation or suspension was for
13 a violation of this Section, Section 11-501.1, paragraph
14 (b) of Section 11-401, or Section 9-3 of the Criminal
15 Code of 1961 is guilty of a Class 4 felony.

16 (2) A person who violates this Section a third time
17 during a period in which his or her driving privileges
18 are revoked or suspended where the revocation or
19 suspension was for a violation of this Section, Section
20 11-501.1, paragraph (b) of Section 11-401, or Section 9-3
21 of the Criminal Code of 1961 is guilty of a Class 3
22 felony.

23 (3) A person who violates this Section a fourth or
24 subsequent time during a period in which his or her
25 driving privileges are revoked or suspended where the
26 revocation or suspension was for a violation of this
27 Section, Section 11-501.1, paragraph (b) of Section
28 11-401, or Section 9-3 of the Criminal Code of 1961 is
29 guilty of a Class 2 felony.

30 (c-2) (Blank).

31 (c-3) Every person convicted of violating this Section
32 or a similar provision of a local ordinance who had a child
33 under age 16 in the vehicle at the time of the offense shall
34 have his or her punishment under this Act enhanced by 2 days

1 of imprisonment for a first offense, 10 days of imprisonment
2 for a second offense, 30 days of imprisonment for a third
3 offense, and 90 days of imprisonment for a fourth or
4 subsequent offense, in addition to the fine and community
5 service required under subsection (c) and the possible
6 imprisonment required under subsection (d). The imprisonment
7 or assignment under this subsection shall not be subject to
8 suspension nor shall the person be eligible for probation in
9 order to reduce the sentence or assignment.

10 (d) (1) Every person convicted of committing a violation
11 of this Section shall be guilty of aggravated driving under
12 the influence of alcohol, other drug or drugs, or
13 intoxicating compound or compounds, or any combination
14 thereof if:

15 (A) the person committed a violation of this
16 Section, or a similar provision of a law of another state
17 or a local ordinance when the cause of action is the same
18 as or substantially similar to this Section, for the
19 third or subsequent time;

20 (B) the person committed a violation of paragraph
21 (a) while driving a school bus with children on board;

22 (C) the person in committing a violation of
23 paragraph (a) was involved in a motor vehicle accident
24 that resulted in great bodily harm or permanent
25 disability or disfigurement to another, when the
26 violation was a proximate cause of the injuries; or

27 (D) the person committed a violation of paragraph
28 (a) for a second time and has been previously convicted
29 of violating Section 9-3 of the Criminal Code of 1961
30 relating to reckless homicide in which the person was
31 determined to have been under the influence of alcohol,
32 other drug or drugs, or intoxicating compound or
33 compounds as an element of the offense or the person has
34 previously been convicted under subparagraph (C) of this

1 paragraph (1).

2 (2) Aggravated driving under the influence of alcohol,
3 other drug or drugs, or intoxicating compound or compounds,
4 or any combination thereof is a Class 4 felony for which a
5 person, if sentenced to a term of imprisonment, shall be
6 sentenced to not less than one year and not more than 3 years
7 for a violation of subparagraph (A), (B) or (D) of paragraph
8 (1) of this subsection (d) and not less than one year and not
9 more than 12 years for a violation of subparagraph (C) of
10 paragraph (1) of this subsection (d). For any prosecution
11 under this subsection (d), a certified copy of the driving
12 abstract of the defendant shall be admitted as proof of any
13 prior conviction.

14 (e) After a finding of guilt and prior to any final
15 sentencing, or an order for supervision, for an offense based
16 upon an arrest for a violation of this Section or a similar
17 provision of a local ordinance, individuals shall be required
18 to undergo a professional evaluation to determine if an
19 alcohol, drug, or intoxicating compound abuse problem exists
20 and the extent of the problem. Programs conducting these
21 evaluations shall be licensed by the Department of Human
22 Services. The cost of any professional evaluation shall be
23 paid for by the individual required to undergo the
24 professional evaluation.

25 (f) Every person found guilty of violating this Section,
26 whose operation of a motor vehicle while in violation of this
27 Section proximately caused any incident resulting in an
28 appropriate emergency response, shall be liable for the
29 expense of an emergency response as provided under Section
30 5-5-3 of the Unified Code of Corrections.

31 (g) The Secretary of State shall revoke the driving
32 privileges of any person convicted under this Section or a
33 similar provision of a local ordinance.

34 (h) Every person sentenced under subsection (d) of this

1 Section and who receives a term of probation or conditional
2 discharge shall be required to serve a minimum term of either
3 30 days community service or, beginning July 1, 1993, 48
4 consecutive hours of imprisonment as a condition of the
5 probation or conditional discharge. This mandatory minimum
6 term of imprisonment or assignment of community service shall
7 not be suspended and shall not be subject to reduction by the
8 court.

9 (i) The Secretary of State may use ignition interlock
10 device requirements when granting driving relief to
11 individuals who have been arrested for a second or subsequent
12 offense of this Section or a similar provision of a local
13 ordinance. The Secretary shall establish by rule and
14 regulation the procedures for use of the interlock system.

15 (j) In addition to any other penalties and liabilities,
16 a person who is found guilty of or pleads guilty to violating
17 this Section, including any person placed on court
18 supervision for violating this Section, shall be fined \$100,
19 payable to the circuit clerk, who shall distribute the money
20 to the law enforcement agency that made the arrest. If the
21 person has been previously convicted of violating this
22 Section or a similar provision of a local ordinance, the fine
23 shall be \$200. In the event that more than one agency is
24 responsible for the arrest, the \$100 or \$200 shall be shared
25 equally. Any moneys received by a law enforcement agency
26 under this subsection (j) shall be used to purchase law
27 enforcement equipment that will assist in the prevention of
28 alcohol related criminal violence throughout the State. This
29 shall include, but is not limited to, in-car video cameras,
30 radar and laser speed detection devices, and alcohol breath
31 testers. Any moneys received by the Department of State
32 Police under this subsection (j) shall be deposited into the
33 State Police DUI Fund and shall be used to purchase law
34 enforcement equipment that will assist in the prevention of

1 alcohol related criminal violence throughout the State.
 2 (Source: P.A. 90-43, eff. 7-2-97; 90-400, eff. 8-15-97;
 3 90-611, eff. 1-1-99; 90-655, eff. 7-30-98; 90-738, eff.
 4 1-1-99; 90-779, eff. 1-1-99; 91-126, eff. 7-16-99; 91-357,
 5 eff. 7-29-99; 91-692, eff. 4-13-00; 91-822, eff. 6-13-00.)

6 Section 15. The Clerks of Courts Act is amended by
 7 changing Section 27.6 as follows:

8 (705 ILCS 105/27.6)

9 Sec. 27.6. (a) All fees, fines, costs, additional
 10 penalties, bail balances assessed or forfeited, and any other
 11 amount paid by a person to the circuit clerk equalling an
 12 amount of \$55 or more, except the additional fee required by
 13 subsections (b) and (c), restitution under Section 5-5-6 of
 14 the Unified Code of Corrections, reimbursement for the costs
 15 of an emergency response as provided under Section 5-5-3 of
 16 the Unified Code of Corrections, any fees collected for
 17 attending a traffic safety program under paragraph (c) of
 18 Supreme Court Rule 529, any fee collected on behalf of a
 19 State's Attorney under Section 4-2002 of the Counties Code or
 20 a sheriff under Section 4-5001 of the Counties Code, or any
 21 cost imposed under Section 124A-5 of the Code of Criminal
 22 Procedure of 1963, for convictions, orders of supervision, or
 23 any other disposition for a violation of Chapters 3, 4, 6,
 24 11, and 12 of the Illinois Vehicle Code, or a similar
 25 provision of a local ordinance, and any violation of the
 26 Child Passenger Protection Act, or a similar provision of a
 27 local ordinance, shall be disbursed within 60 days after
 28 receipt by the circuit clerk as follows: 44.5% shall be
 29 disbursed to the entity authorized by law to receive the fine
 30 imposed in the case; 16.825% shall be disbursed to the State
 31 Treasurer; and 38.675% shall be disbursed to the county's
 32 general corporate fund. Of the 16.825% disbursed to the State

1 Treasurer, 2/17 shall be deposited by the State Treasurer
2 into the Violent Crime Victims Assistance Fund, 5.052/17
3 shall be deposited into the Traffic and Criminal Conviction
4 Surcharge Fund, 3/17 shall be deposited into the Drivers
5 Education Fund, and 6.948/17 shall be deposited into the
6 Trauma Center Fund. Of the 6.948/17 deposited into the Trauma
7 Center Fund from the 16.825% disbursed to the State
8 Treasurer, 50% shall be disbursed to the Department of Public
9 Health and 50% shall be disbursed to the Department of Public
10 Aid. For fiscal year 1993, amounts deposited into the Violent
11 Crime Victims Assistance Fund, the Traffic and Criminal
12 Conviction Surcharge Fund, or the Drivers Education Fund
13 shall not exceed 110% of the amounts deposited into those
14 funds in fiscal year 1991. Any amount that exceeds the 110%
15 limit shall be distributed as follows: 50% shall be
16 disbursed to the county's general corporate fund and 50%
17 shall be disbursed to the entity authorized by law to receive
18 the fine imposed in the case. Not later than March 1 of each
19 year the circuit clerk shall submit a report of the amount of
20 funds remitted to the State Treasurer under this Section
21 during the preceding year based upon independent verification
22 of fines and fees. All counties shall be subject to this
23 Section, except that counties with a population under
24 2,000,000 may, by ordinance, elect not to be subject to this
25 Section. For offenses subject to this Section, judges shall
26 impose one total sum of money payable for violations. The
27 circuit clerk may add on no additional amounts except for
28 amounts that are required by Sections 27.3a and 27.3c of this
29 Act, unless those amounts are specifically waived by the
30 judge. With respect to money collected by the circuit clerk
31 as a result of forfeiture of bail, ex parte judgment or
32 guilty plea pursuant to Supreme Court Rule 529, the circuit
33 clerk shall first deduct and pay amounts required by Sections
34 27.3a and 27.3c of this Act. This Section is a denial and

1 limitation of home rule powers and functions under subsection
2 (h) of Section 6 of Article VII of the Illinois Constitution.

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

18 (b-1) In addition to any other fines and court costs
19 assessed by the courts, any person convicted or receiving an
20 order of supervision for driving under the influence of
21 alcohol or drugs shall pay an additional fee of \$5 to the
22 clerk of the circuit court. This amount, less 2 1/2% that
23 shall be used to defray administrative costs incurred by the
24 clerk, shall be remitted by the clerk to the Treasurer within
25 60 days after receipt for deposit into the Spinal Cord Injury
26 Paralysis Cure Research Trust Fund. This additional fee of
27 \$5 shall not be considered a part of the fine for purposes of
28 any reduction in the fine for time served either before or
29 after sentencing. Not later than March 1 of each year the
30 Circuit Clerk shall submit a report of the amount of funds
31 remitted to the State Treasurer under this subsection during
32 the preceding calendar year.

33 (c) In addition to any other fines and court costs
34 assessed by the courts, any person convicted for a violation

1 of Sections 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of
2 1961 or a person sentenced for a violation of the Cannabis
3 Control Act or the Controlled Substance Act shall pay an
4 additional fee of \$100 to the clerk of the circuit court.
5 This amount, less 2 1/2% that shall be used to defray
6 administrative costs incurred by the clerk, shall be remitted
7 by the clerk to the Treasurer within 60 days after receipt
8 for deposit into the Trauma Center Fund. This additional fee
9 of \$100 shall not be considered a part of the fine for
10 purposes of any reduction in the fine for time served either
11 before or after sentencing. Not later than March 1 of each
12 year the Circuit Clerk shall submit a report of the amount of
13 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
17 of the Cannabis Control Act or the Illinois Controlled
18 Substances Act shall pay an additional fee of \$5 to the clerk
19 of the circuit court. This amount, less 2 1/2% that shall be
20 used to defray administrative costs incurred by the clerk,
21 shall be remitted by the clerk to the Treasurer within 60
22 days after receipt for deposit into the Spinal Cord Injury
23 Paralysis Cure Research Trust Fund. This additional fee of
24 \$5 shall not be considered a part of the fine for purposes of
25 any reduction in the fine for time served either before or
26 after sentencing. Not later than March 1 of each year the
27 Circuit Clerk shall submit a report of the amount of funds
28 remitted to the State Treasurer under this subsection during
29 the preceding calendar year.

30 (Source: P.A. 89-105, eff. 1-1-96; 89-234, eff. 1-1-96;
31 89-516, eff. 7-18-96; 89-626, eff. 8-9-96.)

32 Section 20. The Unified Code of Corrections is amended
33 by changing Sections 5-9-1 and 5-9-1.1 as follows:

1 (730 ILCS 5/5-9-1) (from Ch. 38, par. 1005-9-1)
2 Sec. 5-9-1. Authorized fines.

3 (a) An offender may be sentenced to pay a fine which
4 shall not exceed for each offense:

5 (1) for a felony, \$25,000 or the amount specified
6 in the offense, whichever is greater, or where the
7 offender is a corporation, \$50,000 or the amount
8 specified in the offense, whichever is greater;

9 (2) for a Class A misdemeanor, \$2,500 or the amount
10 specified in the offense, whichever is greater;

11 (3) for a Class B or Class C misdemeanor, \$1,500;

12 (4) for a petty offense, \$1,000 or the amount
13 specified in the offense, whichever is less;

14 (5) for a business offense, the amount specified in
15 the statute defining that offense.

16 (b) A fine may be imposed in addition to a sentence of
17 conditional discharge, probation, periodic imprisonment, or
18 imprisonment.

19 (c) There shall be added to every fine imposed in
20 sentencing for a criminal or traffic offense, except an
21 offense relating to parking or registration, or offense by a
22 pedestrian, an additional penalty of \$5 for each \$40, or
23 fraction thereof, of fine imposed. The additional penalty of
24 \$5 for each \$40, or fraction thereof, of fine imposed, if not
25 otherwise assessed, shall also be added to every fine imposed
26 upon a plea of guilty, stipulation of facts or findings of
27 guilty, resulting in a judgment of conviction, or order of
28 supervision in criminal, traffic, local ordinance, county
29 ordinance, and conservation cases (except parking,
30 registration, or pedestrian violations), or upon a sentence
31 of probation without entry of judgment under Section 10 of
32 the Cannabis Control Act or Section 410 of the Controlled
33 Substances Act.

34 Such additional amounts shall be assessed by the court

1 imposing the fine and shall be collected by the Circuit Clerk
2 in addition to the fine and costs in the case. Each such
3 additional penalty shall be remitted by the Circuit Clerk
4 within one month after receipt to the State Treasurer. The
5 State Treasurer shall deposit \$1 for each \$40, or fraction
6 thereof, of fine imposed into the LEADS Maintenance Fund.
7 The remaining surcharge amount shall be deposited into the
8 Traffic and Criminal Conviction Surcharge Fund, unless the
9 fine, costs or additional amounts are subject to disbursement
10 by the circuit clerk under Section 27.5 of the Clerks of
11 Courts Act. Such additional penalty shall not be considered
12 a part of the fine for purposes of any reduction in the fine
13 for time served either before or after sentencing. Not
14 later than March 1 of each year the Circuit Clerk shall
15 submit a report of the amount of funds remitted to the State
16 Treasurer under this subsection (c) during the preceding
17 calendar year. Except as otherwise provided by Supreme Court
18 Rules, if a court in imposing a fine against an offender
19 levies a gross amount for fine, costs, fees and penalties,
20 the amount of the additional penalty provided for herein
21 shall be computed on the amount remaining after deducting
22 from the gross amount levied all fees of the Circuit Clerk,
23 the State's Attorney and the Sheriff. After deducting from
24 the gross amount levied the fees and additional penalty
25 provided for herein, less any other additional penalties
26 provided by law, the clerk shall remit the net balance
27 remaining to the entity authorized by law to receive the fine
28 imposed in the case. For purposes of this Section "fees of
29 the Circuit Clerk" shall include, if applicable, the fee
30 provided for under Section 27.3a of the Clerks of Courts Act
31 and the fee, if applicable, payable to the county in which
32 the violation occurred pursuant to Section 5-1101 of the
33 Counties Code.

34 (c-5) In addition to the fines imposed by subsection

1 (c), any person convicted or receiving an order of
2 supervision for driving under the influence of alcohol or
3 drugs shall pay an additional \$100 \$25 fee to the clerk.
4 This additional fee, less 2 1/2% that shall be used to defray
5 administrative costs incurred by the clerk, shall be remitted
6 by the clerk to the Treasurer within 60 days after receipt
7 for deposit into the Trauma Center Fund. This additional fee
8 of \$100 \$25 shall not be considered a part of the fine for
9 purposes of any reduction in the fine for time served either
10 before or after sentencing. Not later than March 1 of each
11 year the Circuit Clerk shall submit a report of the amount of
12 funds remitted to the State Treasurer under this subsection
13 (c-5) during the preceding calendar year.

14 The Circuit Clerk may accept payment of fines and costs
15 by credit card from an offender who has been convicted of a
16 traffic offense, petty offense or misdemeanor and may charge
17 the service fee permitted where fines and costs are paid by
18 credit card provided for in Section 27.3b of the Clerks of
19 Courts Act.

20 (c-7) In addition to the fines imposed by subsection
21 (c), any person convicted or receiving an order of
22 supervision for driving under the influence of alcohol or
23 drugs shall pay an additional \$5 fee to the clerk. This
24 additional fee, less 2 1/2% that shall be used to defray
25 administrative costs incurred by the clerk, shall be remitted
26 by the clerk to the Treasurer within 60 days after receipt
27 for deposit into the Spinal Cord Injury Paralysis Cure
28 Research Trust Fund. This additional fee of \$5 shall not be
29 considered a part of the fine for purposes of any reduction
30 in the fine for time served either before or after
31 sentencing. Not later than March 1 of each year the Circuit
32 Clerk shall submit a report of the amount of funds remitted
33 to the State Treasurer under this subsection (c-7) during the
34 preceding calendar year.

1 (d) In determining the amount and method of payment of a
2 fine, except for those fines established for violations of
3 Chapter 15 of the Illinois Vehicle Code, the court shall
4 consider:

5 (1) the financial resources and future ability of
6 the offender to pay the fine; and

7 (2) whether the fine will prevent the offender from
8 making court ordered restitution or reparation to the
9 victim of the offense; and

10 (3) in a case where the accused is a dissolved
11 corporation and the court has appointed counsel to
12 represent the corporation, the costs incurred either by
13 the county or the State for such representation.

14 (e) The court may order the fine to be paid forthwith or
15 within a specified period of time or in installments.

16 (f) All fines, costs and additional amounts imposed
17 under this Section for any violation of Chapters 3, 4, 6, and
18 11 of the Illinois Vehicle Code, or a similar provision of a
19 local ordinance, and any violation of the Child Passenger
20 Protection Act, or a similar provision of a local ordinance,
21 shall be collected and disbursed by the circuit clerk as
22 provided under Section 27.5 of the Clerks of Courts Act.

23 (Source: P.A. 89-105, eff. 1-1-96; 90-130, eff. 1-1-98;
24 90-384, eff. 1-1-98; 90-655, eff. 7-30-98.)

25 (730 ILCS 5/5-9-1.1) (from Ch. 38, par. 1005-9-1.1)
26 Sec. 5-9-1.1. Drug related offenses.

27 (a) When a person has been adjudged guilty of a drug
28 related offense involving possession or delivery of cannabis
29 or possession or delivery of a controlled substance as
30 defined in the Cannabis Control Act, as amended, or the
31 Illinois Controlled Substances Act, as amended, in addition
32 to any other penalty imposed, a fine shall be levied by the
33 court at not less than the full street value of the cannabis

1 or controlled substances seized.

2 "Street value" shall be determined by the court on the
3 basis of testimony of law enforcement personnel and the
4 defendant as to the amount seized and such testimony as may
5 be required by the court as to the current street value of
6 the cannabis or controlled substance seized.

7 (b) In addition to any penalty imposed under subsection
8 (a) of this Section, a fine of \$100 shall be levied by the
9 court, the proceeds of which shall be collected by the
10 Circuit Clerk and remitted to the State Treasurer under
11 Section 27.6 of the Clerks of Courts Act for deposit into the
12 Trauma Center Fund for distribution as provided under Section
13 3.225 of the Emergency Medical Services (EMS) Systems Act.

14 (c) In addition to any penalty imposed under subsection
15 (a) of this Section, a fee of \$5 shall be assessed by the
16 court, the proceeds of which shall be collected by the
17 Circuit Clerk and remitted to the State Treasurer under
18 Section 27.6 of the Clerks of Courts Act for deposit into the
19 Spinal Cord Injury Paralysis Cure Research Trust Fund. This
20 additional fee of \$5 shall not be considered a part of the
21 fine for purposes of any reduction in the fine for time
22 served either before or after sentencing.

23 (Source: P.A. 89-516, eff. 7-18-96.)