

1 AMENDMENT TO SENATE BILL 687

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 687 as follows:

3 on page 1, line 5, by changing "Section 27.2" to "Sections  
4 27.2, 27.3, 27.5, and 27.6"; and

5 on page 13, by inserting below line 16 the following:

6 "(705 ILCS 105/27.3) (from Ch. 25, par. 27.3)  
7 Sec. 27.3. Compensation.

8 (a) The county board shall provide the compensation of  
9 Clerks of the Circuit Court, and the amount necessary for  
10 clerk hire, stationery, fuel and other expenses. Beginning  
11 December 1, 1989, the compensation per annum for Clerks of  
12 the Circuit Court shall be as follows:

13 In counties where the population is:

14 Less than 14,000.....	at least \$13,500
15 14,001-30,000.....	at least \$14,500
16 30,001-60,000.....	at least \$15,000
17 60,001-100,000.....	at least \$15,000
18 100,001-200,000.....	at least \$16,500
19 200,001-300,000.....	at least \$18,000
20 300,001- 3,000,000.....	at least \$20,000
21 Over 3,000,000.....	at least \$55,000

22 (b) In counties in which the population is 3,000,000 or

1 less, "base salary" is the compensation paid for each Clerk  
2 of the Circuit Court, respectively, before July 1, 1989.

3 (c) The Clerks of the Circuit Court, in counties in  
4 which the population is 3,000,000 or less, shall be  
5 compensated as follows:

6 (1) Beginning December 1, 1989, base salary plus at  
7 least 3% of base salary.

8 (2) Beginning December 1, 1990, base salary plus at  
9 least 6% of base salary.

10 (3) Beginning December 1, 1991, base salary plus at  
11 least 9% of base salary.

12 (4) Beginning December 1, 1992, base salary plus at  
13 least 12% of base salary.

14 (d) In addition to the compensation provided by the  
15 county board, each Clerk of the Circuit Court shall receive  
16 an award from the State for the additional duties imposed by  
17 Sections 5-9-1 and 5-9-1.2 of the Unified Code of  
18 Corrections, Section 10 of the Violent Crime Victims  
19 Assistance Act, Section 16-104a of the Illinois Vehicle Code,  
20 and other laws, in the following amount:

21 (1) \$3,500 per year before January 1, 1997.

22 (2) \$4,500 per year beginning January 1, 1997.

23 (3) \$5,500 per year beginning January 1, 1998.

24 (4) \$6,500 per year beginning January 1, 1999.

25 The total amount required for such awards shall be  
26 appropriated each year by the General Assembly to the Supreme  
27 Court, which shall distribute such awards in annual lump sum  
28 payments to the Clerks of the Circuit Court in all counties.  
29 This annual award, and any other award or stipend paid out of  
30 State funds to the Clerks of the Circuit Court, shall not  
31 affect any other compensation provided by law to be paid to  
32 Clerks of the Circuit Court.

33 (e) Also in addition to the compensation provided by the  
34 county board, Clerks of the Circuit Court in counties in

1 which one or more State correctional institutions are located  
 2 shall receive a minimum reimbursement in the amount of \$2,500  
 3 \$10,000 per year for administrative assistance ~~one--employee~~  
 4 to perform services in connection with the State correctional  
 5 institution, payable monthly from the State Treasury to the  
 6 treasurer of the county in which the additional staff is  
 7 employed. Counties whose State correctional institution  
 8 inmate population exceeds 250 shall receive reimbursement in  
 9 the amount of \$2,500 per 250 inmates. This subsection (e)  
 10 shall not apply to staff added before November 29, 1990.

11 For purposes of this subsection (e), "State correctional  
 12 institution" means any facility of the Department of  
 13 Corrections, including without limitation adult facilities,  
 14 juvenile facilities, pre-release centers, community  
 15 correction centers, and work camps.

16 (f) No county board may reduce or otherwise impair the  
 17 compensation payable from county funds to a Clerk of the  
 18 Circuit Court if the reduction or impairment is the result of  
 19 the Clerk of the Circuit Court receiving an award or stipend  
 20 payable from State funds.

21 (Source: P.A. 90-95, eff. 7-11-97.)

22 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

23 Sec. 27.5. All fees, fines, costs, additional penalties,  
 24 bail balances assessed or forfeited, and any other amount  
 25 paid by a person to the circuit clerk that equals an amount  
 26 less than \$55, except restitution under Section 5-5-6 of the  
 27 Unified Code of Corrections, reimbursement for the costs of  
 28 an emergency response as provided under Section 5-5-3 of the  
 29 Unified Code of Corrections, any fees collected for attending  
 30 a traffic safety program under paragraph (c) of Supreme Court  
 31 Rule 529, any fee collected on behalf of a State's Attorney  
 32 under Section 4-2002 of the Counties Code or a sheriff under  
 33 Section 4-5001 of the Counties Code, or any cost imposed

1 under Section 124A-5 of the Code of Criminal Procedure of  
2 1963, for convictions, orders of supervision, or any other  
3 disposition for a violation of Chapters 3, 4, 6, 11, and 12  
4 of the Illinois Vehicle Code, or a similar provision of a  
5 local ordinance, and any violation of the Child Passenger  
6 Protection Act, or a similar provision of a local ordinance,  
7 fees collected for electronic monitoring, drug or alcohol  
8 testing and screening, probation fees authorized under  
9 Section 5-6-3 of the Unified Code of Corrections, and  
10 supervision fees authorized under Section 5-6-3.1 of the  
11 Unified Code of Corrections, shall be disbursed within 60  
12 days after receipt by the circuit clerk as follows: 47%  
13 shall be disbursed to the entity authorized by law to receive  
14 the fine imposed in the case; 12% shall be disbursed to the  
15 State Treasurer; and 41% shall be disbursed to the county's  
16 general corporate fund. Of the 12% disbursed to the State  
17 Treasurer, 1/6 shall be deposited by the State Treasurer into  
18 the Violent Crime Victims Assistance Fund, 1/2 shall be  
19 deposited into the Traffic and Criminal Conviction Surcharge  
20 Fund, and 1/3 shall be deposited into the Drivers Education  
21 Fund. For fiscal years 1992 and 1993, amounts deposited into  
22 the Violent Crime Victims Assistance Fund, the Traffic and  
23 Criminal Conviction Surcharge Fund, or the Drivers Education  
24 Fund shall not exceed 110% of the amounts deposited into  
25 those funds in fiscal year 1991. Any amount that exceeds the  
26 110% 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 (Source: P.A. 89-234, eff. 1-1-96.)

15 (705 ILCS 105/27.6)

16 Sec. 27.6. (a) All fees, fines, costs, additional  
17 penalties, bail balances assessed or forfeited, and any other  
18 amount paid by a person to the circuit clerk equalling an  
19 amount of \$55 or more, except the additional fee required by  
20 subsections (b) and (c), restitution under Section 5-5-6 of  
21 the Unified Code of Corrections, reimbursement for the costs  
22 of an emergency response as provided under Section 5-5-3 of  
23 the Unified Code of Corrections, any fees collected for  
24 attending a traffic safety program under paragraph (c) of  
25 Supreme Court Rule 529, any fee collected on behalf of a  
26 State's Attorney under Section 4-2002 of the Counties Code or  
27 a sheriff under Section 4-5001 of the Counties Code, or any  
28 cost imposed under Section 124A-5 of the Code of Criminal  
29 Procedure of 1963, for convictions, orders of supervision, or  
30 any other disposition for a violation of Chapters 3, 4, 6,  
31 11, and 12 of the Illinois Vehicle Code, or a similar  
32 provision of a local ordinance, and any violation of the  
33 Child Passenger Protection Act, or a similar provision of a

1 local ordinance, fees collected for electronic monitoring,  
2 drug or alcohol testing and screening, probation fees  
3 authorized under Section 5-6-3 of the Unified Code of  
4 Corrections, and supervision fees authorized under Section  
5 5-6-3.1 of the Unified Code of Corrections, shall be  
6 disbursed within 60 days after receipt by the circuit clerk  
7 as follows: 44.5% shall be disbursed to the entity  
8 authorized by law to receive the fine imposed in the case;  
9 16.825% shall be disbursed to the State Treasurer; and  
10 38.675% shall be disbursed to the county's general corporate  
11 fund. Of the 16.825% disbursed to the State Treasurer, 2/17  
12 shall be deposited by the State Treasurer into the Violent  
13 Crime Victims Assistance Fund, 5.052/17 shall be deposited  
14 into the Traffic and Criminal Conviction Surcharge Fund, 3/17  
15 shall be deposited into the Drivers Education Fund, and  
16 6.948/17 shall be deposited into the Trauma Center Fund. Of  
17 the 6.948/17 deposited into the Trauma Center Fund from the  
18 16.825% disbursed to the State Treasurer, 50% shall be  
19 disbursed to the Department of Public Health and 50% shall be  
20 disbursed to the Department of Public Aid. For fiscal year  
21 1993, amounts deposited into the Violent Crime Victims  
22 Assistance Fund, the Traffic and Criminal Conviction  
23 Surcharge Fund, or the Drivers Education Fund shall not  
24 exceed 110% of the amounts deposited into those funds in  
25 fiscal year 1991. Any amount that exceeds the 110% limit  
26 shall be distributed as follows: 50% shall be disbursed to  
27 the county's general corporate fund and 50% shall be  
28 disbursed to the entity authorized by law to receive the fine  
29 imposed in the case. 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 Section during the  
32 preceding year based upon independent verification of fines  
33 and fees. All counties shall be subject to this Section,  
34 except that counties with a population under 2,000,000 may,

1 by ordinance, elect not to be subject to this Section. For  
2 offenses subject to this Section, judges shall impose one  
3 total sum of money payable for violations. The circuit clerk  
4 may add on no additional amounts except for amounts that are  
5 required by Sections 27.3a and 27.3c of this Act, unless  
6 those amounts are specifically waived by the judge. With  
7 respect to money collected by the circuit clerk as a result  
8 of forfeiture of bail, ex parte judgment or guilty plea  
9 pursuant to Supreme Court Rule 529, the circuit clerk shall  
10 first deduct and pay amounts required by Sections 27.3a and  
11 27.3c of this Act. This Section is a denial and limitation of  
12 home rule powers and functions under subsection (h) of  
13 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 \$25 to the  
18 clerk of the circuit court. This amount, less 2 1/2% that  
19 shall be used to defray administrative costs incurred by the  
20 clerk, shall be remitted by the clerk to the Treasurer within  
21 60 days after receipt for deposit into the Trauma Center  
22 Fund. This additional fee of \$25 shall not be considered a  
23 part of the fine for purposes of any reduction in the fine  
24 for time served either before or after sentencing. Not later  
25 than March 1 of each year the Circuit Clerk shall submit a  
26 report of the amount of funds remitted to the State Treasurer  
27 under this subsection during the preceding calendar year.

28 (c) In addition to any other fines and court costs  
29 assessed by the courts, any person convicted for a violation  
30 of Sections 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of  
31 1961 or a person sentenced for a violation of the Cannabis  
32 Control Act or the Controlled Substance Act shall pay an  
33 additional fee of \$100 to the clerk of the circuit court.  
34 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  
3 for deposit into the Trauma Center Fund. This additional fee  
4 of \$100 shall not be considered a part of the fine for  
5 purposes of any reduction in the fine for time served either  
6 before or after sentencing. Not later than March 1 of each  
7 year the Circuit Clerk shall submit a report of the amount of  
8 funds remitted to the State Treasurer under this subsection  
9 during the preceding calendar year.

10 (Source: P.A. 89-105, eff. 1-1-96; 89-234, eff. 1-1-96;  
11 89-516, eff. 7-18-96; 89-626, eff. 8-9-96.)".