

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 11-501.01 as follows:

6 (625 ILCS 5/11-501.01)

7 Sec. 11-501.01. Additional administrative sanctions.

8 (a) After a finding of guilt and prior to any final
9 sentencing or an order for supervision, for an offense based
10 upon an arrest for a violation of Section 11-501 or a similar
11 provision of a local ordinance, individuals shall be required
12 to undergo a professional evaluation to determine if an
13 alcohol, drug, or intoxicating compound abuse problem exists
14 and the extent of the problem, and undergo the imposition of
15 treatment as appropriate. Programs conducting these
16 evaluations shall be licensed by the Department of Human
17 Services. The cost of any professional evaluation shall be paid
18 for by the individual required to undergo the professional
19 evaluation.

20 (b) Any person who is found guilty of or pleads guilty to
21 violating Section 11-501, including any person receiving a
22 disposition of court supervision for violating that Section,
23 may be required by the Court to attend a victim impact panel

1 offered by, or under contract with, a county State's Attorney's
2 office, a probation and court services department, Mothers
3 Against Drunk Driving, or the Alliance Against Intoxicated
4 Motorists. All costs generated by the victim impact panel shall
5 be paid from fees collected from the offender or as may be
6 determined by the court.

7 (c) Every person found guilty of violating Section 11-501,
8 whose operation of a motor vehicle while in violation of that
9 Section proximately caused any incident resulting in an
10 appropriate emergency response, shall be liable for the expense
11 of an emergency response as provided in subsection (i) of this
12 Section.

13 (d) The Secretary of State shall revoke the driving
14 privileges of any person convicted under Section 11-501 or a
15 similar provision of a local ordinance.

16 (e) The Secretary of State shall require the use of
17 ignition interlock devices on all vehicles owned by a person
18 who has been convicted of a second or subsequent offense of
19 Section 11-501 or a similar provision of a local ordinance. The
20 person must pay to the Secretary of State DUI Administration
21 Fund an amount not to exceed \$30 for each month that he or she
22 uses the device. The Secretary shall establish by rule and
23 regulation the procedures for certification and use of the
24 interlock system, the amount of the fee, and the procedures,
25 terms, and conditions relating to these fees.

26 (f) In addition to any other penalties and liabilities, a

1 person who is found guilty of or pleads guilty to violating
2 Section 11-501, including any person placed on court
3 supervision for violating Section 11-501, shall be assessed
4 \$750 ~~\$500~~, payable to the circuit clerk, who shall distribute
5 the money as follows: \$350 ~~20%~~ to the law enforcement agency
6 that made the arrest, and \$400 ~~80%~~ shall be forwarded to the
7 State Treasurer for deposit into the General Revenue Fund. If
8 the person has been previously convicted of violating Section
9 11-501 or a similar provision of a local ordinance, the fine
10 shall be \$1,000, and the circuit clerk shall distribute \$200 to
11 the law enforcement agency that made the arrest and \$800 to the
12 State Treasurer for deposit into the General Revenue Fund. In
13 the event that more than one agency is responsible for the
14 arrest, the amount payable to law enforcement agencies shall be
15 shared equally. Any moneys received by a law enforcement agency
16 under this subsection (f) shall be used to purchase law
17 enforcement equipment that will assist in the prevention of
18 alcohol related criminal violence throughout the State. This
19 shall include, but is not limited to, in-car video cameras,
20 radar and laser speed detection devices, and alcohol breath
21 testers. Any moneys received by the Department of State Police
22 under this subsection (f) shall be deposited into the State
23 Police DUI Fund and shall be used to purchase law enforcement
24 equipment that will assist in the prevention of alcohol related
25 criminal violence throughout the State.

26 (g) The Secretary of State Police DUI Fund is created as a

1 special fund in the State treasury. All moneys received by the
2 Secretary of State Police under subsection (f) of this Section
3 shall be deposited into the Secretary of State Police DUI Fund
4 and, subject to appropriation, shall be used to purchase law
5 enforcement equipment to assist in the prevention of alcohol
6 related criminal violence throughout the State.

7 (h) Whenever an individual is sentenced for an offense
8 based upon an arrest for a violation of Section 11-501 or a
9 similar provision of a local ordinance, and the professional
10 evaluation recommends remedial or rehabilitative treatment or
11 education, neither the treatment nor the education shall be the
12 sole disposition and either or both may be imposed only in
13 conjunction with another disposition. The court shall monitor
14 compliance with any remedial education or treatment
15 recommendations contained in the professional evaluation.
16 Programs conducting alcohol or other drug evaluation or
17 remedial education must be licensed by the Department of Human
18 Services. If the individual is not a resident of Illinois,
19 however, the court may accept an alcohol or other drug
20 evaluation or remedial education program in the individual's
21 state of residence. Programs providing treatment must be
22 licensed under existing applicable alcoholism and drug
23 treatment licensure standards.

24 (i) In addition to any other fine or penalty required by
25 law, an individual convicted of a violation of Section 11-501,
26 Section 5-7 of the Snowmobile Registration and Safety Act,

1 Section 5-16 of the Boat Registration and Safety Act, or a
2 similar provision, whose operation of a motor vehicle,
3 snowmobile, or watercraft while in violation of Section 11-501,
4 Section 5-7 of the Snowmobile Registration and Safety Act,
5 Section 5-16 of the Boat Registration and Safety Act, or a
6 similar provision proximately caused an incident resulting in
7 an appropriate emergency response, shall be required to make
8 restitution to a public agency for the costs of that emergency
9 response. The restitution may not exceed \$1,000 per public
10 agency for each emergency response. As used in this subsection
11 (i), "emergency response" means any incident requiring a
12 response by a police officer, a firefighter carried on the
13 rolls of a regularly constituted fire department, or an
14 ambulance.

15 (Source: P.A. 95-578, eff. 6-1-08; 95-848, eff. 1-1-09.)

16 Section 10. The Clerks of Courts Act is amended by changing
17 Sections 27.5 and 27.6 as follows:

18 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

19 Sec. 27.5. (a) All fees, fines, costs, additional
20 penalties, bail balances assessed or forfeited, and any other
21 amount paid by a person to the circuit clerk that equals an
22 amount less than \$55, except restitution under Section 5-5-6 of
23 the Unified Code of Corrections, reimbursement for the costs of
24 an emergency response as provided under Section 11-501 of the

1 Illinois Vehicle Code, any fees collected for attending a
2 traffic safety program under paragraph (c) of Supreme Court
3 Rule 529, any fee collected on behalf of a State's Attorney
4 under Section 4-2002 of the Counties Code or a sheriff under
5 Section 4-5001 of the Counties Code, or any cost imposed under
6 Section 124A-5 of the Code of Criminal Procedure of 1963, for
7 convictions, orders of supervision, or any other disposition
8 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois
9 Vehicle Code, or a similar provision of a local ordinance, and
10 any violation of the Child Passenger Protection Act, or a
11 similar provision of a local ordinance, and except as otherwise
12 provided in this Section ~~in subsection (b)~~ shall be disbursed
13 within 60 days after receipt by the circuit clerk as follows:
14 47% shall be disbursed to the entity authorized by law to
15 receive the fine imposed in the case; 12% shall be disbursed to
16 the State Treasurer; and 41% shall be disbursed to the county's
17 general corporate fund. Of the 12% disbursed to the State
18 Treasurer, 1/6 shall be deposited by the State Treasurer into
19 the Violent Crime Victims Assistance Fund, 1/2 shall be
20 deposited into the Traffic and Criminal Conviction Surcharge
21 Fund, and 1/3 shall be deposited into the Drivers Education
22 Fund. For fiscal years 1992 and 1993, amounts deposited into
23 the Violent Crime Victims Assistance Fund, the Traffic and
24 Criminal Conviction Surcharge Fund, or the Drivers Education
25 Fund shall not exceed 110% of the amounts deposited into those
26 funds in fiscal year 1991. Any amount that exceeds the 110%

1 limit shall be distributed as follows: 50% shall be disbursed
2 to the county's general corporate fund and 50% shall be
3 disbursed to the entity authorized by law to receive the fine
4 imposed in the case. Not later than March 1 of each year the
5 circuit clerk shall submit a report of the amount of funds
6 remitted to the State Treasurer under this Section during the
7 preceding year based upon independent verification of fines and
8 fees. All counties shall be subject to this Section, except
9 that counties with a population under 2,000,000 may, by
10 ordinance, elect not to be subject to this Section. For
11 offenses subject to this Section, judges shall impose one total
12 sum of money payable for violations. The circuit clerk may add
13 on no additional amounts except for amounts that are required
14 by Sections 27.3a and 27.3c of this Act, Section 16-104c of the
15 Illinois Vehicle Code, and subsection (a) of Section 5-1101 of
16 the Counties Code, unless those amounts are specifically waived
17 by the judge. With respect to money collected by the circuit
18 clerk as a result of forfeiture of bail, ex parte judgment or
19 guilty plea pursuant to Supreme Court Rule 529, the circuit
20 clerk shall first deduct and pay amounts required by Sections
21 27.3a and 27.3c of this Act. Unless a court ordered payment
22 schedule is implemented or fee requirements are waived pursuant
23 to a court order, the circuit clerk may add to any unpaid fees
24 and costs a delinquency amount equal to 5% of the unpaid fees
25 that remain unpaid after 30 days, 10% of the unpaid fees that
26 remain unpaid after 60 days, and 15% of the unpaid fees that

1 remain unpaid after 90 days. Notice to those parties may be
2 made by signage posting or publication. The additional
3 delinquency amounts collected under this Section shall be
4 deposited in the Circuit Court Clerk Operation and
5 Administrative Fund to be used to defray administrative costs
6 incurred by the circuit clerk in performing the duties required
7 to collect and disburse funds. This Section is a denial and
8 limitation of home rule powers and functions under subsection
9 (h) of Section 6 of Article VII of the Illinois Constitution.

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

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

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 of the Criminal Code of
20 1961; 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 of the Criminal Code of
24 1961.

25 (c) 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 (d) Any person convicted of, pleading guilty to, or placed
12 on supervision for a serious traffic violation, as defined in
13 Section 1-187.001 of the Illinois Vehicle Code, a violation of
14 Section 11-501 of the Illinois Vehicle Code, or a violation of
15 a similar provision of a local ordinance shall pay an
16 additional fee of \$20, to be disbursed as provided in Section
17 16-104d of that Code.

18 This subsection ~~Subsection~~ (d) becomes inoperative 7 years
19 after the effective date of Public Act 95-154.

20 (e) In all counties having a population of 3,000,000 or
21 more inhabitants:7

22 (1) ~~(e-1)~~ A person who is found guilty of or pleads
23 guilty to violating subsection (a) of Section 11-501 of the
24 Illinois Vehicle Code, including any person placed on court
25 supervision for violating subsection (a), shall be fined
26 \$750 ~~\$500~~ as provided for by subsection (f) of Section

1 11-501.01 of the Illinois Vehicle Code, payable to the
2 circuit clerk, who shall distribute the money pursuant to
3 subsection (f) of Section 11-501.01 of the Illinois Vehicle
4 Code.

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

10 (3) ~~(e-3)~~ When a fine for a violation of subsection (a)
11 of Section 11-605 of the Illinois Vehicle Code is \$150 or
12 greater, the additional \$50 which is charged as provided
13 for by subsection (f) of Section 11-605 of the Illinois
14 Vehicle Code shall be disbursed by the circuit clerk to a
15 school district or districts for school safety purposes as
16 provided by subsection (f) of Section 11-605.

17 (4) ~~(e-3.5)~~ When a fine for a violation of subsection
18 (a) of Section 11-1002.5 of the Illinois Vehicle Code is
19 \$150 or greater, the additional \$50 which is charged as
20 provided for by subsection (c) of Section 11-1002.5 of the
21 Illinois Vehicle Code shall be disbursed by the circuit
22 clerk to a school district or districts for school safety
23 purposes as provided by subsection (c) of Section 11-1002.5
24 of the Illinois Vehicle Code.

25 (5) ~~(e-4)~~ When a mandatory drug court fee of up to \$5
26 is assessed as provided in subsection (f) of Section 5-1101

1 of the Counties Code, it shall be disbursed by the circuit
2 clerk as provided in subsection (f) of Section 5-1101 of
3 the Counties Code.

4 (6) ~~(e-5)~~ When a mandatory teen court, peer jury, youth
5 court, or other youth diversion program fee is assessed as
6 provided in subsection (e) of Section 5-1101 of the
7 Counties Code, it shall be disbursed by the circuit clerk
8 as provided in subsection (e) of Section 5-1101 of the
9 Counties Code.

10 (7) ~~(e-6)~~ When a Children's Advocacy Center fee is
11 assessed pursuant to subsection (f-5) of Section 5-1101 of
12 the Counties Code, it shall be disbursed by the circuit
13 clerk as provided in subsection (f-5) of Section 5-1101 of
14 the Counties Code.

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

20 (9) ~~(e-8)~~ When a new fee collected in traffic cases is
21 enacted after January 1, 2010 (the effective date of Public
22 Act 96-735) ~~this amendatory Act of the 96th General~~
23 ~~Assembly~~, it shall be excluded from the percentage
24 disbursement provisions of this Section unless otherwise
25 indicated by law.

26 (f) ~~(e)~~ Any person who receives a disposition of court

1 supervision for a violation of Section 11-501 of the Illinois
2 Vehicle Code shall, in addition to any other fines, fees, and
3 court costs, pay an additional fee of \$50, which shall be
4 collected by the circuit clerk and then remitted to the State
5 Treasurer for deposit into the Roadside Memorial Fund, a
6 special fund in the State treasury. However, the court may
7 waive the fee if full restitution is complied with. Subject to
8 appropriation, all moneys in the Roadside Memorial Fund shall
9 be used by the Department of Transportation to pay fees imposed
10 under subsection (f) of Section 20 of the Roadside Memorial
11 Act. The fee shall be remitted by the circuit clerk within one
12 month after receipt to the State Treasurer for deposit into the
13 Roadside Memorial Fund.

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

19 (Source: P.A. 95-154, eff. 10-13-07; 95-428, eff. 8-24-07;
20 95-876, eff. 8-21-08; 96-286, eff. 8-11-09; 96-576, eff.
21 8-18-09; 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-735,
22 eff. 1-1-10; revised 11-5-09; revised 12-28-09.)

23 (705 ILCS 105/27.6)

24 (Section as amended by P.A. 96-286, 96-576, 96-578, 96-625,
25 and 96-667)

1 Sec. 27.6. (a) All fees, fines, costs, additional
2 penalties, bail balances assessed or forfeited, and any other
3 amount paid by a person to the circuit clerk equalling an
4 amount of \$55 or more, except the fine imposed by Section
5 5-9-1.15 of the Unified Code of Corrections, the additional fee
6 required by subsections (b) and (c), restitution under Section
7 5-5-6 of the Unified Code of Corrections, contributions to a
8 local anti-crime program ordered pursuant to Section
9 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of
10 Corrections, reimbursement for the costs of an emergency
11 response as provided under Section 11-501 of the Illinois
12 Vehicle Code, any fees collected for attending a traffic safety
13 program under paragraph (c) of Supreme Court Rule 529, any fee
14 collected on behalf of a State's Attorney under Section 4-2002
15 of the Counties Code or a sheriff under Section 4-5001 of the
16 Counties Code, or any cost imposed under Section 124A-5 of the
17 Code of Criminal Procedure of 1963, for convictions, orders of
18 supervision, or any other disposition for a violation of
19 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a
20 similar provision of a local ordinance, and any violation of
21 the Child Passenger Protection Act, or a similar provision of a
22 local ordinance, and except as otherwise provided in this
23 Section ~~subsections (d) and (g)~~ shall be disbursed within 60
24 days after receipt by the circuit clerk as follows: 44.5% shall
25 be disbursed to the entity authorized by law to receive the
26 fine imposed in the case; 16.825% shall be disbursed to the

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

1 judges shall impose one total sum of money payable for
2 violations. The circuit clerk may add on no additional amounts
3 except for amounts that are required by Sections 27.3a and
4 27.3c of this Act, unless those amounts are specifically waived
5 by the judge. With respect to money collected by the circuit
6 clerk as a result of forfeiture of bail, ex parte judgment or
7 guilty plea pursuant to Supreme Court Rule 529, the circuit
8 clerk shall first deduct and pay amounts required by Sections
9 27.3a and 27.3c of this Act. This Section is a denial and
10 limitation of home rule powers and functions under subsection
11 (h) of Section 6 of Article VII of the Illinois Constitution.

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

26 (b-1) In addition to any other fines and court costs

1 assessed by the courts, any person convicted or receiving an
2 order of supervision for driving under the influence of alcohol
3 or drugs shall pay an additional fee of \$5 to the clerk of the
4 circuit court. This amount, less 2 1/2% that shall be used to
5 defray administrative costs incurred by the clerk, shall be
6 remitted by the clerk to the Treasurer within 60 days after
7 receipt for deposit into the Spinal Cord Injury Paralysis Cure
8 Research Trust Fund. This additional fee of \$5 shall not be
9 considered a part of the fine for purposes of any reduction in
10 the fine for time served either before or after sentencing. 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 subsection during the preceding calendar year.

14 (c) In addition to any other fines and court costs assessed
15 by the courts, any person convicted for a violation of Sections
16 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or a
17 person sentenced for a violation of the Cannabis Control Act,
18 the Illinois Controlled Substances Act, or the Methamphetamine
19 Control and Community Protection Act shall pay an additional
20 fee of \$100 to the clerk of the circuit court. This amount,
21 less 2 1/2% that shall be used to defray administrative costs
22 incurred by the clerk, shall be remitted by the clerk to the
23 Treasurer within 60 days after receipt for deposit into the
24 Trauma Center Fund. This additional fee of \$100 shall not be
25 considered a part of the fine for purposes of any reduction in
26 the fine for time served either before or after sentencing. Not

1 later than March 1 of each year the Circuit Clerk shall submit
2 a report of the amount of funds remitted to the State Treasurer
3 under this subsection during the preceding calendar year.

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

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

21 (1) 50% of the amounts collected for felony offenses
22 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,
23 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for
24 Animals Act and Section 26-5 of the Criminal Code of 1961;

25 (2) 20% of the amounts collected for Class A and Class
26 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,

1 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care
2 for Animals Act and Section 26-5 of the Criminal Code of
3 1961; and

4 (3) 50% of the amounts collected for Class C
5 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
6 for Animals Act and Section 26-5 of the Criminal Code of
7 1961.

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

20 (f) This Section does not apply to the additional child
21 pornography fines assessed and collected under Section
22 5-9-1.14 of the Unified Code of Corrections.

23 (g) (Blank).

24 (h) (Blank).

25 (i) ~~(g)~~ Of the amounts collected as fines under subsection
26 (b) of Section 3-712 of the Illinois Vehicle Code, 99% shall be

1 deposited into the Illinois Military Family Relief Fund and 1%
2 shall be deposited into the Circuit Court Clerk Operation and
3 Administrative Fund created by the Clerk of the Circuit Court
4 to be used to offset the costs incurred by the Circuit Court
5 Clerk in performing the additional duties required to collect
6 and disburse funds to entities of State and local government as
7 provided by law.

8 (j) ~~(h)~~ Any person convicted of, pleading guilty to, or
9 placed on supervision for a serious traffic violation, as
10 defined in Section 1-187.001 of the Illinois Vehicle Code, a
11 violation of Section 11-501 of the Illinois Vehicle Code, or a
12 violation of a similar provision of a local ordinance shall pay
13 an additional fee of \$20, to be disbursed as provided in
14 Section 16-104d of that Code.

15 This subsection (h) becomes inoperative 7 years after the
16 effective date of Public Act 95-154.

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

22 (l) ~~(h)~~ Any person who receives a disposition of court
23 supervision for a violation of Section 11-501 of the Illinois
24 Vehicle Code or a similar provision of a local ordinance shall,
25 in addition to any other fines, fees, and court costs, pay an
26 additional fee of \$50, which shall be collected by the circuit

1 clerk and then remitted to the State Treasurer for deposit into
2 the Roadside Memorial Fund, a special fund in the State
3 treasury. However, the court may waive the fee if full
4 restitution is complied with. Subject to appropriation, all
5 moneys in the Roadside Memorial Fund shall be used by the
6 Department of Transportation to pay fees imposed under
7 subsection (f) of Section 20 of the Roadside Memorial Act. The
8 fee shall be remitted by the circuit clerk within one month
9 after receipt to the State Treasurer for deposit into the
10 Roadside Memorial Fund.

11 (Source: P.A. 95-191, eff. 1-1-08; 95-291, eff. 1-1-08; 95-428,
12 eff. 8-24-07; 95-600, eff. 6-1-08; 95-876, eff. 8-21-08;
13 96-286, eff. 8-11-09; 96-576, eff. 8-18-09; 96-578, eff.
14 8-18-09; 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; revised
15 12-29-09.)

16 (Section as amended by P.A. 96-576, 96-578, 96-625, 96-667,
17 and 96-735)

18 Sec. 27.6. (a) All fees, fines, costs, additional
19 penalties, bail balances assessed or forfeited, and any other
20 amount paid by a person to the circuit clerk equalling an
21 amount of \$55 or more, except the fine imposed by Section
22 5-9-1.15 of the Unified Code of Corrections, the additional fee
23 required by subsections (b) and (c), restitution under Section
24 5-5-6 of the Unified Code of Corrections, contributions to a
25 local anti-crime program ordered pursuant to Section

1 5-6-3(b) (13) or Section 5-6-3.1(c) (13) of the Unified Code of
2 Corrections, reimbursement for the costs of an emergency
3 response as provided under Section 11-501 of the Illinois
4 Vehicle Code, any fees collected for attending a traffic safety
5 program under paragraph (c) of Supreme Court Rule 529, any fee
6 collected on behalf of a State's Attorney under Section 4-2002
7 of the Counties Code or a sheriff under Section 4-5001 of the
8 Counties Code, or any cost imposed under Section 124A-5 of the
9 Code of Criminal Procedure of 1963, for convictions, orders of
10 supervision, or any other disposition for a violation of
11 Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a
12 similar provision of a local ordinance, and any violation of
13 the Child Passenger Protection Act, or a similar provision of a
14 local ordinance, and except as otherwise provided in this
15 Section ~~subsections (b) through (h)~~ shall be disbursed within
16 60 days after receipt by the circuit clerk as follows: 44.5%
17 shall be disbursed to the entity authorized by law to receive
18 the fine imposed in the case; 16.825% shall be disbursed to the
19 State Treasurer; and 38.675% shall be disbursed to the county's
20 general corporate fund. Of the 16.825% disbursed to the State
21 Treasurer, 2/17 shall be deposited by the State Treasurer into
22 the Violent Crime Victims Assistance Fund, 5.052/17 shall be
23 deposited into the Traffic and Criminal Conviction Surcharge
24 Fund, 3/17 shall be deposited into the Drivers Education Fund,
25 and 6.948/17 shall be deposited into the Trauma Center Fund. Of
26 the 6.948/17 deposited into the Trauma Center Fund from the

1 16.825% disbursed to the State Treasurer, 50% shall be
2 disbursed to the Department of Public Health and 50% shall be
3 disbursed to the Department of Healthcare and Family Services.
4 For fiscal year 1993, amounts deposited into the Violent Crime
5 Victims Assistance Fund, the Traffic and Criminal Conviction
6 Surcharge Fund, or the Drivers Education Fund shall not exceed
7 110% of the amounts deposited into those funds in fiscal year
8 1991. Any amount that exceeds the 110% limit shall be
9 distributed as follows: 50% shall be disbursed to the county's
10 general corporate fund and 50% shall be disbursed to the entity
11 authorized by law to receive the fine imposed in the case. Not
12 later than March 1 of each year the circuit clerk shall submit
13 a report of the amount of funds remitted to the State Treasurer
14 under this Section during the preceding year based upon
15 independent verification of fines and fees. All counties shall
16 be subject to this Section, except that counties with a
17 population under 2,000,000 may, by ordinance, elect not to be
18 subject to this Section. For offenses subject to this Section,
19 judges shall impose one total sum of money payable for
20 violations. The circuit clerk may add on no additional amounts
21 except for amounts that are required by Sections 27.3a and
22 27.3c of this Act, Section 16-104c of the Illinois Vehicle
23 Code, and subsection (a) of Section 5-1101 of the Counties
24 Code, unless those amounts are specifically waived by the
25 judge. With respect to money collected by the circuit clerk as
26 a result of forfeiture of bail, ex parte judgment or guilty

1 plea pursuant to Supreme Court Rule 529, the circuit clerk
2 shall first deduct and pay amounts required by Sections 27.3a
3 and 27.3c of this Act. Unless a court ordered payment schedule
4 is implemented or fee requirements are waived pursuant to court
5 order, the clerk of the court may add to any unpaid fees and
6 costs a delinquency amount equal to 5% of the unpaid fees that
7 remain unpaid after 30 days, 10% of the unpaid fees that remain
8 unpaid after 60 days, and 15% of the unpaid fees that remain
9 unpaid after 90 days. Notice to those parties may be made by
10 signage posting or publication. The additional delinquency
11 amounts collected under this Section shall be deposited in the
12 Circuit Court Clerk Operation and Administrative Fund to be
13 used to defray administrative costs incurred by the circuit
14 clerk in performing the duties required to collect and disburse
15 funds. This Section is a denial and limitation of home rule
16 powers and functions under subsection (h) of Section 6 of
17 Article VII of the Illinois Constitution.

18 (b) In addition to any other fines and court costs assessed
19 by the courts, any person convicted or receiving an order of
20 supervision for driving under the influence of alcohol or drugs
21 shall pay an additional fee of \$100 to the clerk of the circuit
22 court. This amount, less 2 1/2% that shall be used to defray
23 administrative costs incurred by the clerk, shall be remitted
24 by the clerk to the Treasurer within 60 days after receipt for
25 deposit into the Trauma Center Fund. This additional fee of
26 \$100 shall not be considered a part of the fine for purposes of

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

6 (b-1) In addition to any other fines and court costs
7 assessed by the courts, any person convicted or receiving an
8 order of supervision for driving under the influence of alcohol
9 or drugs shall pay an additional fee of \$5 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 Spinal Cord Injury Paralysis Cure
14 Research Trust Fund. This additional fee of \$5 shall not be
15 considered a part of the fine for purposes of any reduction in
16 the fine for time served either before or after sentencing. Not
17 later than March 1 of each year the Circuit Clerk shall submit
18 a report of the amount of funds remitted to the State Treasurer
19 under this subsection during the preceding calendar year.

20 (c) In addition to any other fines and court costs assessed
21 by the courts, any person convicted for a violation of Sections
22 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or a
23 person sentenced for a violation of the Cannabis Control Act,
24 the Illinois Controlled Substances Act, or the Methamphetamine
25 Control and Community Protection Act shall pay an additional
26 fee of \$100 to the clerk of the circuit court. This amount,

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

10 (c-1) In addition to any other fines and court costs
11 assessed by the courts, any person sentenced for a violation of
12 the Cannabis Control Act, the Illinois Controlled Substances
13 Act, or the Methamphetamine Control and Community Protection
14 Act shall pay an additional fee of \$5 to the clerk of the
15 circuit court. This amount, less 2 1/2% that shall be used to
16 defray administrative costs incurred by the clerk, shall be
17 remitted by the clerk to the Treasurer within 60 days after
18 receipt for deposit into the Spinal Cord Injury Paralysis Cure
19 Research Trust Fund. This additional fee of \$5 shall not be
20 considered a part of the fine for purposes of any reduction in
21 the fine for time served either before or after sentencing. 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 subsection during the preceding calendar year.

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

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

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

10 (3) 50% of the amounts collected for Class C
11 misdemeanors under Sections 4.01 and 7.1 of the Humane Care
12 for Animals Act and Section 26-5 of the Criminal Code of
13 1961.

14 (e) Any person who receives a disposition of court
15 supervision for a violation of the Illinois Vehicle Code or a
16 similar provision of a local ordinance shall, in addition to
17 any other fines, fees, and court costs, pay an additional fee
18 of \$29, to be disbursed as provided in Section 16-104c of the
19 Illinois Vehicle Code. In addition to the fee of \$29, the
20 person shall also pay a fee of \$6, if not waived by the court.
21 If this \$6 fee is collected, \$5.50 of the fee shall be
22 deposited into the Circuit Court Clerk Operation and
23 Administrative Fund created by the Clerk of the Circuit Court
24 and 50 cents of the fee shall be deposited into the Prisoner
25 Review Board Vehicle and Equipment Fund in the State treasury.

26 (f) This Section does not apply to the additional child

1 pornography fines assessed and collected under Section
2 5-9-1.14 of the Unified Code of Corrections.

3 (g) Any person convicted of or pleading guilty to a serious
4 traffic violation, as defined in Section 1-187.001 of the
5 Illinois Vehicle Code, shall pay an additional fee of \$20, to
6 be disbursed as provided in Section 16-104d of that Code. This
7 subsection (g) becomes inoperative 7 years after the effective
8 date of Public Act 95-154.

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

11 (1) ~~(h-1)~~ A person who is found guilty of or pleads
12 guilty to violating subsection (a) of Section 11-501 of the
13 Illinois Vehicle Code, including any person placed on court
14 supervision for violating subsection (a), shall be fined
15 \$750 ~~\$500~~ as provided for by subsection (f) of Section
16 11-501.01 of the Illinois Vehicle Code, payable to the
17 circuit clerk, who shall distribute the money pursuant to
18 subsection (f) of Section 11-501.01 of the Illinois Vehicle
19 Code.

20 (2) ~~(h-2)~~ When a crime laboratory DUI analysis fee of
21 \$150, provided for by Section 5-9-1.9 of the Unified Code
22 of Corrections is assessed, it shall be disbursed by the
23 circuit clerk as provided by subsection (f) of Section
24 5-9-1.9 of the Unified Code of Corrections.

25 (3) ~~(h-3)~~ When a fine for a violation of Section
26 11-605.1 of the Illinois Vehicle Code is \$250 or greater,

1 the person who violated that Section shall be charged an
2 additional \$125 as provided for by subsection (e) of
3 Section 11-605.1 of the Illinois Vehicle Code, which shall
4 be disbursed by the circuit clerk to a State or county
5 Transportation Safety Highway Hire-back Fund as provided
6 by subsection (e) of Section 11-605.1 of the Illinois
7 Vehicle Code.

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

15 (5) ~~(h-4.5)~~ When a fine for a violation of subsection
16 (a) of Section 11-1002.5 of the Illinois Vehicle Code is
17 \$150 or greater, the additional \$50 which is charged as
18 provided for by subsection (c) of Section 11-1002.5 of the
19 Illinois Vehicle Code shall be disbursed by the circuit
20 clerk to a school district or districts for school safety
21 purposes as provided by subsection (c) of Section 11-1002.5
22 of the Illinois Vehicle Code.

23 (6) ~~(h-5)~~ When a mandatory drug court fee of up to \$5
24 is assessed as provided in subsection (f) of Section 5-1101
25 of the Counties Code, it shall be disbursed by the circuit
26 clerk as provided in subsection (f) of Section 5-1101 of

1 the Counties Code.

2 (7) ~~(h-6)~~ When a mandatory teen court, peer jury, youth
3 court, or other youth diversion program fee is assessed as
4 provided in subsection (e) of Section 5-1101 of the
5 Counties Code, it shall be disbursed by the circuit clerk
6 as provided in subsection (e) of Section 5-1101 of the
7 Counties Code.

8 (8) ~~(h-7)~~ When a Children's Advocacy Center fee is
9 assessed pursuant to subsection (f-5) of Section 5-1101 of
10 the Counties Code, it shall be disbursed by the circuit
11 clerk as provided in subsection (f-5) of Section 5-1101 of
12 the Counties Code.

13 (9) ~~(h-8)~~ When a victim impact panel fee is assessed
14 pursuant to subsection (b) of Section 11-501.01 of the
15 Vehicle Code, it shall be disbursed by the circuit clerk to
16 the victim impact panel to be attended by the defendant.

17 (10) ~~(h-9)~~ When a new fee collected in traffic cases is
18 enacted after the effective date of this subsection (h), it
19 shall be excluded from the percentage disbursement
20 provisions of this Section unless otherwise indicated by
21 law.

22 (i) ~~(g)~~ Of the amounts collected as fines under subsection
23 (b) of Section 3-712 of the Illinois Vehicle Code, 99% shall be
24 deposited into the Illinois Military Family Relief Fund and 1%
25 shall be deposited into the Circuit Court Clerk Operation and
26 Administrative Fund created by the Clerk of the Circuit Court

1 to be used to offset the costs incurred by the Circuit Court
2 Clerk in performing the additional duties required to collect
3 and disburse funds to entities of State and local government as
4 provided by law.

5 (j) (Blank).

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

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

26 (Source: P.A. 95-191, eff. 1-1-08; 95-291, eff. 1-1-08; 95-428,

1 eff. 8-24-07; 95-600, eff. 6-1-08; 95-876, eff. 8-21-08;
2 96-576, eff. 8-18-09; 96-578, eff. 8-18-09; 96-625, eff.
3 1-1-10; 96-667, eff. 8-25-09; 96-735, eff. 1-1-10; revised
4 12-29-09.)

5 Section 99. Effective date. This Act takes effect January
6 1, 2011.