

SB2742



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB2742

Introduced 1/18/2012, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

705 ILCS 105/27.3c

from Ch. 25, par. 27.3c

Amends the Clerks of Courts Act. Makes a technical change in a Section concerning various fees.

LRB097 16214 AJO 61367 b

A BILL FOR

1 AN ACT concerning courts.

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 Section 27.3c as follows:

6 (705 ILCS 105/27.3c) (from Ch. 25, par. 27.3c)

7 Sec. 27.3c. Document storage system.

8 (a) The ~~The~~ expense of establishing and maintaining a
9 document storage system in the offices of the circuit court
10 clerks in the several counties of this State shall be borne by
11 the county. To defray the expense in any county that elects to
12 establish a document storage system and convert the records of
13 the circuit court clerk to electronic or micrographic storage,
14 the county board may require the clerk of the circuit court in
15 its county to collect a court document fee of not less than \$1
16 nor more than \$15, to be charged and collected by the clerk of
17 the court. The fee shall be paid at the time of filing the
18 first pleading, paper, or other appearance filed by each party
19 in all civil cases or by the defendant in any felony,
20 misdemeanor, traffic, ordinance, or conservation matter on a
21 judgment of guilty or grant of supervision, provided that the
22 document storage system is in place or has been authorized by
23 the county board and further that no additional fee shall be

1 required if more than one party is presented in a single
2 pleading, paper, or other appearance. The fee shall be
3 collected in the manner in which all other fees or costs are
4 collected.

5 (b) Each clerk shall commence charges and collections of a
6 court document fee upon receipt of written notice from the
7 chairman of the county board together with a certified copy of
8 the board's resolution, which the clerk shall file of record in
9 his or her office.

10 (c) Court document fees shall be in addition to other fees
11 and charges of the clerk, shall be assessable as costs, and may
12 be waived only if the judge specifically provides for the
13 waiver of the court document storage fee. The fees shall be
14 remitted monthly by the clerk to the county treasurer, to be
15 retained by the treasurer in a special fund designated as the
16 Court Document Storage Fund. The fund shall be audited by the
17 county auditor, and the board shall make expenditures from the
18 fund in payment of any costs relative to the storage of court
19 records, including hardware, software, research and
20 development costs, and related personnel, provided that the
21 expenditure is approved by the clerk of the circuit court.

22 (d) A court document fee shall not be charged in any matter
23 coming to the clerk on change of venue or in any proceeding to
24 review the decision of any administrative officer, agency, or
25 body.

26 (Source: P.A. 94-596, eff. 1-1-06.)