



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0217

by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

705 ILCS 105/27.5 from Ch. 25, par. 27.5
705 ILCS 105/27.6
720 ILCS 5/12C-75 new

Amends the Clerks of Courts Act and the Criminal Code of 2012. Creates the offense of parental cyber-bullying. Provides that a person commits the offense when he or she: (1) is a parent or legal guardian of a minor who is under 18 years of age at the time of the commission of the offense; and (2) with the intent to discipline, embarrass, or alter the behavior of that minor, transmits, using electronic communication, any verbal or visual message posted on social media that the parent or legal guardian reasonably believes would coerce, intimidate, harass, or cause substantial emotional distress to the minor. Provides that a violation is a petty offense. Provides that if a person is convicted of parental cyber-bullying, the court shall order that person to pay for the costs of prosecution and that a portion of the fine, as determined by the court, be placed in escrow for the purchase of a certificate of deposit for use by the minor victim when he or she attains 18 years of age.

LRB100 04163 RLC 14169 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

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

4 Section 5. The Clerks of Courts Act is amended by changing
5 Sections 27.5 and 27.6 as follows:

6 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

7 Sec. 27.5. (a) All fees, fines, costs, additional
8 penalties, bail balances assessed or forfeited, and any other
9 amount paid by a person to the circuit clerk that equals an
10 amount less than \$55, except portions of fines imposed under
11 Section 12C-75 of the Criminal Code of 2012 to pay for the
12 costs of prosecution and the purchase of a certificate of
13 deposit under that Section, restitution under Section 5-5-6 of
14 the Unified Code of Corrections, reimbursement for the costs of
15 an emergency response as provided under Section 11-501 of the
16 Illinois Vehicle Code, any fees collected for attending a
17 traffic safety program under paragraph (c) of Supreme Court
18 Rule 529, any fee collected on behalf of a State's Attorney
19 under Section 4-2002 of the Counties Code or a sheriff under
20 Section 4-5001 of the Counties Code, or any cost imposed under
21 Section 124A-5 of the Code of Criminal Procedure of 1963, for
22 convictions, orders of supervision, or any other disposition
23 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois

1 Vehicle Code, or a similar provision of a local ordinance, and
2 any violation of the Child Passenger Protection Act, or a
3 similar provision of a local ordinance, and except as otherwise
4 provided in this Section, shall be disbursed within 60 days
5 after receipt by the circuit clerk as follows: 47% shall be
6 disbursed to the entity authorized by law to receive the fine
7 imposed in the case; 12% shall be disbursed to the State
8 Treasurer; and 41% shall be disbursed to the county's general
9 corporate fund. Of the 12% disbursed to the State Treasurer,
10 1/6 shall be deposited by the State Treasurer into the Violent
11 Crime Victims Assistance Fund, 1/2 shall be deposited into the
12 Traffic and Criminal Conviction Surcharge Fund, and 1/3 shall
13 be deposited into the Drivers Education Fund. For fiscal years
14 1992 and 1993, amounts deposited into the Violent Crime Victims
15 Assistance Fund, the Traffic and Criminal Conviction Surcharge
16 Fund, or the Drivers Education Fund shall not exceed 110% of
17 the amounts deposited into those funds in fiscal year 1991. Any
18 amount that exceeds the 110% limit shall be distributed as
19 follows: 50% shall be disbursed to the county's general
20 corporate fund and 50% shall be disbursed to the entity
21 authorized by law to receive the fine imposed in the case. Not
22 later than March 1 of each year the circuit clerk shall submit
23 a report of the amount of funds remitted to the State Treasurer
24 under this Section during the preceding year based upon
25 independent verification of fines and fees. All counties shall
26 be subject to this Section, except that counties with a

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

1 Article VII of the Illinois Constitution.

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

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

9 (2) 20% of the amounts collected for Class A and Class
10 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
11 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
12 for Animals Act and Section 26-5 or 48-1 of the Criminal
13 Code of 1961 or the Criminal Code of 2012; and

14 (3) 50% of the amounts collected for Class C
15 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
16 for Animals Act and Section 26-5 or 48-1 of the Criminal
17 Code of 1961 or the Criminal Code of 2012.

18 (c) Any person who receives a disposition of court
19 supervision for a violation of the Illinois Vehicle Code or a
20 similar provision of a local ordinance shall, in addition to
21 any other fines, fees, and court costs, pay an additional fee
22 of \$29, to be disbursed as provided in Section 16-104c of the
23 Illinois Vehicle Code. In addition to the fee of \$29, the
24 person shall also pay a fee of \$6, if not waived by the court.
25 If this \$6 fee is collected, \$5.50 of the fee shall be
26 deposited into the Circuit Court Clerk Operation and

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

4 (d) 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 (d) becomes inoperative on January 1, 2020.

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

14 (1) A person who is found guilty of or pleads guilty to
15 violating subsection (a) of Section 11-501 of the Illinois
16 Vehicle Code, including any person placed on court
17 supervision for violating subsection (a), shall be fined
18 \$750 as provided for by subsection (f) of Section 11-501.01
19 of the Illinois Vehicle Code, payable to the circuit clerk,
20 who shall distribute the money pursuant to subsection (f)
21 of Section 11-501.01 of the Illinois Vehicle Code.

22 (2) When a crime laboratory DUI analysis fee of \$150,
23 provided for by Section 5-9-1.9 of the Unified Code of
24 Corrections is assessed, it shall be disbursed by the
25 circuit clerk as provided by subsection (f) of Section
26 5-9-1.9 of the Unified Code of Corrections.

1 (3) When a fine for a violation of subsection (a) of
2 Section 11-605 of the Illinois Vehicle Code is \$150 or
3 greater, the additional \$50 which is charged as provided
4 for by subsection (f) of Section 11-605 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 (f) of Section 11-605.

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

16 (5) When a mandatory drug court fee of up to \$5 is
17 assessed as provided in subsection (f) of Section 5-1101 of
18 the Counties Code, it shall be disbursed by the circuit
19 clerk as provided in subsection (f) of Section 5-1101 of
20 the Counties Code.

21 (6) When a mandatory teen court, peer jury, youth
22 court, or other youth diversion program fee is assessed as
23 provided in subsection (e) of Section 5-1101 of the
24 Counties Code, it shall be disbursed by the circuit clerk
25 as provided in subsection (e) of Section 5-1101 of the
26 Counties Code.

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

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

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

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

1 month after receipt to the State Treasurer for deposit into the
2 Roadside Memorial Fund.

3 (g) 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 (Source: P.A. 97-333, eff. 8-12-11; 97-1108, eff. 1-1-13;
9 97-1150, eff. 1-25-13; 98-658, eff. 6-23-14.)

10 (705 ILCS 105/27.6)

11 (Section as amended by P.A. 96-286, 96-576, 96-578, 96-625,
12 96-667, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, 97-1150,
13 98-658, 98-1013, 99-78, and 99-455)

14 Sec. 27.6. (a) All fees, fines, costs, additional
15 penalties, bail balances assessed or forfeited, and any other
16 amount paid by a person to the circuit clerk equalling an
17 amount of \$55 or more, except portions of fines imposed under
18 Section 12C-75 of the Criminal Code of 2012 to pay for the
19 costs of prosecution and the purchase of a certificate of
20 deposit under that Section, the fine imposed by Section
21 5-9-1.15 of the Unified Code of Corrections, the additional fee
22 required by subsections (b) and (c), restitution under Section
23 5-5-6 of the Unified Code of Corrections, contributions to a
24 local anti-crime program ordered pursuant to Section
25 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of

1 Corrections, reimbursement for the costs of an emergency
2 response as provided under Section 11-501 of the Illinois
3 Vehicle Code, any fees collected for attending a traffic safety
4 program under paragraph (c) of Supreme Court Rule 529, any fee
5 collected on behalf of a State's Attorney under Section 4-2002
6 of the Counties Code or a sheriff under Section 4-5001 of the
7 Counties Code, or any cost imposed under Section 124A-5 of the
8 Code of Criminal Procedure of 1963, for convictions, orders of
9 supervision, or any other disposition for a violation of
10 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a
11 similar provision of a local ordinance, and any violation of
12 the Child Passenger Protection Act, or a similar provision of a
13 local ordinance, and except as otherwise provided in this
14 Section shall be disbursed within 60 days after receipt by the
15 circuit clerk as follows: 44.5% shall be disbursed to the
16 entity authorized by law to receive the fine imposed in the
17 case; 16.825% shall be disbursed to the State Treasurer; and
18 38.675% shall be disbursed to the county's general corporate
19 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
20 shall be deposited by the State Treasurer into the Violent
21 Crime Victims Assistance Fund, 5.052/17 shall be deposited into
22 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall
23 be deposited into the Drivers Education Fund, and 6.948/17
24 shall be deposited into the Trauma Center Fund. Of the 6.948/17
25 deposited into the Trauma Center Fund from the 16.825%
26 disbursed to the State Treasurer, 50% shall be disbursed to the

1 Department of Public Health and 50% shall be disbursed to the
2 Department of Healthcare and Family Services. For fiscal year
3 1993, amounts deposited into the Violent Crime Victims
4 Assistance Fund, the Traffic and Criminal Conviction Surcharge
5 Fund, or the Drivers Education Fund shall not exceed 110% of
6 the amounts deposited into those funds in fiscal year 1991. Any
7 amount that exceeds the 110% limit shall be distributed as
8 follows: 50% shall be disbursed to the county's general
9 corporate fund and 50% shall be disbursed to the entity
10 authorized by law to receive the fine imposed in the case. 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 Section during the preceding year based upon
14 independent verification of fines and fees. All counties shall
15 be subject to this Section, except that counties with a
16 population under 2,000,000 may, by ordinance, elect not to be
17 subject to this Section. For offenses subject to this Section,
18 judges shall impose one total sum of money payable for
19 violations. The circuit clerk may add on no additional amounts
20 except for amounts that are required by Sections 27.3a and
21 27.3c of this Act, unless those amounts are specifically waived
22 by the judge. With respect to money collected by the circuit
23 clerk as a result of forfeiture of bail, ex parte judgment or
24 guilty plea pursuant to Supreme Court Rule 529, the circuit
25 clerk shall first deduct and pay amounts required by Sections
26 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 assessed
4 by the courts, any person convicted or receiving an order of
5 supervision for driving under the influence of alcohol or drugs
6 shall pay an additional fee of \$100 to the clerk of the circuit
7 court. This amount, less 2 1/2% that shall be used to defray
8 administrative costs incurred by the clerk, shall be remitted
9 by the clerk to the Treasurer within 60 days after receipt for
10 deposit into the Trauma Center Fund. This additional fee of
11 \$100 shall not be considered a part of the fine for purposes of
12 any reduction in the fine for time served either before or
13 after sentencing. Not later than March 1 of each year the
14 Circuit Clerk shall submit a report of the amount of funds
15 remitted to the State Treasurer under this subsection during
16 the preceding calendar year.

17 (b-1) In addition to any other fines and court costs
18 assessed by the courts, any person convicted or receiving an
19 order of supervision for driving under the influence of alcohol
20 or drugs shall pay an additional fee of \$5 to the clerk of the
21 circuit court. This amount, less 2 1/2% that shall be used to
22 defray administrative costs incurred by the clerk, shall be
23 remitted by the clerk to the Treasurer within 60 days after
24 receipt for deposit into the Spinal Cord Injury Paralysis Cure
25 Research Trust Fund. This additional fee of \$5 shall not be
26 considered a part of the fine for purposes of any reduction in

1 the fine for time served either before or after sentencing. Not
2 later than March 1 of each year the Circuit Clerk shall submit
3 a report of the amount of funds remitted to the State Treasurer
4 under this subsection during the preceding calendar year.

5 (c) In addition to any other fines and court costs assessed
6 by the courts, any person convicted for a violation of Sections
7 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the
8 Criminal Code of 2012 or a person sentenced for a violation of
9 the Cannabis Control Act, the Illinois Controlled Substances
10 Act, or the Methamphetamine Control and Community Protection
11 Act shall pay an additional fee of \$100 to the clerk of the
12 circuit court. This amount, less 2 1/2% that shall be used to
13 defray administrative costs incurred by the clerk, shall be
14 remitted by the clerk to the Treasurer within 60 days after
15 receipt for deposit into the Trauma Center Fund. This
16 additional fee of \$100 shall not be considered a part of the
17 fine for purposes of any reduction in the fine for time served
18 either before or after sentencing. Not later than March 1 of
19 each year the Circuit Clerk shall submit a report of the amount
20 of funds remitted to the State Treasurer under this subsection
21 during the preceding calendar year.

22 (c-1) In addition to any other fines and court costs
23 assessed by the courts, any person sentenced for a violation of
24 the Cannabis Control Act, the Illinois Controlled Substances
25 Act, or the Methamphetamine Control and Community Protection
26 Act shall pay an additional fee of \$5 to the clerk of the

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

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

13 (1) 50% of the amounts collected for felony offenses
14 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
15 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
16 Animals Act and Section 26-5 or 48-1 of the Criminal Code
17 of 1961 or the Criminal Code of 2012;

18 (2) 20% of the amounts collected for Class A and Class
19 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
20 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
21 for Animals Act and Section 26-5 or 48-1 of the Criminal
22 Code of 1961 or the Criminal Code of 2012; and

23 (3) 50% of the amounts collected for Class C
24 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
25 for Animals Act and Section 26-5 or 48-1 of the Criminal
26 Code of 1961 or the Criminal Code of 2012.

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

13 (f) This Section does not apply to the additional child
14 pornography fines assessed and collected under Section
15 5-9-1.14 of the Unified Code of Corrections.

16 (g) (Blank).

17 (h) (Blank).

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

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

8 This subsection (j) becomes inoperative on January 1, 2020.

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

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

1 after receipt to the State Treasurer for deposit into the
2 Roadside Memorial Fund.

3 (m) Of the amounts collected as fines under subsection (c)
4 of Section 411.4 of the Illinois Controlled Substances Act or
5 subsection (c) of Section 90 of the Methamphetamine Control and
6 Community Protection Act, 99% shall be deposited to the law
7 enforcement agency or fund specified and 1% shall be deposited
8 into the Circuit Court Clerk Operation and Administrative Fund
9 to be used to offset the costs incurred by the Circuit Court
10 Clerk in performing the additional duties required to collect
11 and disburse funds to entities of State and local government as
12 provided by law.

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

1 receipt for deposit into the State Police Merit Board Public
2 Safety Fund.

3 (o) The amounts collected as fines under Sections 10-9,
4 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall
5 be collected by the circuit clerk and distributed as provided
6 under Section 5-9-1.21 of the Unified Code of Corrections in
7 lieu of any disbursement under subsection (a) of this Section.

8 (p) In addition to any other fees and penalties imposed,
9 any person who is convicted of or pleads guilty to a violation
10 of Section 20-1 or Section 20-1.1 of the Criminal Code of 2012
11 shall pay an additional fee of \$250 to the clerk of the circuit
12 court. This additional fee of \$250 shall not be considered a
13 part of the fine for purposes of any reduction in the fine for
14 time served either before or after sentencing. This amount,
15 less 2.5% that shall be used to defray administrative costs
16 incurred by the clerk, shall be remitted by the clerk to the
17 Department of Insurance within 60 days after receipt for
18 deposit into the George Bailey Memorial Fund.

19 (Source: P.A. 98-658, eff. 6-23-14; 98-1013, eff. 1-1-15;
20 99-78, eff. 7-20-15; 99-455, eff. 1-1-16.)

21 (Section as amended by P.A. 96-576, 96-578, 96-625, 96-667,
22 96-735, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, 97-1150,
23 98-658, 98-1013, 99-78, and 99-455)

24 Sec. 27.6. (a) All fees, fines, costs, additional
25 penalties, bail balances assessed or forfeited, and any other

1 amount paid by a person to the circuit clerk equalling an
2 amount of \$55 or more, except portions of fines imposed under
3 Section 12C-75 of the Criminal Code of 2012 to pay for the
4 costs of prosecution and the purchase of a certificate of
5 deposit under that Section, the fine imposed by Section
6 5-9-1.15 of the Unified Code of Corrections, the additional fee
7 required by subsections (b) and (c), restitution under Section
8 5-5-6 of the Unified Code of Corrections, contributions to a
9 local anti-crime program ordered pursuant to Section
10 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of
11 Corrections, reimbursement for the costs of an emergency
12 response as provided under Section 11-501 of the Illinois
13 Vehicle Code, any fees collected for attending a traffic safety
14 program under paragraph (c) of Supreme Court Rule 529, any fee
15 collected on behalf of a State's Attorney under Section 4-2002
16 of the Counties Code or a sheriff under Section 4-5001 of the
17 Counties Code, or any cost imposed under Section 124A-5 of the
18 Code of Criminal Procedure of 1963, for convictions, orders of
19 supervision, or any other disposition for a violation of
20 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a
21 similar provision of a local ordinance, and any violation of
22 the Child Passenger Protection Act, or a similar provision of a
23 local ordinance, and except as otherwise provided in this
24 Section shall be disbursed within 60 days after receipt by the
25 circuit clerk as follows: 44.5% shall be disbursed to the
26 entity authorized by law to receive the fine imposed in the

1 case; 16.825% shall be disbursed to the State Treasurer; and
2 38.675% shall be disbursed to the county's general corporate
3 fund. Of the 16.825% disbursed to the State Treasurer, 2/17
4 shall be deposited by the State Treasurer into the Violent
5 Crime Victims Assistance Fund, 5.052/17 shall be deposited into
6 the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall
7 be deposited into the Drivers Education Fund, and 6.948/17
8 shall be deposited into the Trauma Center Fund. Of the 6.948/17
9 deposited into the Trauma Center Fund from the 16.825%
10 disbursed to the State Treasurer, 50% shall be disbursed to the
11 Department of Public Health and 50% shall be disbursed to the
12 Department of Healthcare and Family Services. For fiscal year
13 1993, amounts deposited into the Violent Crime Victims
14 Assistance Fund, the Traffic and Criminal Conviction Surcharge
15 Fund, or the Drivers Education Fund shall not exceed 110% of
16 the amounts deposited into those funds in fiscal year 1991. Any
17 amount that exceeds the 110% limit shall be distributed as
18 follows: 50% shall be disbursed to the county's general
19 corporate fund and 50% shall be disbursed to the entity
20 authorized by law to receive the fine imposed in the case. 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 Section during the preceding year based upon
24 independent verification of fines and fees. All counties shall
25 be subject to this Section, except that counties with a
26 population under 2,000,000 may, by ordinance, elect not to be

1 subject to this Section. For offenses subject to this Section,
2 judges shall impose one total sum of money payable for
3 violations. The circuit clerk may add on no additional amounts
4 except for amounts that are required by Sections 27.3a and
5 27.3c of this Act, Section 16-104c of the Illinois Vehicle
6 Code, and subsection (a) of Section 5-1101 of the Counties
7 Code, unless those amounts are specifically waived by the
8 judge. With respect to money collected by the circuit clerk as
9 a result of forfeiture of bail, ex parte judgment or guilty
10 plea pursuant to Supreme Court Rule 529, the circuit clerk
11 shall first deduct and pay amounts required by Sections 27.3a
12 and 27.3c of this Act. Unless a court ordered payment schedule
13 is implemented or fee requirements are waived pursuant to court
14 order, the clerk of the court may add to any unpaid fees and
15 costs a delinquency amount equal to 5% of the unpaid fees that
16 remain unpaid after 30 days, 10% of the unpaid fees that remain
17 unpaid after 60 days, and 15% of the unpaid fees that remain
18 unpaid after 90 days. Notice to those parties may be made by
19 signage posting or publication. The additional delinquency
20 amounts collected under this Section shall be deposited in the
21 Circuit Court Clerk Operation and Administrative Fund to be
22 used to defray administrative costs incurred by the circuit
23 clerk in performing the duties required to collect and disburse
24 funds. This Section is a denial and limitation of home rule
25 powers and functions under subsection (h) of Section 6 of
26 Article VII of the Illinois Constitution.

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

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

3 (c) In addition to any other fines and court costs assessed
4 by the courts, any person convicted for a violation of Sections
5 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the
6 Criminal Code of 2012 or a person sentenced for a violation of
7 the Cannabis Control Act, the Illinois Controlled Substances
8 Act, or the Methamphetamine Control and Community Protection
9 Act shall pay an additional fee of \$100 to the clerk of the
10 circuit court. This amount, less 2 1/2% that shall be used to
11 defray administrative costs incurred by the clerk, shall be
12 remitted by the clerk to the Treasurer within 60 days after
13 receipt for deposit into the Trauma Center Fund. This
14 additional fee of \$100 shall not be considered a part of the
15 fine for purposes of any reduction in the fine for time served
16 either before or after sentencing. Not later than March 1 of
17 each year the Circuit Clerk shall submit a report of the amount
18 of funds remitted to the State Treasurer under this subsection
19 during the preceding calendar year.

20 (c-1) In addition to any other fines and court costs
21 assessed by the courts, any person sentenced for a violation of
22 the Cannabis Control Act, the Illinois Controlled Substances
23 Act, or the Methamphetamine Control and Community Protection
24 Act shall pay an additional fee of \$5 to the clerk of the
25 circuit court. This amount, less 2 1/2% that shall be used to
26 defray administrative costs incurred by the clerk, shall be

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

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

11 (1) 50% of the amounts collected for felony offenses
12 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
13 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
14 Animals Act and Section 26-5 or 48-1 of the Criminal Code
15 of 1961 or the Criminal Code of 2012;

16 (2) 20% of the amounts collected for Class A and Class
17 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,
18 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
19 for Animals Act and Section 26-5 or 48-1 of the Criminal
20 Code of 1961 or the Criminal Code of 2012; and

21 (3) 50% of the amounts collected for Class C
22 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
23 for Animals Act and Section 26-5 or 48-1 of the Criminal
24 Code of 1961 or the Criminal Code of 2012.

25 (e) Any person who receives a disposition of court
26 supervision for a violation of the Illinois Vehicle Code or a

1 similar provision of a local ordinance shall, in addition to
2 any other fines, fees, and court costs, pay an additional fee
3 of \$29, to be disbursed as provided in Section 16-104c of the
4 Illinois Vehicle Code. In addition to the fee of \$29, the
5 person shall also pay a fee of \$6, if not waived by the court.
6 If this \$6 fee is collected, \$5.50 of the fee shall be
7 deposited into the Circuit Court Clerk Operation and
8 Administrative Fund created by the Clerk of the Circuit Court
9 and 50 cents of the fee shall be deposited into the Prisoner
10 Review Board Vehicle and Equipment Fund in the State treasury.

11 (f) This Section does not apply to the additional child
12 pornography fines assessed and collected under Section
13 5-9-1.14 of the Unified Code of Corrections.

14 (g) Any person convicted of or pleading guilty to a serious
15 traffic violation, as defined in Section 1-187.001 of the
16 Illinois Vehicle Code, shall pay an additional fee of \$35, to
17 be disbursed as provided in Section 16-104d of that Code. This
18 subsection (g) becomes inoperative on January 1, 2020.

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

21 (1) A person who is found guilty of or pleads guilty to
22 violating subsection (a) of Section 11-501 of the Illinois
23 Vehicle Code, including any person placed on court
24 supervision for violating subsection (a), shall be fined
25 \$750 as provided for by subsection (f) of Section 11-501.01
26 of the Illinois Vehicle Code, payable to the circuit clerk,

1 who shall distribute the money pursuant to subsection (f)
2 of Section 11-501.01 of the Illinois Vehicle Code.

3 (2) When a crime laboratory DUI analysis fee of \$150,
4 provided for by Section 5-9-1.9 of the Unified Code of
5 Corrections is assessed, it shall be disbursed by the
6 circuit clerk as provided by subsection (f) of Section
7 5-9-1.9 of the Unified Code of Corrections.

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

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

23 (5) When a fine for a violation of subsection (a) of
24 Section 11-1002.5 of the Illinois Vehicle Code is \$150 or
25 greater, the additional \$50 which is charged as provided
26 for by subsection (c) of Section 11-1002.5 of the Illinois

1 Vehicle Code shall be disbursed by the circuit clerk to a
2 school district or districts for school safety purposes as
3 provided by subsection (c) of Section 11-1002.5 of the
4 Illinois Vehicle Code.

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

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

16 (8) When a Children's Advocacy Center fee is assessed
17 pursuant to subsection (f-5) of Section 5-1101 of the
18 Counties Code, it shall be disbursed by the circuit clerk
19 as provided in subsection (f-5) of Section 5-1101 of the
20 Counties Code.

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

25 (10) When a new fee collected in traffic cases is
26 enacted after the effective date of this subsection (h), it

1 shall be excluded from the percentage disbursement
2 provisions of this Section unless otherwise indicated by
3 law.

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

13 (j) (Blank).

14 (k) For any conviction or disposition of court supervision
15 for a violation of Section 11-1429 of the Illinois Vehicle
16 Code, the circuit clerk shall distribute the fines paid by the
17 person as specified by subsection (h) of Section 11-1429 of the
18 Illinois Vehicle Code.

19 (l) Any person who receives a disposition of court
20 supervision for a violation of Section 11-501 of the Illinois
21 Vehicle Code or a similar provision of a local ordinance shall,
22 in addition to any other fines, fees, and court costs, pay an
23 additional fee of \$50, which shall be collected by the circuit
24 clerk and then remitted to the State Treasurer for deposit into
25 the Roadside Memorial Fund, a special fund in the State
26 treasury. However, the court may waive the fee if full

1 restitution is complied with. Subject to appropriation, all
2 moneys in the Roadside Memorial Fund shall be used by the
3 Department of Transportation to pay fees imposed under
4 subsection (f) of Section 20 of the Roadside Memorial Act. The
5 fee shall be remitted by the circuit clerk within one month
6 after receipt to the State Treasurer for deposit into the
7 Roadside Memorial Fund.

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

18 (n) In addition to any other fines and court costs assessed
19 by the courts, any person who is convicted of or pleads guilty
20 to a violation of the Criminal Code of 1961 or the Criminal
21 Code of 2012, or a similar provision of a local ordinance, or
22 who is convicted of, pleads guilty to, or receives a
23 disposition of court supervision for a violation of the
24 Illinois Vehicle Code, or a similar provision of a local
25 ordinance, shall pay an additional fee of \$15 to the clerk of
26 the circuit court. This additional fee of \$15 shall not be

1 considered a part of the fine for purposes of any reduction in
2 the fine for time served either before or after sentencing.
3 This amount, less 2.5% that shall be used to defray
4 administrative costs incurred by the clerk, shall be remitted
5 by the clerk to the State Treasurer within 60 days after
6 receipt for deposit into the State Police Merit Board Public
7 Safety Fund.

8 (o) The amounts collected as fines under Sections 10-9,
9 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall
10 be collected by the circuit clerk and distributed as provided
11 under Section 5-9-1.21 of the Unified Code of Corrections in
12 lieu of any disbursement under subsection (a) of this Section.

13 (p) In addition to any other fees and penalties imposed,
14 any person who is convicted of or pleads guilty to a violation
15 of Section 20-1 or Section 20-1.1 of the Criminal Code of 2012
16 shall pay an additional fee of \$250 to the clerk of the circuit
17 court. This additional fee of \$250 shall not be considered a
18 part of the fine for purposes of any reduction in the fine for
19 time served either before or after sentencing. This amount,
20 less 2.5% that shall be used to defray administrative costs
21 incurred by the clerk, shall be remitted by the clerk to the
22 Department of Insurance within 60 days after receipt for
23 deposit into the George Bailey Memorial Fund.

24 (Source: P.A. 98-658, eff. 6-23-14; 98-1013, eff. 1-1-15;
25 99-78, eff. 7-20-15; 99-455, eff. 1-1-16.)

1 Section 10. The Criminal Code of 2012 is amended by adding
2 Section 12C-75 as follows:

3 (720 ILCS 5/12C-75 new)

4 Sec. 12C-75. Parental cyber-bullying.

5 (a) As used in this Section:

6 "Electronic communication" has the meaning ascribed to
7 it in paragraph (2) of subsection (c) of Section 12-7.5 of
8 this Code.

9 "Emotional distress" has the meaning ascribed to it in
10 paragraph (3) of subsection (c) of Section 12-7.5 of this
11 Code.

12 "Harass" has the meaning ascribed to it in paragraph
13 (4) of subsection (c) of Section 12-7.5 of this Code.

14 "Social media" means websites and other online means of
15 communication that are used by large groups of people to
16 share information and to develop social and professional
17 contacts, including, but not limited to, Facebook,
18 Twitter, Pinterest, Instagram, and Myspace.

19 (b) A person commits parental cyber-bullying when he or
20 she:

21 (1) is a parent or legal guardian of a minor who is
22 under 18 years of age at the time of the commission of the
23 offense; and

24 (2) with the intent to discipline, embarrass, or alter
25 the behavior of that minor, transmits, using electronic

1 communication, any verbal or visual message posted on
2 social media that the parent or legal guardian reasonably
3 believes would coerce, intimidate, harass, or cause
4 substantial emotional distress to the minor.

5 (c) Sentence. Parental cyber-bullying is a petty offense.

6 If a person is convicted of parental cyber-bullying, the court
7 shall order that person to pay for the costs of prosecution
8 under Section 124A-5 of the Code of Criminal Procedure of 1963
9 and that a portion of the fine, as determined by the court, be
10 placed in escrow for the purchase of a certificate of deposit
11 for use by the minor victim when he or she attains 18 years of
12 age.