



Rep. Joseph M. Lyons

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09400HB1660ham001

LRB094 03112 AJO 44876 a

1 AMENDMENT TO HOUSE BILL 1660

2 AMENDMENT NO. _____. Amend House Bill 1660 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Sections 4-12001 and 4-12001.1 as follows:

6 (55 ILCS 5/4-12001) (from Ch. 34, par. 4-12001)

7 Sec. 4-12001. Fees of sheriff in third class counties. The
8 officers herein named, in counties of the third class, shall be
9 entitled to receive the fees herein specified, for the services
10 mentioned and such other fees as may be provided by law for
11 such other services not herein designated.

12 Fees for Sheriff

13 For serving or attempting to serve any summons on each
14 defendant, \$35 ~~\$15~~.

15 For serving or attempting to serve each alias summons or
16 other process mileage will be charged as hereinafter provided
17 when the address for service differs from the address for
18 service on the original summons or other process.

19 For serving or attempting to serve all other process, on
20 each defendant, \$35 ~~\$15~~.

21 For serving or attempting to serve a subpoena on each
22 witness, \$35 ~~\$25~~.

23 For serving or attempting to serve each warrant, \$35 ~~\$15~~.

24 For serving or attempting to serve each garnishee, \$35 ~~\$15~~.

1 For summoning each juror, \$10.

2 For serving or attempting to serve each order or judgment
3 for replevin, \$35 ~~\$15~~.

4 For serving or attempting to serve an order for attachment,
5 on each defendant, \$35 ~~\$15~~.

6 For serving or attempting to serve an order or judgment for
7 the possession of real estate in an action of ejectment or in
8 any other action, or for restitution in an action of forcible
9 entry and detainer, without aid, \$35 ~~\$15~~, and when aid is
10 necessary, the sheriff shall be allowed to tax in addition the
11 actual costs thereof.

12 For serving or attempting to serve notice of judgment, \$35
13 ~~\$15~~.

14 For levying to satisfy an order in an action for
15 attachment, \$25 ~~\$15~~.

16 For executing order of court to seize personal property,
17 \$25 ~~\$15~~.

18 For making certificate of levy on real estate and filing or
19 recording same, \$8, and the fee for filing or recording shall
20 be advanced by the plaintiff in attachment or by the judgment
21 creditor and taxed as costs. For taking possession of or
22 removing property levied on, the sheriff shall be allowed to
23 tax the necessary actual costs of such possession or removal.

24 For advertising property for sale, \$20 ~~\$8~~.

25 For making certificate of sale and making and filing
26 duplicate for record, \$15 ~~\$8~~, and the fee for recording same
27 shall be advanced by the judgment creditor and taxed as costs.

28 For preparing, executing and acknowledging deed on
29 redemption from a court sale of real estate, \$15; for
30 preparing, executing and acknowledging all other deeds on sale
31 of real estate, \$10.

32 For making and filing certificate of redemption, \$15 ~~\$9~~,
33 and the fee for recording same shall be advanced by party
34 making the redemption and taxed as costs.

1 For making and filing certificate of redemption from a
2 court sale, \$11, and the fee for recording same shall be
3 advanced by the party making the redemption and taxed as costs.

4 For taking all bonds on legal process, \$10 ~~\$5~~.

5 For taking special bail, \$5.

6 For returning each process, \$15 ~~\$8~~.

7 Mileage for service or attempted service of all process is
8 a \$10 flat fee, 20¢ per mile each way necessarily traveled in
9 making or attempting to make such service computed from the
10 place of holding court.

11 For attending before a court with a prisoner on an order
12 for habeas corpus, \$9 per day.

13 For executing requisitions from other States, \$13.

14 For conveying each prisoner from the prisoner's county to
15 the jail of another county, per mile for going only, 25¢.

16 For committing to or discharging each prisoner from jail,
17 \$3.

18 For feeding each prisoner, such compensation to cover
19 actual costs as may be fixed by the county board, but such
20 compensation shall not be considered a part of the fees of the
21 office.

22 For committing each prisoner to jail under the laws of the
23 United States, to be paid by the marshal or other person
24 requiring his confinement, \$3.

25 For feeding such prisoners per day, \$3, to be paid by the
26 marshal or other person requiring the prisoner's confinement.

27 For discharging such prisoners, \$3.

28 For conveying persons to the penitentiary, reformatories,
29 Illinois State Training School for Boys, Illinois State
30 Training School for Girls, Reception Centers and Illinois
31 Security Hospital, the following fees, payable out of the State
32 Treasury. When one person is conveyed, 20¢ per mile in going to
33 the penitentiary, reformatories, Illinois State Training
34 School for Boys, Illinois State Training School for Girls,

1 Reception Centers and Illinois Security Hospital from the place
2 of conviction; when 2 persons are conveyed at the same time,
3 20¢ per mile for the first and 15¢ per mile for the second
4 person; when more than 2 persons are conveyed at the same time
5 as Stated above, the sheriff shall be allowed 20¢ per mile for
6 the first, 15¢ per mile for the second and 10¢ per mile for
7 each additional person.

8 The fees provided for herein for transporting persons to
9 the penitentiary, reformatories, Illinois State Training
10 School for Boys, Illinois State Training School for Girls,
11 Reception Centers and Illinois Security Hospital, shall be paid
12 for each trip so made. Mileage as used in this Section means
13 the shortest route on a hard surfaced road, (either State Bond
14 Issue Route or Federal highways) or railroad, whichever is
15 shorter, between the place from which the person is to be
16 transported, to the penitentiary, reformatories, Illinois
17 State Training School for Boys, Illinois State Training School
18 for Girls, Reception Centers and Illinois Security Hospital,
19 and all fees per mile shall be computed on such basis.

20 In addition to the above fees, there shall be allowed to
21 the sheriff a fee of \$900 for the sale of real estate which
22 shall be made by virtue of any judgment of a court. In addition
23 to this fee and all other fees provided by this Section, there
24 shall be allowed to the sheriff a fee in accordance with the
25 following schedule for the sale of personal estate which is
26 made by virtue of any judgment of a court:

27 For judgments up to \$1,000, \$100 ~~\$85~~;

28 For judgments over \$1,000 to \$15,000, \$300 ~~\$175~~;

29 For judgments over \$15,000, \$500 ~~\$400~~.

30 In all cases where the judgment is settled by the parties,
31 replevied, stopped by injunction or paid, or where the property
32 levied upon is not actually sold, the sheriff shall be allowed
33 the fee for levying and mileage, together with half the fee for
34 all money collected by him or her which he or she would be

1 entitled to if the same were made by sale in the enforcement of
2 a judgment. In no case shall the fee exceed the amount of money
3 arising from the sale.

4 The fee requirements of this Section do not apply to police
5 departments or other law enforcement agencies. For the purposes
6 of this Section, "law enforcement agency" means an agency of
7 the State or unit of local government which is vested by law or
8 ordinance with the duty to maintain public order and to enforce
9 criminal laws or ordinances.

10 The fee requirements of this Section do not apply to units
11 of local government or school districts.

12 (Source: P.A. 86-962; 87-669; 87-670.)

13 (55 ILCS 5/4-12001.1) (from Ch. 34, par. 4-12001.1)

14 Sec. 4-12001.1. Fees of sheriff in third class counties;
15 local governments and school districts. The officers herein
16 named, in counties of the third class, shall be entitled to
17 receive the fees herein specified from all units of local
18 governments and school districts, for the services mentioned
19 and such other fees as may be provided by law for such other
20 services not herein designated.

21 Fees for Sheriff

22 For serving or attempting to serve any summons on each
23 defendant, \$25 ~~\$10~~.

24 For serving or attempting to serve each alias summons or
25 other process mileage will be charged as hereinafter provided
26 when the address for service differs from the address for
27 service on the original summons or other process.

28 For serving or attempting to serve all other process, on
29 each defendant, \$25 ~~\$10~~.

30 For serving or attempting to serve a subpoena on each
31 witness, \$25 ~~\$10~~.

32 For serving or attempting to serve each warrant, \$25 ~~\$10~~.

33 For serving or attempting to serve each garnishee, \$25 ~~\$10~~.

1 For summoning each juror, \$4.

2 For serving or attempting to serve each order or judgment
3 for replevin, \$25 ~~\$10~~.

4 For serving or attempting to serve an order for attachment,
5 on each defendant, \$25 ~~\$10~~.

6 For serving or attempting to serve an order or judgment for
7 the possession of real estate in an action of ejectment or in
8 any other action, or for restitution in an action of forcible
9 entry and detainer, without aid, \$9, and when aid is necessary,
10 the sheriff shall be allowed to tax in addition the actual
11 costs thereof.

12 For serving or attempting to serve notice of judgment, \$25
13 ~~\$10~~.

14 For levying to satisfy an order in an action for
15 attachment, \$25 ~~\$10~~.

16 For executing order of court to seize personal property,
17 \$25 ~~\$10~~.

18 For making certificate of levy on real estate and filing or
19 recording same, \$3, and the fee for filing or recording shall
20 be advanced by the plaintiff in attachment or by the judgment
21 creditor and taxed as costs. For taking possession of or
22 removing property levied on, the sheriff shall be allowed to
23 tax the necessary actual costs of such possession or removal.

24 For advertising property for sale, \$3.

25 For making certificate of sale and making and filing
26 duplicate for record, \$3, and the fee for recording same shall
27 be advanced by the judgment creditor and taxed as costs.

28 For preparing, executing and acknowledging deed on
29 redemption from a court sale of real estate, \$6; for preparing,
30 executing and acknowledging all other deeds on sale of real
31 estate, \$4.

32 For making and filing certificate of redemption, \$3.50, and
33 the fee for recording same shall be advanced by party making
34 the redemption and taxed as costs.

1 For making and filing certificate of redemption from a
2 court sale, \$4.50, and the fee for recording same shall be
3 advanced by the party making the redemption and taxed as costs.

4 For taking all bonds on legal process, \$2.

5 For taking special bail, \$2.

6 For returning each process, \$5.

7 Mileage for service or attempted service of all process is
8 a \$10 flat fee, 16¢ per mile each way necessarily traveled in
9 making or attempting to make such service computed from the
10 place of holding court.

11 For attending before a court with a prisoner on an order
12 for habeas corpus, \$3.50 per day.

13 For executing requisitions from other States, \$5.

14 For conveying each prisoner from the prisoner's county to
15 the jail of another county, per mile for going only, 25¢.

16 For committing to or discharging each prisoner from jail,
17 \$1.

18 For feeding each prisoner, such compensation to cover
19 actual costs as may be fixed by the county board, but such
20 compensation shall not be considered a part of the fees of the
21 office.

22 For committing each prisoner to jail under the laws of the
23 United States, to be paid by the marshal or other person
24 requiring his confinement, \$1.

25 For feeding such prisoners per day, \$1, to be paid by the
26 marshal or other person requiring the prisoner's confinement.

27 For discharging such prisoners, \$1.

28 For conveying persons to the penitentiary, reformatories,
29 Illinois State Training School for Boys, Illinois State
30 Training School for Girls, Reception Centers and Illinois
31 Security Hospital, the following fees, payable out of the State
32 Treasury. When one person is conveyed, 15¢ per mile in going to
33 the penitentiary, reformatories, Illinois State Training
34 School for Boys, Illinois State Training School for Girls,

1 Reception Centers and Illinois Security Hospital from the place
2 of conviction; when 2 persons are conveyed at the same time,
3 15¢ per mile for the first and 10¢ per mile for the second
4 person; when more than 2 persons are conveyed at the same time
5 as stated above, the sheriff shall be allowed 15¢ per mile for
6 the first, 10¢ per mile for the second and 5¢ per mile for each
7 additional person.

8 The fees provided for herein for transporting persons to
9 the penitentiary, reformatories, Illinois State Training
10 School for Boys, Illinois State Training School for Girls,
11 Reception Centers and Illinois Security Hospital, shall be paid
12 for each trip so made. Mileage as used in this Section means
13 the shortest route on a hard surfaced road, (either State Bond
14 Issue Route or Federal highways) or railroad, whichever is
15 shorter, between the place from which the person is to be
16 transported, to the penitentiary, reformatories, Illinois
17 State Training School for Boys, Illinois State Training School
18 for Girls, Reception Centers and Illinois Security Hospital,
19 and all fees per mile shall be computed on such basis.

20 In addition to the above fees, there shall be allowed to
21 the sheriff a fee of \$600 for the sale of real estate which
22 shall be made by virtue of any judgment of a court. In addition
23 to this fee and all other fees provided by this Section, there
24 shall be allowed to the sheriff a fee in accordance with the
25 following schedule for the sale of personal estate which is
26 made by virtue of any judgment of a court:

27 For judgments up to \$1,000, \$90 ~~\$75~~;

28 For judgments over \$1,000 to \$15,000, \$275 ~~\$150~~;

29 For judgments over \$15,000, \$400 ~~\$300~~.

30 In all cases where the judgment is settled by the parties,
31 replevied, stopped by injunction or paid, or where the property
32 levied upon is not actually sold, the sheriff shall be allowed
33 the fee for levying and mileage, together with half the fee for
34 all money collected by him or her which he or she would be

1 entitled to if the same were made by sale in the enforcement of
2 a judgment. In no case shall the fee exceed the amount of money
3 arising from the sale.

4 (Source: P.A. 87-670.)".