

1 AMENDMENT TO SENATE BILL 64

2 AMENDMENT NO. _____. Amend Senate Bill 64 as follows:

3 by replacing everything after the enacting clause with the
4 following:

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

7 (210 ILCS 50/3.225)

8 Sec. 3.225. Trauma Center Fund.

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

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

1 under subsection (b) of this Section. The Department may
2 retain 2.5% of the deposited moneys to defray the cost of
3 administering the distributions.

4 (b) Trauma payment calculation.

5 (1) The Department shall implement an accounting
6 system to ensure that the moneys in the fund are
7 distributed.

8 (2) The moneys in the fund shall be allocated
9 proportionately to each EMS region so that the EMS region
10 receives the moneys collected from within its region for
11 violations of laws or ordinances regulating the movement
12 of traffic.

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

18 (c) Except as provided in subsection (a-1), the
19 Department may retain 2.5% of 50% of the moneys in the Trauma
20 Center Fund to defray the cost of administering the
21 distributions.

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

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

25 (625 ILCS 5/11-501) (from Ch. 95 1/2, par. 11-501)

26 Sec. 11-501. Driving while under the influence of
27 alcohol, other drug or drugs, intoxicating compound or
28 compounds or any combination thereof.

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

31 (1) the alcohol concentration in the person's blood
32 or breath is 0.08 or more based on the definition of

1 blood and breath units in Section 11-501.2;

2 (2) under the influence of alcohol;

3 (3) under the influence of any intoxicating
4 compound or combination of intoxicating compounds to a
5 degree that renders the person incapable of driving
6 safely;

7 (4) under the influence of any other drug or
8 combination of drugs to a degree that renders the person
9 incapable of safely driving;

10 (5) under the combined influence of alcohol, other
11 drug or drugs, or intoxicating compound or compounds to a
12 degree that renders the person incapable of safely
13 driving; or

14 (6) there is any amount of a drug, substance, or
15 compound in the person's breath, blood, or urine
16 resulting from the unlawful use or consumption of
17 cannabis listed in the Cannabis Control Act, a controlled
18 substance listed in the Illinois Controlled Substances
19 Act, or an intoxicating compound listed in the Use of
20 Intoxicating Compounds Act.

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

26 (c) Except as provided under paragraphs (c-3) and (d) of
27 this Section, every person convicted of violating this
28 Section or a similar provision of a local ordinance, shall be
29 guilty of a Class A misdemeanor and, in addition to any other
30 criminal or administrative action, for any second conviction
31 of violating this Section or a similar provision of a law of
32 another state or local ordinance committed within 5 years of
33 a previous violation of this Section or a similar provision
34 of a local ordinance shall be mandatorily sentenced to a

1 minimum of 48 consecutive hours of imprisonment or assigned
2 to a minimum of 100 hours of community service as may be
3 determined by the court. Every person convicted of violating
4 this Section or a similar provision of a local ordinance
5 shall be subject to a mandatory minimum fine of \$500 and a
6 mandatory 5 days of community service in a program benefiting
7 children if the person committed a violation of paragraph (a)
8 or a similar provision of a local ordinance while
9 transporting a person under age 16. Every person convicted a
10 second time for violating this Section or a similar provision
11 of a local ordinance within 5 years of a previous violation
12 of this Section or a similar provision of a law of another
13 state or local ordinance shall be subject to a mandatory
14 minimum fine of \$500 and 10 days of mandatory community
15 service in a program benefiting children if the current
16 offense was committed while transporting a person under age
17 16. The imprisonment or assignment under this subsection
18 shall not be subject to suspension nor shall the person be
19 eligible for probation in order to reduce the sentence or
20 assignment.

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

27 (2) A person who violates this Section a third time
28 during a period in which his or her driving privileges
29 are revoked or suspended where the revocation or
30 suspension was for a violation of this Section, Section
31 11-501.1, paragraph (b) of Section 11-401, or Section 9-3
32 of the Criminal Code of 1961 is guilty of a Class 3
33 felony.

34 (3) A person who violates this Section a fourth or

1 subsequent time during a period in which his or her
2 driving privileges are revoked or suspended where the
3 revocation or suspension was for a violation of this
4 Section, Section 11-501.1, paragraph (b) of Section
5 11-401, or Section 9-3 of the Criminal Code of 1961 is
6 guilty of a Class 2 felony.

7 (c-2) (Blank).

8 (c-3) Every person convicted of violating this Section
9 or a similar provision of a local ordinance who had a child
10 under age 16 in the vehicle at the time of the offense shall
11 have his or her punishment under this Act enhanced by 2 days
12 of imprisonment for a first offense, 10 days of imprisonment
13 for a second offense, 30 days of imprisonment for a third
14 offense, and 90 days of imprisonment for a fourth or
15 subsequent offense, in addition to the fine and community
16 service required under subsection (c) and the possible
17 imprisonment required under subsection (d). The imprisonment
18 or assignment under this subsection shall not be subject to
19 suspension nor shall the person be eligible for probation in
20 order to reduce the sentence or assignment.

21 (d) (1) Every person convicted of committing a violation
22 of this Section shall be guilty of aggravated driving under
23 the influence of alcohol, other drug or drugs, or
24 intoxicating compound or compounds, or any combination
25 thereof if:

26 (A) the person committed a violation of this
27 Section, or a similar provision of a law of another state
28 or a local ordinance when the cause of action is the same
29 as or substantially similar to this Section, for the
30 third or subsequent time;

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

33 (C) the person in committing a violation of
34 paragraph (a) was involved in a motor vehicle accident

1 that resulted in great bodily harm or permanent
2 disability or disfigurement to another, when the
3 violation was a proximate cause of the injuries; or

4 (D) the person committed a violation of paragraph
5 (a) for a second time and has been previously convicted
6 of violating Section 9-3 of the Criminal Code of 1961
7 relating to reckless homicide in which the person was
8 determined to have been under the influence of alcohol,
9 other drug or drugs, or intoxicating compound or
10 compounds as an element of the offense or the person has
11 previously been convicted under subparagraph (C) of this
12 paragraph (1).

13 (2) Aggravated driving under the influence of alcohol,
14 other drug or drugs, or intoxicating compound or compounds,
15 or any combination thereof is a Class 4 felony for which a
16 person, if sentenced to a term of imprisonment, shall be
17 sentenced to not less than one year and not more than 3 years
18 for a violation of subparagraph (A), (B) or (D) of paragraph
19 (1) of this subsection (d) and not less than one year and not
20 more than 12 years for a violation of subparagraph (C) of
21 paragraph (1) of this subsection (d). For any prosecution
22 under this subsection (d), a certified copy of the driving
23 abstract of the defendant shall be admitted as proof of any
24 prior conviction.

25 (e) After a finding of guilt and prior to any final
26 sentencing, or an order for supervision, for an offense based
27 upon an arrest for a violation of this Section or a similar
28 provision of a local ordinance, individuals shall be required
29 to undergo a professional evaluation to determine if an
30 alcohol, drug, or intoxicating compound abuse problem exists
31 and the extent of the problem. Programs conducting these
32 evaluations shall be licensed by the Department of Human
33 Services. The cost of any professional evaluation shall be
34 paid for by the individual required to undergo the

1 professional evaluation.

2 (f) Every person found guilty of violating this Section,
3 whose operation of a motor vehicle while in violation of this
4 Section proximately caused any incident resulting in an
5 appropriate emergency response, shall be liable for the
6 expense of an emergency response as provided under Section
7 5-5-3 of the Unified Code of Corrections.

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

11 (h) Every person sentenced under subsection (d) of this
12 Section and who receives a term of probation or conditional
13 discharge shall be required to serve a minimum term of either
14 30 days community service or, beginning July 1, 1993, 48
15 consecutive hours of imprisonment as a condition of the
16 probation or conditional discharge. This mandatory minimum
17 term of imprisonment or assignment of community service shall
18 not be suspended and shall not be subject to reduction by the
19 court.

20 (i) The Secretary of State may use ignition interlock
21 device requirements when granting driving relief to
22 individuals who have been arrested for a second or subsequent
23 offense of this Section or a similar provision of a local
24 ordinance. The Secretary shall establish by rule and
25 regulation the procedures for use of the interlock system.

26 (j) In addition to any other penalties and liabilities,
27 a person who is found guilty of or pleads guilty to violating
28 this Section, including any person placed on court
29 supervision for violating this Section, shall be fined \$100,
30 payable to the circuit clerk, who shall distribute the money
31 to the law enforcement agency that made the arrest. If the
32 person has been previously convicted of violating this
33 Section or a similar provision of a local ordinance, the fine
34 shall be \$200. In the event that more than one agency is

1 responsible for the arrest, the \$100 or \$200 shall be shared
2 equally. Any moneys received by a law enforcement agency
3 under this subsection (j) shall be used to purchase law
4 enforcement equipment that will assist in the prevention of
5 alcohol related criminal violence throughout the State. This
6 shall include, but is not limited to, in-car video cameras,
7 radar and laser speed detection devices, and alcohol breath
8 testers. Any moneys received by the Department of State
9 Police under this subsection (j) shall be deposited into the
10 State Police DUI Fund and shall be used to purchase law
11 enforcement equipment that will assist in the prevention of
12 alcohol related criminal violence throughout the State.

13 (Source: P.A. 90-43, eff. 7-2-97; 90-400, eff. 8-15-97;
14 90-611, eff. 1-1-99; 90-655, eff. 7-30-98; 90-738, eff.
15 1-1-99; 90-779, eff. 1-1-99; 91-126, eff. 7-16-99; 91-357,
16 eff. 7-29-99; 91-692, eff. 4-13-00; 91-822, eff. 6-13-00.)

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

19 (705 ILCS 105/27.6)

20 Sec. 27.6. (a) All fees, fines, costs, additional
21 penalties, bail balances assessed or forfeited, and any other
22 amount paid by a person to the circuit clerk equalling an
23 amount of \$55 or more, except the additional fee required by
24 subsections (b) and (c), restitution under Section 5-5-6 of
25 the Unified Code of Corrections, reimbursement for the costs
26 of an emergency response as provided under Section 5-5-3 of
27 the Unified Code of Corrections, any fees collected for
28 attending a traffic safety program under paragraph (c) of
29 Supreme Court Rule 529, any fee collected on behalf of a
30 State's Attorney under Section 4-2002 of the Counties Code or
31 a sheriff under Section 4-5001 of the Counties Code, or any
32 cost imposed under Section 124A-5 of the Code of Criminal

1 Procedure of 1963, for convictions, orders of supervision, or
2 any other disposition for a violation of Chapters 3, 4, 6,
3 11, and 12 of the Illinois Vehicle Code, or a similar
4 provision of a local ordinance, and any violation of the
5 Child Passenger Protection Act, or a similar provision of a
6 local ordinance, shall be disbursed within 60 days after
7 receipt by the circuit clerk as follows: 44.5% shall be
8 disbursed to the entity authorized by law to receive the fine
9 imposed in the case; 16.825% shall be disbursed to the State
10 Treasurer; and 38.675% shall be disbursed to the county's
11 general corporate fund. Of the 16.825% disbursed to the State
12 Treasurer, 2/17 shall be deposited by the State Treasurer
13 into the Violent Crime Victims Assistance Fund, 5.052/17
14 shall be deposited into the Traffic and Criminal Conviction
15 Surcharge Fund, 3/17 shall be deposited into the Drivers
16 Education Fund, and 6.948/17 shall be deposited into the
17 Trauma Center Fund. Of the 6.948/17 deposited into the Trauma
18 Center Fund from the 16.825% disbursed to the State
19 Treasurer, 50% shall be disbursed to the Department of Public
20 Health and 50% shall be disbursed to the Department of Public
21 Aid. For fiscal year 1993, amounts deposited into the Violent
22 Crime Victims Assistance Fund, the Traffic and Criminal
23 Conviction Surcharge Fund, or the Drivers Education Fund
24 shall not exceed 110% of the amounts deposited into those
25 funds in fiscal year 1991. Any amount that exceeds the 110%
26 limit shall be distributed as follows: 50% shall be
27 disbursed to the county's general corporate fund and 50%
28 shall be disbursed to the entity authorized by law to receive
29 the fine imposed in the case. Not later than March 1 of each
30 year the circuit clerk shall submit a report of the amount of
31 funds remitted to the State Treasurer under this Section
32 during the preceding year based upon independent verification
33 of fines and fees. All counties shall be subject to this
34 Section, except that counties with a population under

1 2,000,000 may, by ordinance, elect not to be subject to this
2 Section. For offenses subject to this Section, judges shall
3 impose one total sum of money payable for violations. The
4 circuit clerk may add on no additional amounts except for
5 amounts that are required by Sections 27.3a and 27.3c of this
6 Act, unless those amounts are specifically waived by the
7 judge. With respect to money collected by the circuit clerk
8 as a result of forfeiture of bail, ex parte judgment or
9 guilty plea pursuant to Supreme Court Rule 529, the circuit
10 clerk shall first deduct and pay amounts required by Sections
11 27.3a and 27.3c of this Act. This Section is a denial and
12 limitation of home rule powers and functions under subsection
13 (h) of Section 6 of Article VII of the Illinois Constitution.

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

29 (b-1) In addition to any other fines and court costs
30 assessed by the courts, any person convicted or receiving an
31 order of supervision for driving under the influence of
32 alcohol or drugs shall pay an additional fee of \$5 to the
33 clerk of the circuit court. This amount, less 2 1/2% that
34 shall be used to defray administrative costs incurred by the

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

26 (c-1) In addition to any other fines and court costs
27 assessed by the courts, any person sentenced for a violation
28 of the Cannabis Control Act or the Illinois Controlled
29 Substance Act shall pay an additional fee of \$5 to the clerk
30 of the circuit court. This amount, less 2 1/2% that shall be
31 used to defray administrative costs incurred by the clerk,
32 shall be remitted by the clerk to the Treasurer within 60
33 days after receipt for deposit into the Spinal Cord Injury
34 Paralysis Cure Research Trust Fund. This additional fee of

1 \$5 shall not be considered a part of the fine for purposes of
 2 any reduction in the fine for time served either before or
 3 after sentencing. Not later than March 1 of each year the
 4 Circuit Clerk shall submit a report of the amount of funds
 5 remitted to the State Treasurer under this subsection during
 6 the preceding calendar year.

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

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

11 (730 ILCS 5/5-9-1) (from Ch. 38, par. 1005-9-1)

12 Sec. 5-9-1. Authorized fines.

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

15 (1) for a felony, \$25,000 or the amount specified
 16 in the offense, whichever is greater, or where the
 17 offender is a corporation, \$50,000 or the amount
 18 specified in the offense, whichever is greater;

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

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

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

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

26 (b) A fine may be imposed in addition to a sentence of
 27 conditional discharge, probation, periodic imprisonment, or
 28 imprisonment.

29 (c) There shall be added to every fine imposed in
 30 sentencing for a criminal or traffic offense, except an
 31 offense relating to parking or registration, or offense by a
 32 pedestrian, an additional penalty of \$5 for each \$40, or

1 fraction thereof, of fine imposed. The additional penalty of
2 \$5 for each \$40, or fraction thereof, of fine imposed, if not
3 otherwise assessed, shall also be added to every fine imposed
4 upon a plea of guilty, stipulation of facts or findings of
5 guilty, resulting in a judgment of conviction, or order of
6 supervision in criminal, traffic, local ordinance, county
7 ordinance, and conservation cases (except parking,
8 registration, or pedestrian violations), or upon a sentence
9 of probation without entry of judgment under Section 10 of
10 the Cannabis Control Act or Section 410 of the Controlled
11 Substances Act.

12 Such additional amounts shall be assessed by the court
13 imposing the fine and shall be collected by the Circuit Clerk
14 in addition to the fine and costs in the case. Each such
15 additional penalty shall be remitted by the Circuit Clerk
16 within one month after receipt to the State Treasurer. The
17 State Treasurer shall deposit \$1 for each \$40, or fraction
18 thereof, of fine imposed into the LEADS Maintenance Fund.
19 The remaining surcharge amount shall be deposited into the
20 Traffic and Criminal Conviction Surcharge Fund, unless the
21 fine, costs or additional amounts are subject to disbursement
22 by the circuit clerk under Section 27.5 of the Clerks of
23 Courts Act. Such additional penalty shall not be considered
24 a part of the fine for purposes of any reduction in the fine
25 for time served either before or after sentencing. Not
26 later than March 1 of each year the Circuit Clerk shall
27 submit a report of the amount of funds remitted to the State
28 Treasurer under this subsection (c) during the preceding
29 calendar year. Except as otherwise provided by Supreme Court
30 Rules, if a court in imposing a fine against an offender
31 levies a gross amount for fine, costs, fees and penalties,
32 the amount of the additional penalty provided for herein
33 shall be computed on the amount remaining after deducting
34 from the gross amount levied all fees of the Circuit Clerk,

1 the State's Attorney and the Sheriff. After deducting from
2 the gross amount levied the fees and additional penalty
3 provided for herein, less any other additional penalties
4 provided by law, the clerk shall remit the net balance
5 remaining to the entity authorized by law to receive the fine
6 imposed in the case. For purposes of this Section "fees of
7 the Circuit Clerk" shall include, if applicable, the fee
8 provided for under Section 27.3a of the Clerks of Courts Act
9 and the fee, if applicable, payable to the county in which
10 the violation occurred pursuant to Section 5-1101 of the
11 Counties Code.

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

26 The Circuit Clerk may accept payment of fines and costs
27 by credit card from an offender who has been convicted of a
28 traffic offense, petty offense or misdemeanor and may charge
29 the service fee permitted where fines and costs are paid by
30 credit card provided for in Section 27.3b of the Clerks of
31 Courts Act.

32 (c-7) In addition to the fines imposed by subsection
33 (c), any person convicted or receiving an order of
34 supervision for driving under the influence of alcohol or

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

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

17 (1) the financial resources and future ability of
18 the offender to pay the fine; and

19 (2) whether the fine will prevent the offender from
20 making court ordered restitution or reparation to the
21 victim of the offense; and

22 (3) in a case where the accused is a dissolved
23 corporation and the court has appointed counsel to
24 represent the corporation, the costs incurred either by
25 the county or the State for such representation.

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

28 (f) All fines, costs and additional amounts imposed
29 under this Section for any violation of Chapters 3, 4, 6, and
30 11 of the Illinois Vehicle Code, or a similar provision of a
31 local ordinance, and any violation of the Child Passenger
32 Protection Act, or a similar provision of a local ordinance,
33 shall be collected and disbursed by the circuit clerk as
34 provided under Section 27.5 of the Clerks of Courts Act.

1 (Source: P.A. 89-105, eff. 1-1-96; 90-130, eff. 1-1-98;
2 90-384, eff. 1-1-98; 90-655, eff. 7-30-98.)

3 (730 ILCS 5/5-9-1.1) (from Ch. 38, par. 1005-9-1.1)
4 Sec. 5-9-1.1. Drug related offenses.

5 (a) When a person has been adjudged guilty of a drug
6 related offense involving possession or delivery of cannabis
7 or possession or delivery of a controlled substance as
8 defined in the Cannabis Control Act, as amended, or the
9 Illinois Controlled Substances Act, as amended, in addition
10 to any other penalty imposed, a fine shall be levied by the
11 court at not less than the full street value of the cannabis
12 or controlled substances seized.

13 "Street value" shall be determined by the court on the
14 basis of testimony of law enforcement personnel and the
15 defendant as to the amount seized and such testimony as may
16 be required by the court as to the current street value of
17 the cannabis or controlled substance seized.

18 (b) In addition to any penalty imposed under subsection
19 (a) of this Section, a fine of \$100 shall be levied by the
20 court, the proceeds of which shall be collected by the
21 Circuit Clerk and remitted to the State Treasurer under
22 Section 27.6 of the Clerks of Courts Act for deposit into the
23 Trauma Center Fund for distribution as provided under Section
24 3.225 of the Emergency Medical Services (EMS) Systems Act.

25 (c) In addition to any penalty imposed under subsection
26 (a) of this Section, a fee of \$5 shall be assessed by the
27 court, the proceeds of which shall be collected by the
28 Circuit Clerk and remitted to the State Treasurer under
29 Section 27.6 of the Clerks of Courts Act for deposit into the
30 Spinal Cord Injury Paralysis Cure Research Trust Fund. This
31 additional fee of \$5 shall not be considered a part of the
32 fine for purposes of any reduction in the fine for time
33 served either before or after sentencing.

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