



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB0128

Introduced 1/10/2013, by Rep. Monique D. Davis

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.415 rep.	
305 ILCS 5/10-17.6	from Ch. 23, par. 10-17.6
625 ILCS 5/2-119	from Ch. 95 1/2, par. 2-119
625 ILCS 5/6-103	from Ch. 95 1/2, par. 6-103
625 ILCS 5/6-107.1	
625 ILCS 5/6-118	
625 ILCS 5/6-303	from Ch. 95 1/2, par. 6-303
625 ILCS 5/7-100	from Ch. 95 1/2, par. 7-100
625 ILCS 5/Ch. 7 Art. VII rep.	
705 ILCS 105/27.1a	from Ch. 25, par. 27.1a
705 ILCS 105/27.2	from Ch. 25, par. 27.2
750 ILCS 5/505	from Ch. 40, par. 505
750 ILCS 5/607.1	from Ch. 40, par. 607.1
750 ILCS 16/50	

Amends the State Finance Act. Repeals the Family Responsibility Fund. Amends the Illinois Public Aid Code. Removes driver's licenses from the licenses that may be suspended for failure to respond to a subpoena or warrant regarding paternity or for failure to make timely support payments. Amends the Illinois Vehicle Code. Removes the prohibition on issuance of a driver's license to persons that are delinquent in making support payments and limits the prohibition on issuance of a driver's license to persons that have not posted security or proof of financial responsibility to those persons who have failed to do so in connection with the requirements of Chapter 7 of the Illinois Vehicle Code. Repeals the Family Financial Responsibility Law. Amends the Marriage and Dissolution Act and the Non-Support Punishment Act. Prohibits the suspension of a driver's license for visitation abuse or delinquency of court ordered support payments.

LRB098 04226 MLW 34251 b

1 AN ACT concerning transportation.

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

4 (30 ILCS 105/5.415 rep.)

5 Section 5. The State Finance Act is amended by repealing
6 Section 5.415.

7 Section 10. The Illinois Public Aid Code is amended by
8 changing Section 10-17.6 as follows:

9 (305 ILCS 5/10-17.6) (from Ch. 23, par. 10-17.6)

10 Sec. 10-17.6. Certification of Information to Licensing
11 Agencies.

12 (a) The Illinois Department may provide by rule for
13 certification to any State licensing agency to suspend, revoke,
14 or deny issuance or renewal of licenses, except driver's
15 licenses, because of (i) the failure of responsible relatives
16 to comply with subpoenas or warrants relating to paternity or
17 child support proceedings and (ii) past due support owed by
18 responsible relatives under a support order entered by a court
19 or administrative body of this or any other State on behalf of
20 resident or non-resident persons receiving child support
21 enforcement services under Title IV, Part D of the Social
22 Security Act. The rule shall provide for notice to and an

1 opportunity to be heard by each responsible relative affected
2 and any final administrative decision rendered by the
3 Department shall be reviewed only under and in accordance with
4 the Administrative Review Law.

5 (b) (Blank). ~~The Illinois Department may provide by rule~~
6 ~~for directing the Secretary of State to issue family financial~~
7 ~~responsibility driving permits upon petition of responsible~~
8 ~~relatives whose driver's licenses have been suspended in~~
9 ~~accordance with subsection (b) of Section 7-702.1 of the~~
10 ~~Illinois Vehicle Code. Any final administrative decisions~~
11 ~~rendered by the Department upon such petitions shall be~~
12 ~~reviewable only under and in accordance with the Administrative~~
13 ~~Review Law.~~

14 (Source: P.A. 95-685, eff. 10-23-07; 96-1284, eff. 1-1-11.)

15 Section 15. The Illinois Vehicle Code is amended by
16 changing Sections 2-119, 6-103, 6-107.1, 6-118, 6-303, and
17 7-100 as follows:

18 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

19 Sec. 2-119. Disposition of fees and taxes.

20 (a) All moneys received from Salvage Certificates shall be
21 deposited in the Common School Fund in the State Treasury.

22 (b) Beginning January 1, 1990 and concluding December 31,
23 1994, of the money collected for each certificate of title,
24 duplicate certificate of title and corrected certificate of

1 title, \$0.50 shall be deposited into the Used Tire Management
2 Fund. Beginning January 1, 1990 and concluding December 31,
3 1994, of the money collected for each certificate of title,
4 duplicate certificate of title and corrected certificate of
5 title, \$1.50 shall be deposited in the Park and Conservation
6 Fund.

7 Beginning January 1, 1995, of the money collected for each
8 certificate of title, duplicate certificate of title and
9 corrected certificate of title, \$3.25 shall be deposited in the
10 Park and Conservation Fund. The moneys deposited in the Park
11 and Conservation Fund pursuant to this Section shall be used
12 for the acquisition and development of bike paths as provided
13 for in Section 805-420 of the Department of Natural Resources
14 (Conservation) Law (20 ILCS 805/805-420). The monies deposited
15 into the Park and Conservation Fund under this subsection shall
16 not be subject to administrative charges or chargebacks unless
17 otherwise authorized by this Act.

18 Beginning January 1, 2000, of the moneys collected for each
19 certificate of title, duplicate certificate of title, and
20 corrected certificate of title, \$48 shall be deposited into the
21 Road Fund and \$4 shall be deposited into the Motor Vehicle
22 License Plate Fund, except that if the balance in the Motor
23 Vehicle License Plate Fund exceeds \$40,000,000 on the last day
24 of a calendar month, then during the next calendar month the \$4
25 shall instead be deposited into the Road Fund.

26 Beginning January 1, 2005, of the moneys collected for each

1 delinquent vehicle registration renewal fee, \$20 shall be
2 deposited into the General Revenue Fund.

3 Except as otherwise provided in this Code, all remaining
4 moneys collected for certificates of title, and all moneys
5 collected for filing of security interests, shall be placed in
6 the General Revenue Fund in the State Treasury.

7 (c) All moneys collected for that portion of a driver's
8 license fee designated for driver education under Section 6-118
9 shall be placed in the Driver Education Fund in the State
10 Treasury.

11 (d) Beginning January 1, 1999, of the monies collected as a
12 registration fee for each motorcycle, motor driven cycle and
13 moped, 27% of each annual registration fee for such vehicle and
14 27% of each semiannual registration fee for such vehicle is
15 deposited in the Cycle Rider Safety Training Fund.

16 (e) Of the monies received by the Secretary of State as
17 registration fees or taxes or as payment of any other fee, as
18 provided in this Act, except fees received by the Secretary
19 under paragraph (7) of subsection (b) of Section 5-101 and
20 Section 5-109 of this Code, 37% shall be deposited into the
21 State Construction Fund.

22 (f) Of the total money collected for a CDL instruction
23 permit or original or renewal issuance of a commercial driver's
24 license (CDL) pursuant to the Uniform Commercial Driver's
25 License Act (UCDLA): (i) \$6 of the total fee for an original or
26 renewal CDL, and \$6 of the total CDL instruction permit fee

1 when such permit is issued to any person holding a valid
2 Illinois driver's license, shall be paid into the
3 CDLIS/AAMVAnet Trust Fund (Commercial Driver's License
4 Information System/American Association of Motor Vehicle
5 Administrators network Trust Fund) and shall be used for the
6 purposes provided in Section 6z-23 of the State Finance Act and
7 (ii) \$20 of the total fee for an original or renewal CDL or
8 commercial driver instruction permit shall be paid into the
9 Motor Carrier Safety Inspection Fund, which is hereby created
10 as a special fund in the State Treasury, to be used by the
11 Department of State Police, subject to appropriation, to hire
12 additional officers to conduct motor carrier safety
13 inspections pursuant to Chapter 18b of this Code.

14 (g) All remaining moneys received by the Secretary of State
15 as registration fees or taxes or as payment of any other fee,
16 as provided in this Act, except fees received by the Secretary
17 under paragraph (7) (A) of subsection (b) of Section 5-101 and
18 Section 5-109 of this Code, shall be deposited in the Road Fund
19 in the State Treasury. Moneys in the Road Fund shall be used
20 for the purposes provided in Section 8.3 of the State Finance
21 Act.

22 (h) (Blank).

23 (i) (Blank).

24 (j) (Blank).

25 (k) There is created in the State Treasury a special fund
26 to be known as the Secretary of State Special License Plate

1 Fund. Money deposited into the Fund shall, subject to
2 appropriation, be used by the Office of the Secretary of State
3 (i) to help defray plate manufacturing and plate processing
4 costs for the issuance and, when applicable, renewal of any new
5 or existing registration plates authorized under this Code and
6 (ii) for grants made by the Secretary of State to benefit
7 Illinois Veterans Home libraries.

8 On or before October 1, 1995, the Secretary of State shall
9 direct the State Comptroller and State Treasurer to transfer
10 any unexpended balance in the Special Environmental License
11 Plate Fund, the Special Korean War Veteran License Plate Fund,
12 and the Retired Congressional License Plate Fund to the
13 Secretary of State Special License Plate Fund.

14 (1) The Motor Vehicle Review Board Fund is created as a
15 special fund in the State Treasury. Moneys deposited into the
16 Fund under paragraph (7) of subsection (b) of Section 5-101 and
17 Section 5-109 shall, subject to appropriation, be used by the
18 Office of the Secretary of State to administer the Motor
19 Vehicle Review Board, including without limitation payment of
20 compensation and all necessary expenses incurred in
21 administering the Motor Vehicle Review Board under the Motor
22 Vehicle Franchise Act.

23 (m) (Blank). ~~Effective July 1, 1996, there is created in~~
24 ~~the State Treasury a special fund to be known as the Family~~
25 ~~Responsibility Fund. Moneys deposited into the Fund shall,~~
26 ~~subject to appropriation, be used by the Office of the~~

1 ~~Secretary of State for the purpose of enforcing the Family~~
2 ~~Financial Responsibility Law.~~

3 (n) The Illinois Fire Fighters' Memorial Fund is created as
4 a special fund in the State Treasury. Moneys deposited into the
5 Fund shall, subject to appropriation, be used by the Office of
6 the State Fire Marshal for construction of the Illinois Fire
7 Fighters' Memorial to be located at the State Capitol grounds
8 in Springfield, Illinois. Upon the completion of the Memorial,
9 moneys in the Fund shall be used in accordance with Section
10 3-634.

11 (o) Of the money collected for each certificate of title
12 for all-terrain vehicles and off-highway motorcycles, \$17
13 shall be deposited into the Off-Highway Vehicle Trails Fund.

14 (p) For audits conducted on or after July 1, 2003 pursuant
15 to Section 2-124(d) of this Code, 50% of the money collected as
16 audit fees shall be deposited into the General Revenue Fund.

17 (Source: P.A. 96-554, eff. 1-1-10; 97-1136, eff. 1-1-13.)

18 (625 ILCS 5/6-103) (from Ch. 95 1/2, par. 6-103)

19 Sec. 6-103. What persons shall not be licensed as drivers
20 or granted permits. The Secretary of State shall not issue,
21 renew, or allow the retention of any driver's license nor issue
22 any permit under this Code:

23 1. To any person, as a driver, who is under the age of
24 18 years except as provided in Section 6-107, and except
25 that an instruction permit may be issued under Section

1 6-107.1 to a child who is not less than 15 years of age if
2 the child is enrolled in an approved driver education
3 course as defined in Section 1-103 of this Code and
4 requires an instruction permit to participate therein,
5 except that an instruction permit may be issued under the
6 provisions of Section 6-107.1 to a child who is 17 years
7 and 3 months of age without the child having enrolled in an
8 approved driver education course and except that an
9 instruction permit may be issued to a child who is at least
10 15 years and 3 months of age, is enrolled in school, meets
11 the educational requirements of the Driver Education Act,
12 and has passed examinations the Secretary of State in his
13 or her discretion may prescribe;

14 2. To any person who is under the age of 18 as an
15 operator of a motorcycle other than a motor driven cycle
16 unless the person has, in addition to meeting the
17 provisions of Section 6-107 of this Code, successfully
18 completed a motorcycle training course approved by the
19 Illinois Department of Transportation and successfully
20 completes the required Secretary of State's motorcycle
21 driver's examination;

22 3. To any person, as a driver, whose driver's license
23 or permit has been suspended, during the suspension, nor to
24 any person whose driver's license or permit has been
25 revoked, except as provided in Sections 6-205, 6-206, and
26 6-208;

1 4. To any person, as a driver, who is a user of alcohol
2 or any other drug to a degree that renders the person
3 incapable of safely driving a motor vehicle;

4 5. To any person, as a driver, who has previously been
5 adjudged to be afflicted with or suffering from any mental
6 or physical disability or disease and who has not at the
7 time of application been restored to competency by the
8 methods provided by law;

9 6. To any person, as a driver, who is required by the
10 Secretary of State to submit an alcohol and drug evaluation
11 or take an examination provided for in this Code unless the
12 person has successfully passed the examination and
13 submitted any required evaluation;

14 7. To any person who is required under the provisions
15 of the laws of this State to deposit security or proof of
16 financial responsibility under Chapter 7 of the Vehicle
17 Code and who has not deposited the security or proof;

18 8. To any person when the Secretary of State has good
19 cause to believe that the person by reason of physical or
20 mental disability would not be able to safely operate a
21 motor vehicle upon the highways, unless the person shall
22 furnish to the Secretary of State a verified written
23 statement, acceptable to the Secretary of State, from a
24 competent medical specialist, a licensed physician
25 assistant who has been delegated the performance of medical
26 examinations by his or her supervising physician, or a

1 licensed advanced practice nurse who has a written
2 collaborative agreement with a collaborating physician
3 which authorizes him or her to perform medical
4 examinations, to the effect that the operation of a motor
5 vehicle by the person would not be inimical to the public
6 safety;

7 9. To any person, as a driver, who is 69 years of age
8 or older, unless the person has successfully complied with
9 the provisions of Section 6-109;

10 10. To any person convicted, within 12 months of
11 application for a license, of any of the sexual offenses
12 enumerated in paragraph 2 of subsection (b) of Section
13 6-205;

14 11. To any person who is under the age of 21 years with
15 a classification prohibited in paragraph (b) of Section
16 6-104 and to any person who is under the age of 18 years
17 with a classification prohibited in paragraph (c) of
18 Section 6-104;

19 12. To any person who has been either convicted of or
20 adjudicated under the Juvenile Court Act of 1987 based upon
21 a violation of the Cannabis Control Act, the Illinois
22 Controlled Substances Act, or the Methamphetamine Control
23 and Community Protection Act while that person was in
24 actual physical control of a motor vehicle. For purposes of
25 this Section, any person placed on probation under Section
26 10 of the Cannabis Control Act, Section 410 of the Illinois

1 Controlled Substances Act, or Section 70 of the
2 Methamphetamine Control and Community Protection Act shall
3 not be considered convicted. Any person found guilty of
4 this offense, while in actual physical control of a motor
5 vehicle, shall have an entry made in the court record by
6 the judge that this offense did occur while the person was
7 in actual physical control of a motor vehicle and order the
8 clerk of the court to report the violation to the Secretary
9 of State as such. The Secretary of State shall not issue a
10 new license or permit for a period of one year;

11 13. To any person who is under the age of 18 years and
12 who has committed the offense of operating a motor vehicle
13 without a valid license or permit in violation of Section
14 6-101 or a similar out of state offense;

15 14. (Blank); ~~To any person who is 90 days or more~~
16 ~~delinquent in court ordered child support payments or has~~
17 ~~been adjudicated in arrears in an amount equal to 90 days'~~
18 ~~obligation or more and who has been found in contempt of~~
19 ~~court for failure to pay the support, subject to the~~
20 ~~requirements and procedures of Article VII of Chapter 7 of~~
21 ~~the Illinois Vehicle Code;~~

22 14.5. (Blank); ~~To any person certified by the Illinois~~
23 ~~Department of Healthcare and Family Services as being 90~~
24 ~~days or more delinquent in payment of support under an~~
25 ~~order of support entered by a court or administrative body~~
26 ~~of this or any other State, subject to the requirements and~~

1 ~~procedures of Article VII of Chapter 7 of this Code~~
2 ~~regarding those certifications;~~

3 15. To any person released from a term of imprisonment
4 for violating Section 9-3 of the Criminal Code of 1961 or a
5 similar provision of a law of another state relating to
6 reckless homicide or for violating subparagraph (F) of
7 paragraph (1) of subsection (d) of Section 11-501 of this
8 Code relating to aggravated driving under the influence of
9 alcohol, other drug or drugs, intoxicating compound or
10 compounds, or any combination thereof, if the violation was
11 the proximate cause of a death, within 24 months of release
12 from a term of imprisonment;

13 16. To any person who, with intent to influence any act
14 related to the issuance of any driver's license or permit,
15 by an employee of the Secretary of State's Office, or the
16 owner or employee of any commercial driver training school
17 licensed by the Secretary of State, or any other individual
18 authorized by the laws of this State to give driving
19 instructions or administer all or part of a driver's
20 license examination, promises or tenders to that person any
21 property or personal advantage which that person is not
22 authorized by law to accept. Any persons promising or
23 tendering such property or personal advantage shall be
24 disqualified from holding any class of driver's license or
25 permit for 120 consecutive days. The Secretary of State
26 shall establish by rule the procedures for implementing

1 this period of disqualification and the procedures by which
2 persons so disqualified may obtain administrative review
3 of the decision to disqualify;

4 17. To any person for whom the Secretary of State
5 cannot verify the accuracy of any information or
6 documentation submitted in application for a driver's
7 license; or

8 18. To any person who has been adjudicated under the
9 Juvenile Court Act of 1987 based upon an offense that is
10 determined by the court to have been committed in
11 furtherance of the criminal activities of an organized
12 gang, as provided in Section 5-710 of that Act, and that
13 involved the operation or use of a motor vehicle or the use
14 of a driver's license or permit. The person shall be denied
15 a license or permit for the period determined by the court.

16 The Secretary of State shall retain all conviction
17 information, if the information is required to be held
18 confidential under the Juvenile Court Act of 1987.

19 (Source: P.A. 96-607, eff. 8-24-09; 96-740, eff. 1-1-10;
20 96-962, eff. 7-2-10; 96-1000, eff. 7-2-10; 97-185, eff.
21 7-22-11.)

22 (625 ILCS 5/6-107.1)

23 Sec. 6-107.1. Instruction permit for a minor.

24 (a) The Secretary of State, upon receiving proper
25 application and payment of the required fee, may issue an

1 instruction permit to any person under the age of 18 years who
2 is not ineligible for a license under paragraphs 1, 3, 4, 5, 7,
3 or 8 of Section 6-103, after the applicant has successfully
4 passed such examination as the Secretary of State in his
5 discretion may prescribe.

6 (1) An instruction permit issued under this Section
7 shall be valid for a period of 24 months after the date of
8 its issuance and shall be restricted, by the Secretary of
9 State, to the operation of a motor vehicle by the minor
10 only when under direct supervision of the adult instructor
11 of a driver education program during enrollment in the
12 program or when practicing under direct supervision of a
13 parent, legal guardian, family member, or a person in loco
14 parentis who is 21 years of age or more, has a license
15 classification to operate such vehicle and at least one
16 year of driving experience, and who is occupying a seat
17 beside the driver.

18 (2) A 24 month instruction permit for a motor driven
19 cycle may be issued to a person 16 or 17 years of age and
20 entitles the holder to drive upon the highways during
21 daylight under direct supervision of a licensed motor
22 driven cycle operator or motorcycle operator 21 years of
23 age or older who has a license classification to operate
24 such motor driven cycle or motorcycle and at least one year
25 of driving experience.

26 (3) A 24 month instruction permit for a motorcycle

1 other than a motor driven cycle may be issued to a person
2 16 or 17 years of age in accordance with the provisions of
3 paragraph 2 of Section 6-103 and entitles a holder to drive
4 upon the highways during daylight under the direct
5 supervision of a licensed motorcycle operator 21 years of
6 age or older who has at least one year of driving
7 experience.

8 (b) An instruction permit issued under this Section when
9 issued to a person under the age of 18 years shall, as a matter
10 of law, be invalid for the operation of any motor vehicle
11 during the following times:

12 (1) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;

13 (2) Between 11:00 p.m. Saturday and 6:00 a.m. on
14 Sunday; and

15 (3) Between 10:00 p.m. on Sunday to Thursday,
16 inclusive, and 6:00 a.m. on the following day.

17 The instruction permit of a person under the age of 18
18 shall not be invalid as described in paragraph (b) of this
19 Section if the instruction permit holder under the age of 18
20 was:

21 (1) accompanied by the minor's parent or guardian or
22 other person in custody or control of the minor;

23 (2) on an errand at the direction of the minor's parent
24 or guardian, without any detour or stop;

25 (3) in a motor vehicle involved in interstate travel;

26 (4) going to or returning home from an employment

1 activity, without any detour or stop;

2 (5) involved in an emergency;

3 (6) going to or returning home from, without any detour
4 or stop, an official school, religious, or other
5 recreational activity supervised by adults and sponsored
6 by a government or governmental agency, a civic
7 organization, or another similar entity that takes
8 responsibility for the licensee, without any detour or
9 stop;

10 (7) exercising First Amendment rights protected by the
11 United States Constitution, such as the free exercise of
12 religion, freedom of speech, and the right of assembly; or

13 (8) married or had been married or is an emancipated
14 minor under the Emancipation of Minors Act.

15 (b-1) No instruction permit shall be issued to any
16 applicant who is under the age of 18 years and who has been
17 certified to be a chronic or habitual truant, as defined in
18 Section 26-2a of the School Code.

19 An applicant under the age of 18 years who provides proof
20 that he or she has resumed regular school attendance or that
21 his or her application was denied in error shall be eligible to
22 receive an instruction permit if other requirements are met.
23 The Secretary shall adopt rules for implementing this
24 subsection (b-1).

25 (c) Any person under the age of 16 years who possesses an
26 instruction permit and whose driving privileges have been

1 suspended or revoked under the provisions of this Code shall
 2 not be granted a ~~Family Financial Responsibility Driving Permit~~
 3 ~~or a~~ Restricted Driving Permit.

4 (Source: P.A. 95-310, eff. 1-1-08; 96-1237, eff. 1-1-11.)

5 (625 ILCS 5/6-118)

6 Sec. 6-118. Fees.

7 (a) The fee for licenses and permits under this Article is
 8 as follows:

9	Original driver's license	\$30
10	Original or renewal driver's license	
11	issued to 18, 19 and 20 year olds	5
12	All driver's licenses for persons	
13	age 69 through age 80	5
14	All driver's licenses for persons	
15	age 81 through age 86	2
16	All driver's licenses for persons	
17	age 87 or older	0
18	Renewal driver's license (except for	
19	applicants ages 18, 19 and 20 or	
20	age 69 and older)	30
21	Original instruction permit issued to	
22	persons (except those age 69 and older)	
23	who do not hold or have not previously	
24	held an Illinois instruction permit or	
25	driver's license	20

1 Instruction permit issued to any person
2 holding an Illinois driver's license
3 who wishes a change in classifications,
4 other than at the time of renewal 5
5 Any instruction permit issued to a person
6 age 69 and older 5
7 Instruction permit issued to any person,
8 under age 69, not currently holding a
9 valid Illinois driver's license or
10 instruction permit but who has
11 previously been issued either document
12 in Illinois 10
13 Restricted driving permit 8
14 Monitoring device driving permit 8
15 Duplicate or corrected driver's license
16 or permit 5
17 Duplicate or corrected restricted
18 driving permit 5
19 Duplicate or corrected monitoring
20 device driving permit 5
21 Duplicate driver's license or permit issued to
22 an active-duty member of the
23 United States Armed Forces,
24 the member's spouse, or
25 the dependent children living
26 with the member 0

1 Original or renewal M or L endorsement..... 5

2 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

3 The fees for commercial driver licenses and permits
4 under Article V shall be as follows:

5 Commercial driver's license:

6 \$6 for the CDLIS/AAMVAnet Trust Fund
7 (Commercial Driver's License Information
8 System/American Association of Motor Vehicle
9 Administrators network Trust Fund);
10 \$20 for the Motor Carrier Safety Inspection Fund;
11 \$10 for the driver's license;
12 and \$24 for the CDL: \$60

13 Renewal commercial driver's license:

14 \$6 for the CDLIS/AAMVAnet Trust Fund;
15 \$20 for the Motor Carrier Safety Inspection Fund;
16 \$10 for the driver's license; and
17 \$24 for the CDL: \$60

18 Commercial driver instruction permit

19 issued to any person holding a valid
20 Illinois driver's license for the
21 purpose of changing to a
22 CDL classification: \$6 for the
23 CDLIS/AAMVAnet Trust Fund;
24 \$20 for the Motor Carrier
25 Safety Inspection Fund; and
26 \$24 for the CDL classification \$50

1 Commercial driver instruction permit
 2 issued to any person holding a valid
 3 Illinois CDL for the purpose of
 4 making a change in a classification,
 5 endorsement or restriction \$5
 6 CDL duplicate or corrected license \$5

7 In order to ensure the proper implementation of the Uniform
 8 Commercial Driver License Act, Article V of this Chapter, the
 9 Secretary of State is empowered to pro-rate the \$24 fee for the
 10 commercial driver's license proportionate to the expiration
 11 date of the applicant's Illinois driver's license.

12 The fee for any duplicate license or permit shall be waived
 13 for any person who presents the Secretary of State's office
 14 with a police report showing that his license or permit was
 15 stolen.

16 The fee for any duplicate license or permit shall be waived
 17 for any person age 60 or older whose driver's license or permit
 18 has been lost or stolen.

19 No additional fee shall be charged for a driver's license,
 20 or for a commercial driver's license, when issued to the holder
 21 of an instruction permit for the same classification or type of
 22 license who becomes eligible for such license.

23 (b) Any person whose license or privilege to operate a
 24 motor vehicle in this State has been suspended or revoked under
 25 Section 3-707, any provision of Chapter 6, Chapter 11, ~~or~~
 26 Section 7-205, or Section 7-303, ~~or 7-702 of the Family~~

1 ~~Financial Responsibility Law~~ of this Code, shall in addition to
 2 any other fees required by this Code, pay a reinstatement fee
 3 as follows:

4	Suspension under Section 3-707	\$100
5	Summary suspension under Section 11-501.1	\$250
6	Summary revocation under Section 11-501.1	\$500
7	Other suspension	\$70
8	Revocation	\$500

9 However, any person whose license or privilege to operate a
 10 motor vehicle in this State has been suspended or revoked for a
 11 second or subsequent time for a violation of Section 11-501 or
 12 11-501.1 of this Code or a similar provision of a local
 13 ordinance or a similar out-of-state offense or Section 9-3 of
 14 the Criminal Code of 1961 and each suspension or revocation was
 15 for a violation of Section 11-501 or 11-501.1 of this Code or a
 16 similar provision of a local ordinance or a similar
 17 out-of-state offense or Section 9-3 of the Criminal Code of
 18 1961 shall pay, in addition to any other fees required by this
 19 Code, a reinstatement fee as follows:

20	Summary suspension under Section 11-501.1	\$500
21	Summary revocation under Section 11-501.1	\$500
22	Revocation	\$500

23 (c) All fees collected under the provisions of this Chapter
 24 6 shall be paid into the Road Fund in the State Treasury except
 25 as follows:

- 26 1. The following amounts shall be paid into the Driver

1 Education Fund:

2 (A) \$16 of the \$20 fee for an original driver's
3 instruction permit;

4 (B) \$5 of the \$30 fee for an original driver's
5 license;

6 (C) \$5 of the \$30 fee for a 4 year renewal driver's
7 license;

8 (D) \$4 of the \$8 fee for a restricted driving
9 permit; and

10 (E) \$4 of the \$8 fee for a monitoring device
11 driving permit.

12 2. \$30 of the \$250 fee for reinstatement of a license
13 summarily suspended under Section 11-501.1 shall be
14 deposited into the Drunk and Drugged Driving Prevention
15 Fund. However, for a person whose license or privilege to
16 operate a motor vehicle in this State has been suspended or
17 revoked for a second or subsequent time for a violation of
18 Section 11-501 or 11-501.1 of this Code or Section 9-3 of
19 the Criminal Code of 1961, \$190 of the \$500 fee for
20 reinstatement of a license summarily suspended under
21 Section 11-501.1, and \$190 of the \$500 fee for
22 reinstatement of a revoked license shall be deposited into
23 the Drunk and Drugged Driving Prevention Fund. \$190 of the
24 \$500 fee for reinstatement of a license summarily revoked
25 pursuant to Section 11-501.1 shall be deposited into the
26 Drunk and Drugged Driving Prevention Fund.

1 3. \$6 of such original or renewal fee for a commercial
2 driver's license and \$6 of the commercial driver
3 instruction permit fee when such permit is issued to any
4 person holding a valid Illinois driver's license, shall be
5 paid into the CDLIS/AAMVAnet Trust Fund.

6 4. ~~(Blank). \$30 of the \$70 fee for reinstatement of a~~
7 ~~license suspended under the Family Financial~~
8 ~~Responsibility Law shall be paid into the Family~~
9 ~~Responsibility Fund.~~

10 5. The \$5 fee for each original or renewal M or L
11 endorsement shall be deposited into the Cycle Rider Safety
12 Training Fund.

13 6. \$20 of any original or renewal fee for a commercial
14 driver's license or commercial driver instruction permit
15 shall be paid into the Motor Carrier Safety Inspection
16 Fund.

17 7. The following amounts shall be paid into the General
18 Revenue Fund:

19 (A) \$190 of the \$250 reinstatement fee for a
20 summary suspension under Section 11-501.1;

21 (B) \$40 of the \$70 reinstatement fee for any other
22 suspension provided in subsection (b) of this Section;
23 and

24 (C) \$440 of the \$500 reinstatement fee for a first
25 offense revocation and \$310 of the \$500 reinstatement
26 fee for a second or subsequent revocation.

1 (d) All of the proceeds of the additional fees imposed by
2 this amendatory Act of the 96th General Assembly shall be
3 deposited into the Capital Projects Fund.

4 (e) The additional fees imposed by this amendatory Act of
5 the 96th General Assembly shall become effective 90 days after
6 becoming law.

7 (f) As used in this Section, "active-duty member of the
8 United States Armed Forces" means a member of the Armed
9 Services or Reserve Forces of the United States or a member of
10 the Illinois National Guard who is called to active duty
11 pursuant to an executive order of the President of the United
12 States, an act of the Congress of the United States, or an
13 order of the Governor.

14 (Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09;
15 96-1231, eff. 7-23-10; 96-1344, eff. 7-1-11; 97-333, eff.
16 8-12-11.)

17 (625 ILCS 5/6-303) (from Ch. 95 1/2, par. 6-303)

18 Sec. 6-303. Driving while driver's license, permit or
19 privilege to operate a motor vehicle is suspended or revoked.

20 (a) Except as otherwise provided in subsection (a-5), any
21 person who drives or is in actual physical control of a motor
22 vehicle on any highway of this State at a time when such
23 person's driver's license, permit or privilege to do so or the
24 privilege to obtain a driver's license or permit is revoked or
25 suspended as provided by this Code or the law of another state,

1 except as may be specifically allowed by a judicial driving
2 permit issued prior to January 1, 2009, monitoring device
3 driving permit, ~~family financial responsibility driving~~
4 ~~permit~~, probationary license to drive, or a restricted driving
5 permit issued pursuant to this Code or under the law of another
6 state, shall be guilty of a Class A misdemeanor.

7 (a-5) Any person who violates this Section as provided in
8 subsection (a) while his or her driver's license, permit or
9 privilege is revoked because of a violation of Section 9-3 of
10 the Criminal Code of 1961, relating to the offense of reckless
11 homicide or a similar provision of a law of another state, is
12 guilty of a Class 4 felony. The person shall be required to
13 undergo a professional evaluation, as provided in Section
14 11-501 of this Code, to determine if an alcohol, drug, or
15 intoxicating compound problem exists and the extent of the
16 problem, and to undergo the imposition of treatment as
17 appropriate.

18 (b) (Blank).

19 (b-1) Upon receiving a report of the conviction of any
20 violation indicating a person was operating a motor vehicle
21 during the time when the person's driver's license, permit or
22 privilege was suspended by the Secretary of State or the
23 driver's licensing administrator of another state, except as
24 specifically allowed by a probationary license, judicial
25 driving permit, restricted driving permit or monitoring device
26 driving permit the Secretary shall extend the suspension for

1 the same period of time as the originally imposed suspension
2 unless the suspension has already expired, in which case the
3 Secretary shall be authorized to suspend the person's driving
4 privileges for the same period of time as the originally
5 imposed suspension.

6 (b-2) Except as provided in subsection (b-6), upon
7 receiving a report of the conviction of any violation
8 indicating a person was operating a motor vehicle when the
9 person's driver's license, permit or privilege was revoked by
10 the Secretary of State or the driver's license administrator of
11 any other state, except as specifically allowed by a restricted
12 driving permit issued pursuant to this Code or the law of
13 another state, the Secretary shall not issue a driver's license
14 for an additional period of one year from the date of such
15 conviction indicating such person was operating a vehicle
16 during such period of revocation.

17 (b-3) (Blank).

18 (b-4) When the Secretary of State receives a report of a
19 conviction of any violation indicating a person was operating a
20 motor vehicle that was not equipped with an ignition interlock
21 device during a time when the person was prohibited from
22 operating a motor vehicle not equipped with such a device, the
23 Secretary shall not issue a driver's license to that person for
24 an additional period of one year from the date of the
25 conviction.

26 (b-5) Any person convicted of violating this Section shall

1 serve a minimum term of imprisonment of 30 consecutive days or
2 300 hours of community service when the person's driving
3 privilege was revoked or suspended as a result of a violation
4 of Section 9-3 of the Criminal Code of 1961, as amended,
5 relating to the offense of reckless homicide, or a similar
6 provision of a law of another state.

7 (b-6) Upon receiving a report of a first conviction of
8 operating a motor vehicle while the person's driver's license,
9 permit or privilege was revoked where the revocation was for a
10 violation of Section 9-3 of the Criminal Code of 1961 relating
11 to the offense of reckless homicide or a similar out-of-state
12 offense, the Secretary shall not issue a driver's license for
13 an additional period of three years from the date of such
14 conviction.

15 (c) Except as provided in subsections (c-3) and (c-4), any
16 person convicted of violating this Section shall serve a
17 minimum term of imprisonment of 10 consecutive days or 30 days
18 of community service when the person's driving privilege was
19 revoked or suspended as a result of:

20 (1) a violation of Section 11-501 of this Code or a
21 similar provision of a local ordinance relating to the
22 offense of operating or being in physical control of a
23 vehicle while under the influence of alcohol, any other
24 drug or any combination thereof; or

25 (2) a violation of paragraph (b) of Section 11-401 of
26 this Code or a similar provision of a local ordinance

1 relating to the offense of leaving the scene of a motor
2 vehicle accident involving personal injury or death; or

3 (3) a statutory summary suspension or revocation under
4 Section 11-501.1 of this Code.

5 Such sentence of imprisonment or community service shall
6 not be subject to suspension in order to reduce such sentence.

7 (c-1) Except as provided in subsections (c-5) and (d), any
8 person convicted of a second violation of this Section shall be
9 ordered by the court to serve a minimum of 100 hours of
10 community service.

11 (c-2) In addition to other penalties imposed under this
12 Section, the court may impose on any person convicted a fourth
13 time of violating this Section any of the following:

14 (1) Seizure of the license plates of the person's
15 vehicle.

16 (2) Immobilization of the person's vehicle for a period
17 of time to be determined by the court.

18 (c-3) Any person convicted of a violation of this Section
19 during a period of summary suspension imposed pursuant to
20 Section 11-501.1 when the person was eligible for a MDDP shall
21 be guilty of a Class 4 felony and shall serve a minimum term of
22 imprisonment of 30 days.

23 (c-4) Any person who has been issued a MDDP and who is
24 convicted of a violation of this Section as a result of
25 operating or being in actual physical control of a motor
26 vehicle not equipped with an ignition interlock device at the

1 time of the offense shall be guilty of a Class 4 felony and
2 shall serve a minimum term of imprisonment of 30 days.

3 (c-5) Any person convicted of a second violation of this
4 Section is guilty of a Class 2 felony, is not eligible for
5 probation or conditional discharge, and shall serve a mandatory
6 term of imprisonment, if the revocation or suspension was for a
7 violation of Section 9-3 of the Criminal Code of 1961, relating
8 to the offense of reckless homicide, or a similar out-of-state
9 offense.

10 (d) Any person convicted of a second violation of this
11 Section shall be guilty of a Class 4 felony and shall serve a
12 minimum term of imprisonment of 30 days or 300 hours of
13 community service, as determined by the court, if the original
14 revocation or suspension was for a violation of Section 11-401
15 or 11-501 of this Code, or a similar out-of-state offense, or a
16 similar provision of a local ordinance, or a statutory summary
17 suspension or revocation under Section 11-501.1 of this Code.

18 (d-1) Except as provided in subsections (d-2), (d-2.5), and
19 (d-3), any person convicted of a third or subsequent violation
20 of this Section shall serve a minimum term of imprisonment of
21 30 days or 300 hours of community service, as determined by the
22 court.

23 (d-2) Any person convicted of a third violation of this
24 Section is guilty of a Class 4 felony and must serve a minimum
25 term of imprisonment of 30 days if the revocation or suspension
26 was for a violation of Section 11-401 or 11-501 of this Code,

1 or a similar out-of-state offense, or a similar provision of a
2 local ordinance, or a statutory summary suspension or
3 revocation under Section 11-501.1 of this Code.

4 (d-2.5) Any person convicted of a third violation of this
5 Section is guilty of a Class 1 felony, is not eligible for
6 probation or conditional discharge, and must serve a mandatory
7 term of imprisonment if the revocation or suspension was for a
8 violation of Section 9-3 of the Criminal Code of 1961, relating
9 to the offense of reckless homicide, or a similar out-of-state
10 offense. The person's driving privileges shall be revoked for
11 the remainder of the person's life.

12 (d-3) Any person convicted of a fourth, fifth, sixth,
13 seventh, eighth, or ninth violation of this Section is guilty
14 of a Class 4 felony and must serve a minimum term of
15 imprisonment of 180 days if the revocation or suspension was
16 for a violation of Section 11-401 or 11-501 of this Code, or a
17 similar out-of-state offense, or a similar provision of a local
18 ordinance, or a statutory summary suspension or revocation
19 under Section 11-501.1 of this Code.

20 (d-3.5) Any person convicted of a fourth or subsequent
21 violation of this Section is guilty of a Class 1 felony, is not
22 eligible for probation or conditional discharge, and must serve
23 a mandatory term of imprisonment, and is eligible for an
24 extended term, if the revocation or suspension was for a
25 violation of Section 9-3 of the Criminal Code of 1961, relating
26 to the offense of reckless homicide, or a similar out-of-state

1 offense.

2 (d-4) Any person convicted of a tenth, eleventh, twelfth,
3 thirteenth, or fourteenth violation of this Section is guilty
4 of a Class 3 felony, and is not eligible for probation or
5 conditional discharge, if the revocation or suspension was for
6 a violation of Section 11-401 or 11-501 of this Code, or a
7 similar out-of-state offense, or a similar provision of a local
8 ordinance, or a statutory summary suspension or revocation
9 under Section 11-501.1 of this Code.

10 (d-5) Any person convicted of a fifteenth or subsequent
11 violation of this Section is guilty of a Class 2 felony, and is
12 not eligible for probation or conditional discharge, if the
13 revocation or suspension was for a violation of Section 11-401
14 or 11-501 of this Code, or a similar out-of-state offense, or a
15 similar provision of a local ordinance, or a statutory summary
16 suspension or revocation under Section 11-501.1 of this Code.

17 (e) Any person in violation of this Section who is also in
18 violation of Section 7-601 of this Code relating to mandatory
19 insurance requirements, in addition to other penalties imposed
20 under this Section, shall have his or her motor vehicle
21 immediately impounded by the arresting law enforcement
22 officer. The motor vehicle may be released to any licensed
23 driver upon a showing of proof of insurance for the vehicle
24 that was impounded and the notarized written consent for the
25 release by the vehicle owner.

26 (f) For any prosecution under this Section, a certified

1 copy of the driving abstract of the defendant shall be admitted
2 as proof of any prior conviction.

3 (g) The motor vehicle used in a violation of this Section
4 is subject to seizure and forfeiture as provided in Sections
5 36-1 and 36-2 of the Criminal Code of 1961 if the person's
6 driving privilege was revoked or suspended as a result of:

7 (1) a violation of Section 11-501 of this Code, a
8 similar provision of a local ordinance, or a similar
9 provision of a law of another state;

10 (2) a violation of paragraph (b) of Section 11-401 of
11 this Code, a similar provision of a local ordinance, or a
12 similar provision of a law of another state;

13 (3) a statutory summary suspension or revocation under
14 Section 11-501.1 of this Code or a similar provision of a
15 law of another state; or

16 (4) a violation of Section 9-3 of the Criminal Code of
17 1961 relating to the offense of reckless homicide, or a
18 similar provision of a law of another state.

19 (Source: P.A. 96-502, eff. 1-1-10; 96-607, eff. 8-24-09;
20 96-1000, eff. 7-2-10; 96-1344, eff. 7-1-11; 97-984, eff.
21 1-1-13.)

22 (625 ILCS 5/7-100) (from Ch. 95 1/2, par. 7-100)

23 Sec. 7-100. Definition of words and phrases.
24 Notwithstanding the definitions set forth in Chapter 1, for the
25 purposes of this Chapter, the following words shall have the

1 following meanings ascribed to them:

2 Administrative order of support. An order for the support
3 of dependent children issued by an administrative body of this
4 or any other State.

5 Administrator. The Department of Transportation.

6 Arrearage. The total amount of unpaid support obligations.

7 Authenticated document. A document from a court which
8 contains a court stamp, showing it is filed with the court, or
9 notarized, or is certified by the custodian of the original.

10 Compliance with a court order of support. The support
11 obligor is no more than an amount equal to 90 days obligation
12 in arrears in making payments in full for current support, or
13 in making periodic payments on a support arrearage as
14 determined by a court.

15 Court order of support. A judgment order for the support of
16 dependent children issued by a court of this State, including a
17 judgment of dissolution of marriage. With regard to a
18 certification by the Department of Healthcare and Family
19 Services under subsection (c) of Section 7-702, the term "court
20 order of support" shall include an order of support entered by
21 a court of this or any other State.

22 Driver's license. A license or permit to operate a motor
23 vehicle in the State, including the privilege of a person to
24 drive a motor vehicle whether or not the person holds a valid
25 license or permit.

26 ~~Family financial responsibility driving permit. A permit~~

~~granting limited driving privileges for employment or medical purposes following a suspension of driving privileges under the Family Financial Responsibility Law. This permit is valid only after the entry of a court order granting the permit and issuance of the permit by the Secretary of State's Office. An individual's driving privileges must be valid except for the family financial responsibility suspension in order for this permit to be issued. In order to be valid, the permit must be in the immediate possession of the driver to whom it is issued.~~

Judgment. A final judgment of any court of competent jurisdiction of any State, against a person as defendant for damages on account of bodily injury to or death of any person or damages to property resulting from the operation of any motor vehicle.

Obligor. The individual who owes a duty to make payments under a court order of support.

Obligee. The individual or other legal entity to whom a duty of support is owed through a court order of support or the individual's legal representatives.

(Source: P.A. 95-685, eff. 10-23-07.)

(625 ILCS 5/Ch. 7 Art. VII rep.)

Section 20. The Illinois Vehicle Code is amended by repealing Article VII of Chapter 7.

Section 25. The Clerks of Court Act is amended by changing

1 Sections 27.1a and 27.2 as follows:

2 (705 ILCS 105/27.1a) (from Ch. 25, par. 27.1a)

3 Sec. 27.1a. The fees of the clerks of the circuit court in
4 all counties having a population of not more than 500,000
5 inhabitants in the instances described in this Section shall be
6 as provided in this Section. In those instances where a minimum
7 and maximum fee is stated, the clerk of the circuit court must
8 charge the minimum fee listed and may charge up to the maximum
9 fee if the county board has by resolution increased the fee.
10 The fees shall be paid in advance and shall be as follows:

11 (a) Civil Cases.

12 The fee for filing a complaint, petition, or other
13 pleading initiating a civil action, with the following
14 exceptions, shall be a minimum of \$40 and a maximum of
15 \$160.

16 (A) When the amount of money or damages or the
17 value of personal property claimed does not exceed
18 \$250, \$10.

19 (B) When that amount exceeds \$250 but does not
20 exceed \$500, a minimum of \$10 and a maximum of \$20.

21 (C) When that amount exceeds \$500 but does not
22 exceed \$2500, a minimum of \$25 and a maximum of \$40.

23 (D) When that amount exceeds \$2500 but does not
24 exceed \$15,000, a minimum of \$25 and a maximum of \$75.

25 (E) For the exercise of eminent domain, a minimum

1 of \$45 and a maximum of \$150. For each additional lot
2 or tract of land or right or interest therein subject
3 to be condemned, the damages in respect to which shall
4 require separate assessment by a jury, a minimum of \$45
5 and a maximum of \$150.

6 (a-1) Family.

7 For filing a petition under the Juvenile Court Act of
8 1987, \$25.

9 For filing a petition for a marriage license, \$10.

10 For performing a marriage in court, \$10.

11 For filing a petition under the Illinois Parentage Act
12 of 1984, \$40.

13 (b) Forcible Entry and Detainer.

14 In each forcible entry and detainer case when the
15 plaintiff seeks possession only or unites with his or her
16 claim for possession of the property a claim for rent or
17 damages or both in the amount of \$15,000 or less, a minimum
18 of \$10 and a maximum of \$50. When the plaintiff unites his
19 or her claim for possession with a claim for rent or
20 damages or both exceeding \$15,000, a minimum of \$40 and a
21 maximum of \$160.

22 (c) Counterclaim or Joining Third Party Defendant.

23 When any defendant files a counterclaim as part of his
24 or her answer or otherwise or joins another party as a
25 third party defendant, or both, the defendant shall pay a
26 fee for each counterclaim or third party action in an

1 amount equal to the fee he or she would have had to pay had
2 he or she brought a separate action for the relief sought
3 in the counterclaim or against the third party defendant,
4 less the amount of the appearance fee, if that has been
5 paid.

6 (d) Confession of Judgment.

7 In a confession of judgment when the amount does not
8 exceed \$1500, a minimum of \$20 and a maximum of \$50. When
9 the amount exceeds \$1500, but does not exceed \$15,000, a
10 minimum of \$40 and a maximum of \$115. When the amount
11 exceeds \$15,000, a minimum of \$40 and a maximum of \$200.

12 (e) Appearance.

13 The fee for filing an appearance in each civil case
14 shall be a minimum of \$15 and a maximum of \$60, except as
15 follows:

16 (A) When the plaintiff in a forcible entry and
17 detainer case seeks possession only, a minimum of \$10
18 and a maximum of \$50.

19 (B) When the amount in the case does not exceed
20 \$1500, a minimum of \$10 and a maximum of \$30.

21 (C) When that amount exceeds \$1500 but does not
22 exceed \$15,000, a minimum of \$15 and a maximum of \$60.

23 (f) Garnishment, Wage Deduction, and Citation.

24 In garnishment affidavit, wage deduction affidavit,
25 and citation petition when the amount does not exceed
26 \$1,000, a minimum of \$5 and a maximum of \$15; when the

1 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
2 of \$5 and a maximum of \$30; and when the amount exceeds
3 \$5,000, a minimum of \$5 and a maximum of \$50.

4 (g) Petition to Vacate or Modify.

5 (1) Petition to vacate or modify any final judgment or
6 order of court, except in forcible entry and detainer cases
7 and small claims cases or a petition to reopen an estate,
8 to modify, terminate, or enforce a judgment or order for
9 child or spousal support, or to modify, suspend, or
10 terminate an order for withholding, if filed before 30 days
11 after the entry of the judgment or order, a minimum of \$20
12 and a maximum of \$50.

13 (2) Petition to vacate or modify any final judgment or
14 order of court, except a petition to modify, terminate, or
15 enforce a judgment or order for child or spousal support or
16 to modify, suspend, or terminate an order for withholding,
17 if filed later than 30 days after the entry of the judgment
18 or order, a minimum of \$20 and a maximum of \$75.

19 (3) Petition to vacate order of bond forfeiture, a
20 minimum of \$10 and a maximum of \$40.

21 (h) Mailing.

22 When the clerk is required to mail, the fee will be a
23 minimum of \$2 and a maximum of \$10, plus the cost of
24 postage.

25 (i) Certified Copies.

26 Each certified copy of a judgment after the first,

1 except in small claims and forcible entry and detainer
2 cases, a minimum of \$2 and a maximum of \$10.

3 (j) Habeas Corpus.

4 For filing a petition for relief by habeas corpus, a
5 minimum of \$60 and a maximum of \$100.

6 (k) Certification, Authentication, and Reproduction.

7 (1) Each certification or authentication for taking
8 the acknowledgment of a deed or other instrument in writing
9 with the seal of office, a minimum of \$2 and a maximum of
10 \$6.

11 (2) Court appeals when original documents are
12 forwarded, under 100 pages, plus delivery and costs, a
13 minimum of \$20 and a maximum of \$60.

14 (3) Court appeals when original documents are
15 forwarded, over 100 pages, plus delivery and costs, a
16 minimum of \$50 and a maximum of \$150.

17 (4) Court appeals when original documents are
18 forwarded, over 200 pages, an additional fee of a minimum
19 of 20 cents and a maximum of 25 cents per page.

20 (5) For reproduction of any document contained in the
21 clerk's files:

22 (A) First page, a minimum of \$1 and a maximum of
23 \$2.

24 (B) Next 19 pages, 50 cents per page.

25 (C) All remaining pages, 25 cents per page.

26 (1) Remands.

1 In any cases remanded to the Circuit Court from the
2 Supreme Court or the Appellate Court for a new trial, the
3 clerk shall file the remanding order and reinstate the case
4 with either its original number or a new number. The Clerk
5 shall not charge any new or additional fee for the
6 reinstatement. Upon reinstatement the Clerk shall advise
7 the parties of the reinstatement. A party shall have the
8 same right to a jury trial on remand and reinstatement as
9 he or she had before the appeal, and no additional or new
10 fee or charge shall be made for a jury trial after remand.

11 (m) Record Search.

12 For each record search, within a division or municipal
13 district, the clerk shall be entitled to a search fee of a
14 minimum of \$4 and a maximum of \$6 for each year searched.

15 (n) Hard Copy.

16 For each page of hard copy print output, when case
17 records are maintained on an automated medium, the clerk
18 shall be entitled to a fee of a minimum of \$4 and a maximum
19 of \$6.

20 (o) Index Inquiry and Other Records.

21 No fee shall be charged for a single
22 plaintiff/defendant index inquiry or single case record
23 inquiry when this request is made in person and the records
24 are maintained in a current automated medium, and when no
25 hard copy print output is requested. The fees to be charged
26 for management records, multiple case records, and

1 multiple journal records may be specified by the Chief
2 Judge pursuant to the guidelines for access and
3 dissemination of information approved by the Supreme
4 Court.

5 (p) (Blank).

6 (q) Alias Summons.

7 For each alias summons or citation issued by the clerk,
8 a minimum of \$2 and a maximum of \$5.

9 (r) Other Fees.

10 Any fees not covered in this Section shall be set by
11 rule or administrative order of the Circuit Court with the
12 approval of the Administrative Office of the Illinois
13 Courts.

14 The clerk of the circuit court may provide additional
15 services for which there is no fee specified by statute in
16 connection with the operation of the clerk's office as may
17 be requested by the public and agreed to by the clerk and
18 approved by the chief judge of the circuit court. Any
19 charges for additional services shall be as agreed to
20 between the clerk and the party making the request and
21 approved by the chief judge of the circuit court. Nothing
22 in this subsection shall be construed to require any clerk
23 to provide any service not otherwise required by law.

24 (s) Jury Services.

25 The clerk shall be entitled to receive, in addition to
26 other fees allowed by law, the sum of a minimum of \$62.50

1 and a maximum of \$212.50, as a fee for the services of a
2 jury in every civil action not quasi-criminal in its nature
3 and not a proceeding for the exercise of the right of
4 eminent domain and in every other action wherein the right
5 of trial by jury is or may be given by law. The jury fee
6 shall be paid by the party demanding a jury at the time of
7 filing the jury demand. If the fee is not paid by either
8 party, no jury shall be called in the action or proceeding,
9 and the same shall be tried by the court without a jury.

10 (t) Voluntary Assignment.

11 For filing each deed of voluntary assignment, a minimum
12 of \$10 and a maximum of \$20; for recording the same, a
13 minimum of 25 cents and a maximum of 50 cents for each 100
14 words. Exceptions filed to claims presented to an assignee
15 of a debtor who has made a voluntary assignment for the
16 benefit of creditors shall be considered and treated, for
17 the purpose of taxing costs therein, as actions in which
18 the party or parties filing the exceptions shall be
19 considered as party or parties plaintiff, and the claimant
20 or claimants as party or parties defendant, and those
21 parties respectively shall pay to the clerk the same fees
22 as provided by this Section to be paid in other actions.

23 (u) Expungement Petition.

24 The clerk shall be entitled to receive a fee of a
25 minimum of \$15 and a maximum of \$60 for each expungement
26 petition filed and an additional fee of a minimum of \$2 and

1 a maximum of \$4 for each certified copy of an order to
2 expunge arrest records.

3 (v) Probate.

4 The clerk is entitled to receive the fees specified in
5 this subsection (v), which shall be paid in advance, except
6 that, for good cause shown, the court may suspend, reduce,
7 or release the costs payable under this subsection:

8 (1) For administration of the estate of a decedent
9 (whether testate or intestate) or of a missing person, a
10 minimum of \$50 and a maximum of \$150, plus the fees
11 specified in subsection (v) (3), except:

12 (A) When the value of the real and personal
13 property does not exceed \$15,000, the fee shall be a
14 minimum of \$25 and a maximum of \$40.

15 (B) When (i) proof of heirship alone is made, (ii)
16 a domestic or foreign will is admitted to probate
17 without administration (including proof of heirship),
18 or (iii) letters of office are issued for a particular
19 purpose without administration of the estate, the fee
20 shall be a minimum of \$10 and a maximum of \$40.

21 (C) For filing a petition to sell Real Estate, \$50.

22 (2) For administration of the estate of a ward, a
23 minimum of \$50 and a maximum of \$75, plus the fees
24 specified in subsection (v) (3), except:

25 (A) When the value of the real and personal
26 property does not exceed \$15,000, the fee shall be a

1 minimum of \$25 and a maximum of \$40.

2 (B) When (i) letters of office are issued to a
3 guardian of the person or persons, but not of the
4 estate or (ii) letters of office are issued in the
5 estate of a ward without administration of the estate,
6 including filing or joining in the filing of a tax
7 return or releasing a mortgage or consenting to the
8 marriage of the ward, the fee shall be a minimum of \$10
9 and a maximum of \$20.

10 (C) For filing a Petition to sell Real Estate, \$50.

11 (3) In addition to the fees payable under subsection
12 (v) (1) or (v) (2) of this Section, the following fees are
13 payable:

14 (A) For each account (other than one final account)
15 filed in the estate of a decedent, or ward, a minimum
16 of \$10 and a maximum of \$25.

17 (B) For filing a claim in an estate when the amount
18 claimed is \$150 or more but less than \$500, a minimum
19 of \$10 and a maximum of \$25; when the amount claimed is
20 \$500 or more but less than \$10,000, a minimum of \$10
21 and a maximum of \$40; when the amount claimed is
22 \$10,000 or more, a minimum of \$10 and a maximum of \$60;
23 provided that the court in allowing a claim may add to
24 the amount allowed the filing fee paid by the claimant.

25 (C) For filing in an estate a claim, petition, or
26 supplemental proceeding based upon an action seeking

1 equitable relief including the construction or contest
2 of a will, enforcement of a contract to make a will,
3 and proceedings involving testamentary trusts or the
4 appointment of testamentary trustees, a minimum of \$40
5 and a maximum of \$60.

6 (D) For filing in an estate (i) the appearance of
7 any person for the purpose of consent or (ii) the
8 appearance of an executor, administrator,
9 administrator to collect, guardian, guardian ad litem,
10 or special administrator, no fee.

11 (E) Except as provided in subsection (v)(3)(D),
12 for filing the appearance of any person or persons, a
13 minimum of \$10 and a maximum of \$30.

14 (F) For each jury demand, a minimum of \$62.50 and a
15 maximum of \$137.50.

16 (G) For disposition of the collection of a judgment
17 or settlement of an action or claim for wrongful death
18 of a decedent or of any cause of action of a ward, when
19 there is no other administration of the estate, a
20 minimum of \$30 and a maximum of \$50, less any amount
21 paid under subsection (v)(1)(B) or (v)(2)(B) except
22 that if the amount involved does not exceed \$5,000, the
23 fee, including any amount paid under subsection
24 (v)(1)(B) or (v)(2)(B), shall be a minimum of \$10 and a
25 maximum of \$20.

26 (H) For each certified copy of letters of office,

1 of court order or other certification, a minimum of \$1
2 and a maximum of \$2, plus a minimum of 50 cents and a
3 maximum of \$1 per page in excess of 3 pages for the
4 document certified.

5 (I) For each exemplification, a minimum of \$1 and a
6 maximum of \$2, plus the fee for certification.

7 (4) The executor, administrator, guardian, petitioner,
8 or other interested person or his or her attorney shall pay
9 the cost of publication by the clerk directly to the
10 newspaper.

11 (5) The person on whose behalf a charge is incurred for
12 witness, court reporter, appraiser, or other miscellaneous
13 fee shall pay the same directly to the person entitled
14 thereto.

15 (6) The executor, administrator, guardian, petitioner,
16 or other interested person or his or her attorney shall pay
17 to the clerk all postage charges incurred by the clerk in
18 mailing petitions, orders, notices, or other documents
19 pursuant to the provisions of the Probate Act of 1975.

20 (w) Criminal and Quasi-Criminal Costs and Fees.

21 (1) The clerk shall be entitled to costs in all
22 criminal and quasi-criminal cases from each person
23 convicted or sentenced to supervision therein as follows:

24 (A) Felony complaints, a minimum of \$40 and a
25 maximum of \$100.

26 (B) Misdemeanor complaints, a minimum of \$25 and a

1 maximum of \$75.

2 (C) Business offense complaints, a minimum of \$25
3 and a maximum of \$75.

4 (D) Petty offense complaints, a minimum of \$25 and
5 a maximum of \$75.

6 (E) Minor traffic or ordinance violations, \$10.

7 (F) When court appearance required, \$15.

8 (G) Motions to vacate or amend final orders, a
9 minimum of \$20 and a maximum of \$40.

10 (H) Motions to vacate bond forfeiture orders, a
11 minimum of \$20 and a maximum of \$40.

12 (I) Motions to vacate ex parte judgments, whenever
13 filed, a minimum of \$20 and a maximum of \$40.

14 (J) Motions to vacate judgment on forfeitures,
15 whenever filed, a minimum of \$20 and a maximum of \$40.

16 (K) Motions to vacate "failure to appear" or
17 "failure to comply" notices sent to the Secretary of
18 State, a minimum of \$20 and a maximum of \$40.

19 (2) In counties having a population of not more than
20 500,000 inhabitants, when the violation complaint is
21 issued by a municipal police department, the clerk shall be
22 entitled to costs from each person convicted therein as
23 follows:

24 (A) Minor traffic or ordinance violations, \$10.

25 (B) When court appearance required, \$15.

26 (3) In ordinance violation cases punishable by fine

1 only, the clerk of the circuit court shall be entitled to
2 receive, unless the fee is excused upon a finding by the
3 court that the defendant is indigent, in addition to other
4 fees or costs allowed or imposed by law, the sum of a
5 minimum of \$62.50 and a maximum of \$137.50 as a fee for the
6 services of a jury. The jury fee shall be paid by the
7 defendant at the time of filing his or her jury demand. If
8 the fee is not so paid by the defendant, no jury shall be
9 called, and the case shall be tried by the court without a
10 jury.

11 (x) Transcripts of Judgment.

12 For the filing of a transcript of judgment, the clerk
13 shall be entitled to the same fee as if it were the
14 commencement of a new suit.

15 (y) Change of Venue.

16 (1) For the filing of a change of case on a change of
17 venue, the clerk shall be entitled to the same fee as if it
18 were the commencement of a new suit.

19 (2) The fee for the preparation and certification of a
20 record on a change of venue to another jurisdiction, when
21 original documents are forwarded, a minimum of \$10 and a
22 maximum of \$40.

23 (z) Tax objection complaints.

24 For each tax objection complaint containing one or more
25 tax objections, regardless of the number of parcels
26 involved or the number of taxpayers joining on the

1 complaint, a minimum of \$10 and a maximum of \$50.

2 (aa) Tax Deeds.

3 (1) Petition for tax deed, if only one parcel is
4 involved, a minimum of \$45 and a maximum of \$200.

5 (2) For each additional parcel, add a fee of a minimum
6 of \$10 and a maximum of \$60.

7 (bb) Collections.

8 (1) For all collections made of others, except the
9 State and county and except in maintenance or child support
10 cases, a sum equal to a minimum of 2% and a maximum of 2.5%
11 of the amount collected and turned over.

12 (2) Interest earned on any funds held by the clerk
13 shall be turned over to the county general fund as an
14 earning of the office.

15 (3) For any check, draft, or other bank instrument
16 returned to the clerk for non-sufficient funds, account
17 closed, or payment stopped, \$25.

18 (4) In child support and maintenance cases, the clerk,
19 if authorized by an ordinance of the county board, may
20 collect an annual fee of up to \$36 from the person making
21 payment for maintaining child support records and the
22 processing of support orders to the State of Illinois KIDS
23 system and the recording of payments issued by the State
24 Disbursement Unit for the official record of the Court.
25 This fee shall be in addition to and separate from amounts
26 ordered to be paid as maintenance or child support and

1 shall be deposited into a Separate Maintenance and Child
2 Support Collection Fund, of which the clerk shall be the
3 custodian, ex-officio, to be used by the clerk to maintain
4 child support orders and record all payments issued by the
5 State Disbursement Unit for the official record of the
6 Court. The clerk may recover from the person making the
7 maintenance or child support payment any additional cost
8 incurred in the collection of this annual fee.

9 ~~The clerk shall also be entitled to a fee of \$5 for~~
10 ~~certifications made to the Secretary of State as provided~~
11 ~~in Section 7-703 of the Family Financial Responsibility Law~~
12 ~~and these fees shall also be deposited into the Separate~~
13 ~~Maintenance and Child Support Collection Fund.~~

14 (cc) Corrections of Numbers.

15 For correction of the case number, case title, or
16 attorney computer identification number, if required by
17 rule of court, on any document filed in the clerk's office,
18 to be charged against the party that filed the document, a
19 minimum of \$10 and a maximum of \$25.

20 (dd) Exceptions.

21 (1) The fee requirements of this Section shall not
22 apply to police departments or other law enforcement
23 agencies. In this Section, "law enforcement agency" means
24 an agency of the State or a unit of local government which
25 is vested by law or ordinance with the duty to maintain
26 public order and to enforce criminal laws or ordinances.

1 "Law enforcement agency" also means the Attorney General or
2 any state's attorney.

3 (2) No fee provided herein shall be charged to any unit
4 of local government or school district.

5 (3) The fee requirements of this Section shall not
6 apply to any action instituted under subsection (b) of
7 Section 11-31-1 of the Illinois Municipal Code by a private
8 owner or tenant of real property within 1200 feet of a
9 dangerous or unsafe building seeking an order compelling
10 the owner or owners of the building to take any of the
11 actions authorized under that subsection.

12 (4) The fee requirements of this Section shall not
13 apply to the filing of any commitment petition or petition
14 for an order authorizing the administration of
15 psychotropic medication or electroconvulsive therapy under
16 the Mental Health and Developmental Disabilities Code.

17 (ee) Adoptions.

18 (1) For an adoption \$65

19 (2) Upon good cause shown, the court may waive the
20 adoption filing fee in a special needs adoption. The term
21 "special needs adoption" shall have the meaning ascribed to
22 it by the Illinois Department of Children and Family
23 Services.

24 (ff) Adoption exemptions.

25 No fee other than that set forth in subsection (ee)
26 shall be charged to any person in connection with an

1 adoption proceeding nor may any fee be charged for
2 proceedings for the appointment of a confidential
3 intermediary under the Adoption Act.

4 (Source: P.A. 95-172, eff. 8-14-07; 95-331, eff. 8-21-07.)

5 (705 ILCS 105/27.2) (from Ch. 25, par. 27.2)

6 Sec. 27.2. The fees of the clerks of the circuit court in
7 all counties having a population in excess of 500,000
8 inhabitants but less than 3,000,000 inhabitants in the
9 instances described in this Section shall be as provided in
10 this Section. In those instances where a minimum and maximum
11 fee is stated, counties with more than 500,000 inhabitants but
12 less than 3,000,000 inhabitants must charge the minimum fee
13 listed in this Section and may charge up to the maximum fee if
14 the county board has by resolution increased the fee. In
15 addition, the minimum fees authorized in this Section shall
16 apply to all units of local government and school districts in
17 counties with more than 3,000,000 inhabitants. The fees shall
18 be paid in advance and shall be as follows:

19 (a) Civil Cases.

20 The fee for filing a complaint, petition, or other
21 pleading initiating a civil action, with the following
22 exceptions, shall be a minimum of \$150 and a maximum of
23 \$190.

24 (A) When the amount of money or damages or the
25 value of personal property claimed does not exceed

1 \$250, a minimum of \$10 and a maximum of \$15.

2 (B) When that amount exceeds \$250 but does not
3 exceed \$1,000, a minimum of \$20 and a maximum of \$40.

4 (C) When that amount exceeds \$1,000 but does not
5 exceed \$2500, a minimum of \$30 and a maximum of \$50.

6 (D) When that amount exceeds \$2500 but does not
7 exceed \$5,000, a minimum of \$75 and a maximum of \$100.

8 (D-5) When the amount exceeds \$5,000 but does not
9 exceed \$15,000, a minimum of \$75 and a maximum of \$150.

10 (E) For the exercise of eminent domain, \$150. For
11 each additional lot or tract of land or right or
12 interest therein subject to be condemned, the damages
13 in respect to which shall require separate assessment
14 by a jury, \$150.

15 (F) No fees shall be charged by the clerk to a
16 petitioner in any order of protection including, but
17 not limited to, filing, modifying, withdrawing,
18 certifying, or photocopying petitions for orders of
19 protection, or for issuing alias summons, or for any
20 related filing service, certifying, modifying,
21 vacating, or photocopying any orders of protection.

22 (b) Forcible Entry and Detainer.

23 In each forcible entry and detainer case when the
24 plaintiff seeks possession only or unites with his or her
25 claim for possession of the property a claim for rent or
26 damages or both in the amount of \$15,000 or less, a minimum

1 of \$40 and a maximum of \$75. When the plaintiff unites his
2 or her claim for possession with a claim for rent or
3 damages or both exceeding \$15,000, a minimum of \$150 and a
4 maximum of \$225.

5 (c) Counterclaim or Joining Third Party Defendant.

6 When any defendant files a counterclaim as part of his
7 or her answer or otherwise or joins another party as a
8 third party defendant, or both, the defendant shall pay a
9 fee for each counterclaim or third party action in an
10 amount equal to the fee he or she would have had to pay had
11 he or she brought a separate action for the relief sought
12 in the counterclaim or against the third party defendant,
13 less the amount of the appearance fee, if that has been
14 paid.

15 (d) Confession of Judgment.

16 In a confession of judgment when the amount does not
17 exceed \$1500, a minimum of \$50 and a maximum of \$60. When
18 the amount exceeds \$1500, but does not exceed \$5,000, \$75.
19 When the amount exceeds \$5,000, but does not exceed
20 \$15,000, \$175. When the amount exceeds \$15,000, a minimum
21 of \$200 and a maximum of \$250.

22 (e) Appearance.

23 The fee for filing an appearance in each civil case
24 shall be a minimum of \$50 and a maximum of \$75, except as
25 follows:

26 (A) When the plaintiff in a forcible entry and

1 detrainer case seeks possession only, a minimum of \$20
2 and a maximum of \$40.

3 (B) When the amount in the case does not exceed
4 \$1500, a minimum of \$20 and a maximum of \$40.

5 (C) When the amount in the case exceeds \$1500 but
6 does not exceed \$15,000, a minimum of \$40 and a maximum
7 of \$60.

8 (f) Garnishment, Wage Deduction, and Citation.

9 In garnishment affidavit, wage deduction affidavit,
10 and citation petition when the amount does not exceed
11 \$1,000, a minimum of \$10 and a maximum of \$15; when the
12 amount exceeds \$1,000 but does not exceed \$5,000, a minimum
13 of \$20 and a maximum of \$30; and when the amount exceeds
14 \$5,000, a minimum of \$30 and a maximum of \$50.

15 (g) Petition to Vacate or Modify.

16 (1) Petition to vacate or modify any final judgment or
17 order of court, except in forcible entry and detainer cases
18 and small claims cases or a petition to reopen an estate,
19 to modify, terminate, or enforce a judgment or order for
20 child or spousal support, or to modify, suspend, or
21 terminate an order for withholding, if filed before 30 days
22 after the entry of the judgment or order, a minimum of \$40
23 and a maximum of \$50.

24 (2) Petition to vacate or modify any final judgment or
25 order of court, except a petition to modify, terminate, or
26 enforce a judgment or order for child or spousal support or

1 to modify, suspend, or terminate an order for withholding,
2 if filed later than 30 days after the entry of the judgment
3 or order, a minimum of \$60 and a maximum of \$75.

4 (3) Petition to vacate order of bond forfeiture, a
5 minimum of \$20 and a maximum of \$40.

6 (h) Mailing.

7 When the clerk is required to mail, the fee will be a
8 minimum of \$6 and a maximum of \$10, plus the cost of
9 postage.

10 (i) Certified Copies.

11 Each certified copy of a judgment after the first,
12 except in small claims and forcible entry and detainer
13 cases, a minimum of \$10 and a maximum of \$15.

14 (j) Habeas Corpus.

15 For filing a petition for relief by habeas corpus, a
16 minimum of \$80 and a maximum of \$125.

17 (k) Certification, Authentication, and Reproduction.

18 (1) Each certification or authentication for taking
19 the acknowledgment of a deed or other instrument in writing
20 with the seal of office, a minimum of \$4 and a maximum of
21 \$6.

22 (2) Court appeals when original documents are
23 forwarded, under 100 pages, plus delivery and costs, a
24 minimum of \$50 and a maximum of \$75.

25 (3) Court appeals when original documents are
26 forwarded, over 100 pages, plus delivery and costs, a

1 minimum of \$120 and a maximum of \$150.

2 (4) Court appeals when original documents are
3 forwarded, over 200 pages, an additional fee of a minimum
4 of 20 and a maximum of 25 cents per page.

5 (5) For reproduction of any document contained in the
6 clerk's files:

7 (A) First page, \$2.

8 (B) Next 19 pages, 50 cents per page.

9 (C) All remaining pages, 25 cents per page.

10 (l) Remands.

11 In any cases remanded to the Circuit Court from the
12 Supreme Court or the Appellate Court for a new trial, the
13 clerk shall file the remanding order and reinstate the case
14 with either its original number or a new number. The Clerk
15 shall not charge any new or additional fee for the
16 reinstatement. Upon reinstatement the Clerk shall advise
17 the parties of the reinstatement. A party shall have the
18 same right to a jury trial on remand and reinstatement as
19 he or she had before the appeal, and no additional or new
20 fee or charge shall be made for a jury trial after remand.

21 (m) Record Search.

22 For each record search, within a division or municipal
23 district, the clerk shall be entitled to a search fee of a
24 minimum of \$4 and a maximum of \$6 for each year searched.

25 (n) Hard Copy.

26 For each page of hard copy print output, when case

1 records are maintained on an automated medium, the clerk
2 shall be entitled to a fee of a minimum of \$4 and a maximum
3 of \$6.

4 (o) Index Inquiry and Other Records.

5 No fee shall be charged for a single
6 plaintiff/defendant index inquiry or single case record
7 inquiry when this request is made in person and the records
8 are maintained in a current automated medium, and when no
9 hard copy print output is requested. The fees to be charged
10 for management records, multiple case records, and
11 multiple journal records may be specified by the Chief
12 Judge pursuant to the guidelines for access and
13 dissemination of information approved by the Supreme
14 Court.

15 (p) (Blank).

16 (q) Alias Summons.

17 For each alias summons or citation issued by the clerk,
18 a minimum of \$4 and a maximum of \$5.

19 (r) Other Fees.

20 Any fees not covered in this Section shall be set by
21 rule or administrative order of the Circuit Court with the
22 approval of the Administrative Office of the Illinois
23 Courts.

24 The clerk of the circuit court may provide additional
25 services for which there is no fee specified by statute in
26 connection with the operation of the clerk's office as may

1 be requested by the public and agreed to by the clerk and
2 approved by the chief judge of the circuit court. Any
3 charges for additional services shall be as agreed to
4 between the clerk and the party making the request and
5 approved by the chief judge of the circuit court. Nothing
6 in this subsection shall be construed to require any clerk
7 to provide any service not otherwise required by law.

8 (s) Jury Services.

9 The clerk shall be entitled to receive, in addition to
10 other fees allowed by law, the sum of a minimum of \$192.50
11 and a maximum of \$212.50, as a fee for the services of a
12 jury in every civil action not quasi-criminal in its nature
13 and not a proceeding for the exercise of the right of
14 eminent domain and in every other action wherein the right
15 of trial by jury is or may be given by law. The jury fee
16 shall be paid by the party demanding a jury at the time of
17 filing the jury demand. If the fee is not paid by either
18 party, no jury shall be called in the action or proceeding,
19 and the same shall be tried by the court without a jury.

20 (t) Voluntary Assignment.

21 For filing each deed of voluntary assignment, a minimum
22 of \$10 and a maximum of \$20; for recording the same, a
23 minimum of 25¢ and a maximum of 50¢ for each 100 words.
24 Exceptions filed to claims presented to an assignee of a
25 debtor who has made a voluntary assignment for the benefit
26 of creditors shall be considered and treated, for the

1 purpose of taxing costs therein, as actions in which the
2 party or parties filing the exceptions shall be considered
3 as party or parties plaintiff, and the claimant or
4 claimants as party or parties defendant, and those parties
5 respectively shall pay to the clerk the same fees as
6 provided by this Section to be paid in other actions.

7 (u) Expungement Petition.

8 The clerk shall be entitled to receive a fee of a
9 minimum of \$30 and a maximum of \$60 for each expungement
10 petition filed and an additional fee of a minimum of \$2 and
11 a maximum of \$4 for each certified copy of an order to
12 expunge arrest records.

13 (v) Probate.

14 The clerk is entitled to receive the fees specified in
15 this subsection (v), which shall be paid in advance, except
16 that, for good cause shown, the court may suspend, reduce,
17 or release the costs payable under this subsection:

18 (1) For administration of the estate of a decedent
19 (whether testate or intestate) or of a missing person, a
20 minimum of \$100 and a maximum of \$150, plus the fees
21 specified in subsection (v) (3), except:

22 (A) When the value of the real and personal
23 property does not exceed \$15,000, the fee shall be a
24 minimum of \$25 and a maximum of \$40.

25 (B) When (i) proof of heirship alone is made, (ii)
26 a domestic or foreign will is admitted to probate

1 without administration (including proof of heirship),
2 or (iii) letters of office are issued for a particular
3 purpose without administration of the estate, the fee
4 shall be a minimum of \$25 and a maximum of \$40.

5 (2) For administration of the estate of a ward, a
6 minimum of \$50 and a maximum of \$75, plus the fees
7 specified in subsection (v) (3), except:

8 (A) When the value of the real and personal
9 property does not exceed \$15,000, the fee shall be a
10 minimum of \$25 and a maximum of \$40.

11 (B) When (i) letters of office are issued to a
12 guardian of the person or persons, but not of the
13 estate or (ii) letters of office are issued in the
14 estate of a ward without administration of the estate,
15 including filing or joining in the filing of a tax
16 return or releasing a mortgage or consenting to the
17 marriage of the ward, the fee shall be a minimum of \$10
18 and a maximum of \$20.

19 (3) In addition to the fees payable under subsection
20 (v) (1) or (v) (2) of this Section, the following fees are
21 payable:

22 (A) For each account (other than one final account)
23 filed in the estate of a decedent, or ward, a minimum
24 of \$15 and a maximum of \$25.

25 (B) For filing a claim in an estate when the amount
26 claimed is \$150 or more but less than \$500, a minimum

1 of \$10 and a maximum of \$20; when the amount claimed is
2 \$500 or more but less than \$10,000, a minimum of \$25
3 and a maximum of \$40; when the amount claimed is
4 \$10,000 or more, a minimum of \$40 and a maximum of \$60;
5 provided that the court in allowing a claim may add to
6 the amount allowed the filing fee paid by the claimant.

7 (C) For filing in an estate a claim, petition, or
8 supplemental proceeding based upon an action seeking
9 equitable relief including the construction or contest
10 of a will, enforcement of a contract to make a will,
11 and proceedings involving testamentary trusts or the
12 appointment of testamentary trustees, a minimum of \$40
13 and a maximum of \$60.

14 (D) For filing in an estate (i) the appearance of
15 any person for the purpose of consent or (ii) the
16 appearance of an executor, administrator,
17 administrator to collect, guardian, guardian ad litem,
18 or special administrator, no fee.

19 (E) Except as provided in subsection (v)(3)(D),
20 for filing the appearance of any person or persons, a
21 minimum of \$10 and a maximum of \$30.

22 (F) For each jury demand, a minimum of \$102.50 and
23 a maximum of \$137.50.

24 (G) For disposition of the collection of a judgment
25 or settlement of an action or claim for wrongful death
26 of a decedent or of any cause of action of a ward, when

1 there is no other administration of the estate, a
2 minimum of \$30 and a maximum of \$50, less any amount
3 paid under subsection (v) (1) (B) or (v) (2) (B) except
4 that if the amount involved does not exceed \$5,000, the
5 fee, including any amount paid under subsection
6 (v) (1) (B) or (v) (2) (B), shall be a minimum of \$10 and a
7 maximum of \$20.

8 (H) For each certified copy of letters of office,
9 of court order or other certification, a minimum of \$1
10 and a maximum of \$2, plus a minimum of 50¢ and a
11 maximum of \$1 per page in excess of 3 pages for the
12 document certified.

13 (I) For each exemplification, a minimum of \$1 and a
14 maximum of \$2, plus the fee for certification.

15 (4) The executor, administrator, guardian, petitioner,
16 or other interested person or his or her attorney shall pay
17 the cost of publication by the clerk directly to the
18 newspaper.

19 (5) The person on whose behalf a charge is incurred for
20 witness, court reporter, appraiser, or other miscellaneous
21 fee shall pay the same directly to the person entitled
22 thereto.

23 (6) The executor, administrator, guardian, petitioner,
24 or other interested person or his attorney shall pay to the
25 clerk all postage charges incurred by the clerk in mailing
26 petitions, orders, notices, or other documents pursuant to

1 the provisions of the Probate Act of 1975.

2 (w) Criminal and Quasi-Criminal Costs and Fees.

3 (1) The clerk shall be entitled to costs in all
4 criminal and quasi-criminal cases from each person
5 convicted or sentenced to supervision therein as follows:

6 (A) Felony complaints, a minimum of \$80 and a
7 maximum of \$125.

8 (B) Misdemeanor complaints, a minimum of \$50 and a
9 maximum of \$75.

10 (C) Business offense complaints, a minimum of \$50
11 and a maximum of \$75.

12 (D) Petty offense complaints, a minimum of \$50 and
13 a maximum of \$75.

14 (E) Minor traffic or ordinance violations, \$20.

15 (F) When court appearance required, \$30.

16 (G) Motions to vacate or amend final orders, a
17 minimum of \$20 and a maximum of \$40.

18 (H) Motions to vacate bond forfeiture orders, a
19 minimum of \$20 and a maximum of \$30.

20 (I) Motions to vacate ex parte judgments, whenever
21 filed, a minimum of \$20 and a maximum of \$30.

22 (J) Motions to vacate judgment on forfeitures,
23 whenever filed, a minimum of \$20 and a maximum of \$25.

24 (K) Motions to vacate "failure to appear" or
25 "failure to comply" notices sent to the Secretary of
26 State, a minimum of \$20 and a maximum of \$40.

1 (2) In counties having a population of more than
2 500,000 but fewer than 3,000,000 inhabitants, when the
3 violation complaint is issued by a municipal police
4 department, the clerk shall be entitled to costs from each
5 person convicted therein as follows:

6 (A) Minor traffic or ordinance violations, \$10.

7 (B) When court appearance required, \$15.

8 (3) In ordinance violation cases punishable by fine
9 only, the clerk of the circuit court shall be entitled to
10 receive, unless the fee is excused upon a finding by the
11 court that the defendant is indigent, in addition to other
12 fees or costs allowed or imposed by law, the sum of a
13 minimum of \$50 and a maximum of \$112.50 as a fee for the
14 services of a jury. The jury fee shall be paid by the
15 defendant at the time of filing his or her jury demand. If
16 the fee is not so paid by the defendant, no jury shall be
17 called, and the case shall be tried by the court without a
18 jury.

19 (x) Transcripts of Judgment.

20 For the filing of a transcript of judgment, the clerk
21 shall be entitled to the same fee as if it were the
22 commencement of new suit.

23 (y) Change of Venue.

24 (1) For the filing of a change of case on a change of
25 venue, the clerk shall be entitled to the same fee as if it
26 were the commencement of a new suit.

1 (2) The fee for the preparation and certification of a
2 record on a change of venue to another jurisdiction, when
3 original documents are forwarded, a minimum of \$25 and a
4 maximum of \$40.

5 (z) Tax objection complaints.

6 For each tax objection complaint containing one or more
7 tax objections, regardless of the number of parcels
8 involved or the number of taxpayers joining in the
9 complaint, a minimum of \$25 and a maximum of \$50.

10 (aa) Tax Deeds.

11 (1) Petition for tax deed, if only one parcel is
12 involved, a minimum of \$150 and a maximum of \$250.

13 (2) For each additional parcel, add a fee of a minimum
14 of \$50 and a maximum of \$100.

15 (bb) Collections.

16 (1) For all collections made of others, except the
17 State and county and except in maintenance or child support
18 cases, a sum equal to a minimum of 2.5% and a maximum of
19 3.0% of the amount collected and turned over.

20 (2) Interest earned on any funds held by the clerk
21 shall be turned over to the county general fund as an
22 earning of the office.

23 (3) For any check, draft, or other bank instrument
24 returned to the clerk for non-sufficient funds, account
25 closed, or payment stopped, \$25.

26 (4) In child support and maintenance cases, the clerk,

1 if authorized by an ordinance of the county board, may
2 collect an annual fee of up to \$36 from the person making
3 payment for maintaining child support records and the
4 processing of support orders to the State of Illinois KIDS
5 system and the recording of payments issued by the State
6 Disbursement Unit for the official record of the Court.
7 This fee shall be in addition to and separate from amounts
8 ordered to be paid as maintenance or child support and
9 shall be deposited into a Separate Maintenance and Child
10 Support Collection Fund, of which the clerk shall be the
11 custodian, ex-officio, to be used by the clerk to maintain
12 child support orders and record all payments issued by the
13 State Disbursement Unit for the official record of the
14 Court. The clerk may recover from the person making the
15 maintenance or child support payment any additional cost
16 incurred in the collection of this annual fee.

17 ~~The clerk shall also be entitled to a fee of \$5 for~~
18 ~~certifications made to the Secretary of State as provided~~
19 ~~in Section 7-703 of the Family Financial Responsibility Law~~
20 ~~and these fees shall also be deposited into the Separate~~
21 ~~Maintenance and Child Support Collection Fund.~~

22 (cc) Corrections of Numbers.

23 For correction of the case number, case title, or
24 attorney computer identification number, if required by
25 rule of court, on any document filed in the clerk's office,
26 to be charged against the party that filed the document, a

1 minimum of \$15 and a maximum of \$25.

2 (dd) Exceptions.

3 The fee requirements of this Section shall not apply to
 4 police departments or other law enforcement agencies. In
 5 this Section, "law enforcement agency" means an agency of
 6 the State or a unit of local government which is vested by
 7 law or ordinance with the duty to maintain public order and
 8 to enforce criminal laws or ordinances. "Law enforcement
 9 agency" also means the Attorney General or any state's
 10 attorney. The fee requirements of this Section shall not
 11 apply to any action instituted under subsection (b) of
 12 Section 11-31-1 of the Illinois Municipal Code by a private
 13 owner or tenant of real property within 1200 feet of a
 14 dangerous or unsafe building seeking an order compelling
 15 the owner or owners of the building to take any of the
 16 actions authorized under that subsection.

17 The fee requirements of this Section shall not apply to
 18 the filing of any commitment petition or petition for an
 19 order authorizing the administration of psychotropic
 20 medication or electroconvulsive therapy under the Mental
 21 Health and Developmental Disabilities Code.

22 (ee) Adoptions.

23 (1) For an adoption \$65

24 (2) Upon good cause shown, the court may waive the
 25 adoption filing fee in a special needs adoption. The term
 26 "special needs adoption" shall have the meaning ascribed to

1 it by the Illinois Department of Children and Family
2 Services.

3 (ff) Adoption exemptions.

4 No fee other than that set forth in subsection (ee)
5 shall be charged to any person in connection with an
6 adoption proceeding nor may any fee be charged for
7 proceedings for the appointment of a confidential
8 intermediary under the Adoption Act.

9 (gg) Unpaid fees.

10 Unless a court ordered payment schedule is implemented
11 or the fee requirements of this Section are waived pursuant
12 to court order, the clerk of the court may add to any
13 unpaid fees and costs under this Section a delinquency
14 amount equal to 5% of the unpaid fees that remain unpaid
15 after 30 days, 10% of the unpaid fees that remain unpaid
16 after 60 days, and 15% of the unpaid fees that remain
17 unpaid after 90 days. Notice to those parties may be made
18 by signage posting or publication. The additional
19 delinquency amounts collected under this Section shall be
20 used to defray additional administrative costs incurred by
21 the clerk of the circuit court in collecting unpaid fees
22 and costs.

23 (Source: P.A. 95-172, eff. 8-14-07.)

24 Section 30. The Illinois Marriage and Dissolution of
25 Marriage Act is amended by changing Sections 505 and 607.1 as

1 follows:

2 (750 ILCS 5/505) (from Ch. 40, par. 505)

3 Sec. 505. Child support; contempt; penalties.

4 (a) In a proceeding for dissolution of marriage, legal
 5 separation, declaration of invalidity of marriage, a
 6 proceeding for child support following dissolution of the
 7 marriage by a court that lacked personal jurisdiction over the
 8 absent spouse, a proceeding for modification of a previous
 9 order for child support under Section 510 of this Act, or any
 10 proceeding authorized under Section 501 or 601 of this Act, the
 11 court may order either or both parents owing a duty of support
 12 to a child of the marriage to pay an amount reasonable and
 13 necessary for the support of the child, without regard to
 14 marital misconduct. The duty of support owed to a child
 15 includes the obligation to provide for the reasonable and
 16 necessary educational, physical, mental and emotional health
 17 needs of the child. For purposes of this Section, the term
 18 "child" shall include any child under age 18 and any child
 19 under age 19 who is still attending high school.

20 (1) The Court shall determine the minimum amount of
 21 support by using the following guidelines:

22	Number of Children	Percent of Supporting Party's
23		Net Income
24	1	20%
25	2	28%

1	3	32%
2	4	40%
3	5	45%
4	6 or more	50%

5 (2) The above guidelines shall be applied in each case
6 unless the court finds that a deviation from the guidelines
7 is appropriate after considering the best interest of the
8 child in light of the evidence, including, but not limited
9 to, one or more of the following relevant factors:

10 (a) the financial resources and needs of the child;

11 (b) the financial resources and needs of the
12 custodial parent;

13 (c) the standard of living the child would have
14 enjoyed had the marriage not been dissolved;

15 (d) the physical, mental, and emotional needs of
16 the child;

17 (d-5) the educational needs of the child; and

18 (e) the financial resources and needs of the
19 non-custodial parent.

20 If the court deviates from the guidelines, the court's
21 finding shall state the amount of support that would have
22 been required under the guidelines, if determinable. The
23 court shall include the reason or reasons for the variance
24 from the guidelines.

25 (2.5) The court, in its discretion, in addition to
26 setting child support pursuant to the guidelines and

1 factors, may order either or both parents owing a duty of
2 support to a child of the marriage to contribute to the
3 following expenses, if determined by the court to be
4 reasonable:

5 (a) health needs not covered by insurance;

6 (b) child care;

7 (c) education; and

8 (d) extracurricular activities.

9 (3) "Net income" is defined as the total of all income
10 from all sources, minus the following deductions:

11 (a) Federal income tax (properly calculated
12 withholding or estimated payments);

13 (b) State income tax (properly calculated
14 withholding or estimated payments);

15 (c) Social Security (FICA payments);

16 (d) Mandatory retirement contributions required by
17 law or as a condition of employment;

18 (e) Union dues;

19 (f) Dependent and individual
20 health/hospitalization insurance premiums and premiums
21 for life insurance ordered by the court to reasonably
22 secure payment of ordered child support;

23 (g) Prior obligations of support or maintenance
24 actually paid pursuant to a court order;

25 (h) Expenditures for repayment of debts that
26 represent reasonable and necessary expenses for the

1 production of income, medical expenditures necessary
2 to preserve life or health, reasonable expenditures
3 for the benefit of the child and the other parent,
4 exclusive of gifts. The court shall reduce net income
5 in determining the minimum amount of support to be
6 ordered only for the period that such payments are due
7 and shall enter an order containing provisions for its
8 self-executing modification upon termination of such
9 payment period;

10 (i) Foster care payments paid by the Department of
11 Children and Family Services for providing licensed
12 foster care to a foster child.

13 (4) In cases where the court order provides for
14 health/hospitalization insurance coverage pursuant to
15 Section 505.2 of this Act, the premiums for that insurance,
16 or that portion of the premiums for which the supporting
17 party is responsible in the case of insurance provided
18 through an employer's health insurance plan where the
19 employer pays a portion of the premiums, shall be
20 subtracted from net income in determining the minimum
21 amount of support to be ordered.

22 (4.5) In a proceeding for child support following
23 dissolution of the marriage by a court that lacked personal
24 jurisdiction over the absent spouse, and in which the court
25 is requiring payment of support for the period before the
26 date an order for current support is entered, there is a

1 rebuttable presumption that the supporting party's net
2 income for the prior period was the same as his or her net
3 income at the time the order for current support is
4 entered.

5 (5) If the net income cannot be determined because of
6 default or any other reason, the court shall order support
7 in an amount considered reasonable in the particular case.
8 The final order in all cases shall state the support level
9 in dollar amounts. However, if the court finds that the
10 child support amount cannot be expressed exclusively as a
11 dollar amount because all or a portion of the payor's net
12 income is uncertain as to source, time of payment, or
13 amount, the court may order a percentage amount of support
14 in addition to a specific dollar amount and enter such
15 other orders as may be necessary to determine and enforce,
16 on a timely basis, the applicable support ordered.

17 (6) If (i) the non-custodial parent was properly served
18 with a request for discovery of financial information
19 relating to the non-custodial parent's ability to provide
20 child support, (ii) the non-custodial parent failed to
21 comply with the request, despite having been ordered to do
22 so by the court, and (iii) the non-custodial parent is not
23 present at the hearing to determine support despite having
24 received proper notice, then any relevant financial
25 information concerning the non-custodial parent's ability
26 to provide child support that was obtained pursuant to

1 subpoena and proper notice shall be admitted into evidence
2 without the need to establish any further foundation for
3 its admission.

4 (a-5) In an action to enforce an order for support based on
5 the respondent's failure to make support payments as required
6 by the order, notice of proceedings to hold the respondent in
7 contempt for that failure may be served on the respondent by
8 personal service or by regular mail addressed to the
9 respondent's last known address. The respondent's last known
10 address may be determined from records of the clerk of the
11 court, from the Federal Case Registry of Child Support Orders,
12 or by any other reasonable means.

13 (b) Failure of either parent to comply with an order to pay
14 support shall be punishable as in other cases of contempt. In
15 addition to other penalties provided by law the Court may,
16 after finding the parent guilty of contempt, order that the
17 parent be:

18 (1) placed on probation with such conditions of
19 probation as the Court deems advisable;

20 (2) sentenced to periodic imprisonment for a period not
21 to exceed 6 months; provided, however, that the Court may
22 permit the parent to be released for periods of time during
23 the day or night to:

24 (A) work; or

25 (B) conduct a business or other self-employed
26 occupation.

1 The Court may further order any part or all of the earnings
2 of a parent during a sentence of periodic imprisonment paid to
3 the Clerk of the Circuit Court or to the parent having custody
4 or to the guardian having custody of the children of the
5 sentenced parent for the support of said children until further
6 order of the Court.

7 If a parent who is found guilty of contempt for failure to
8 comply with an order to pay support is a person who conducts a
9 business or who is self-employed, the court in addition to
10 other penalties provided by law may order that the parent do
11 one or more of the following: (i) provide to the court monthly
12 financial statements showing income and expenses from the
13 business or the self-employment; (ii) seek employment and
14 report periodically to the court with a diary, listing, or
15 other memorandum of his or her employment search efforts; or
16 (iii) report to the Department of Employment Security for job
17 search services to find employment that will be subject to
18 withholding for child support.

19 If there is a unity of interest and ownership sufficient to
20 render no financial separation between a non-custodial parent
21 and another person or persons or business entity, the court may
22 pierce the ownership veil of the person, persons, or business
23 entity to discover assets of the non-custodial parent held in
24 the name of that person, those persons, or that business
25 entity. The following circumstances are sufficient to
26 authorize a court to order discovery of the assets of a person,

1 persons, or business entity and to compel the application of
2 any discovered assets toward payment on the judgment for
3 support:

4 (1) the non-custodial parent and the person, persons,
5 or business entity maintain records together.

6 (2) the non-custodial parent and the person, persons,
7 or business entity fail to maintain an arm's length
8 relationship between themselves with regard to any assets.

9 (3) the non-custodial parent transfers assets to the
10 person, persons, or business entity with the intent to
11 perpetrate a fraud on the custodial parent.

12 With respect to assets which are real property, no order
13 entered under this paragraph shall affect the rights of bona
14 fide purchasers, mortgagees, judgment creditors, or other lien
15 holders who acquire their interests in the property prior to
16 the time a notice of lis pendens pursuant to the Code of Civil
17 Procedure or a copy of the order is placed of record in the
18 office of the recorder of deeds for the county in which the
19 real property is located.

20 ~~The court may also order in cases where the parent is 90~~
21 ~~days or more delinquent in payment of support or has been~~
22 ~~adjudicated in arrears in an amount equal to 90 days obligation~~
23 ~~or more, that the parent's Illinois driving privileges be~~
24 ~~suspended until the court determines that the parent is in~~
25 ~~compliance with the order of support. The court may also order~~
26 ~~that the parent be issued a family financial responsibility~~

1 ~~driving permit that would allow limited driving privileges for~~
2 ~~employment and medical purposes in accordance with Section~~
3 ~~7-702.1 of the Illinois Vehicle Code. The clerk of the circuit~~
4 ~~court shall certify the order suspending the driving privileges~~
5 ~~of the parent or granting the issuance of a family financial~~
6 ~~responsibility driving permit to the Secretary of State on~~
7 ~~forms prescribed by the Secretary. Upon receipt of the~~
8 ~~authenticated documents, the Secretary of State shall suspend~~
9 ~~the parent's driving privileges until further order of the~~
10 ~~court and shall, if ordered by the court, subject to the~~
11 ~~provisions of Section 7-702.1 of the Illinois Vehicle Code,~~
12 ~~issue a family financial responsibility driving permit to the~~
13 ~~parent.~~

14 In addition to the penalties or punishment that may be
15 imposed under this Section, any person whose conduct
16 constitutes a violation of Section 15 of the Non-Support
17 Punishment Act may be prosecuted under that Act, and a person
18 convicted under that Act may be sentenced in accordance with
19 that Act. The sentence may include but need not be limited to a
20 requirement that the person perform community service under
21 Section 50 of that Act or participate in a work alternative
22 program under Section 50 of that Act. A person may not be
23 required to participate in a work alternative program under
24 Section 50 of that Act if the person is currently participating
25 in a work program pursuant to Section 505.1 of this Act.

26 A support obligation, or any portion of a support

1 obligation, which becomes due and remains unpaid as of the end
2 of each month, excluding the child support that was due for
3 that month to the extent that it was not paid in that month,
4 shall accrue simple interest as set forth in Section 12-109 of
5 the Code of Civil Procedure. An order for support entered or
6 modified on or after January 1, 2006 shall contain a statement
7 that a support obligation required under the order, or any
8 portion of a support obligation required under the order, that
9 becomes due and remains unpaid as of the end of each month,
10 excluding the child support that was due for that month to the
11 extent that it was not paid in that month, shall accrue simple
12 interest as set forth in Section 12-109 of the Code of Civil
13 Procedure. Failure to include the statement in the order for
14 support does not affect the validity of the order or the
15 accrual of interest as provided in this Section.

16 (c) A one-time charge of 20% is imposable upon the amount
17 of past-due child support owed on July 1, 1988 which has
18 accrued under a support order entered by the court. The charge
19 shall be imposed in accordance with the provisions of Section
20 10-21 of the Illinois Public Aid Code and shall be enforced by
21 the court upon petition.

22 (d) Any new or existing support order entered by the court
23 under this Section shall be deemed to be a series of judgments
24 against the person obligated to pay support thereunder, each
25 such judgment to be in the amount of each payment or
26 installment of support and each such judgment to be deemed

1 entered as of the date the corresponding payment or installment
2 becomes due under the terms of the support order. Each such
3 judgment shall have the full force, effect and attributes of
4 any other judgment of this State, including the ability to be
5 enforced. Notwithstanding any other State or local law to the
6 contrary, a lien arises by operation of law against the real
7 and personal property of the noncustodial parent for each
8 installment of overdue support owed by the noncustodial parent.

9 (e) When child support is to be paid through the clerk of
10 the court in a county of 1,000,000 inhabitants or less, the
11 order shall direct the obligor to pay to the clerk, in addition
12 to the child support payments, all fees imposed by the county
13 board under paragraph (3) of subsection (u) of Section 27.1 of
14 the Clerks of Courts Act. Unless paid in cash or pursuant to an
15 order for withholding, the payment of the fee shall be by a
16 separate instrument from the support payment and shall be made
17 to the order of the Clerk.

18 (f) All orders for support, when entered or modified, shall
19 include a provision requiring the obligor to notify the court
20 and, in cases in which a party is receiving child and spouse
21 services under Article X of the Illinois Public Aid Code, the
22 Department of Healthcare and Family Services, within 7 days,
23 (i) of the name and address of any new employer of the obligor,
24 (ii) whether the obligor has access to health insurance
25 coverage through the employer or other group coverage and, if
26 so, the policy name and number and the names of persons covered

1 under the policy, and (iii) of any new residential or mailing
2 address or telephone number of the non-custodial parent. In any
3 subsequent action to enforce a support order, upon a sufficient
4 showing that a diligent effort has been made to ascertain the
5 location of the non-custodial parent, service of process or
6 provision of notice necessary in the case may be made at the
7 last known address of the non-custodial parent in any manner
8 expressly provided by the Code of Civil Procedure or this Act,
9 which service shall be sufficient for purposes of due process.

10 (g) An order for support shall include a date on which the
11 current support obligation terminates. The termination date
12 shall be no earlier than the date on which the child covered by
13 the order will attain the age of 18. However, if the child will
14 not graduate from high school until after attaining the age of
15 18, then the termination date shall be no earlier than the
16 earlier of the date on which the child's high school graduation
17 will occur or the date on which the child will attain the age
18 of 19. The order for support shall state that the termination
19 date does not apply to any arrearage that may remain unpaid on
20 that date. Nothing in this subsection shall be construed to
21 prevent the court from modifying the order or terminating the
22 order in the event the child is otherwise emancipated.

23 (g-5) If there is an unpaid arrearage or delinquency (as
24 those terms are defined in the Income Withholding for Support
25 Act) equal to at least one month's support obligation on the
26 termination date stated in the order for support or, if there

1 is no termination date stated in the order, on the date the
2 child attains the age of majority or is otherwise emancipated,
3 the periodic amount required to be paid for current support of
4 that child immediately prior to that date shall automatically
5 continue to be an obligation, not as current support but as
6 periodic payment toward satisfaction of the unpaid arrearage or
7 delinquency. That periodic payment shall be in addition to any
8 periodic payment previously required for satisfaction of the
9 arrearage or delinquency. The total periodic amount to be paid
10 toward satisfaction of the arrearage or delinquency may be
11 enforced and collected by any method provided by law for
12 enforcement and collection of child support, including but not
13 limited to income withholding under the Income Withholding for
14 Support Act. Each order for support entered or modified on or
15 after the effective date of this amendatory Act of the 93rd
16 General Assembly must contain a statement notifying the parties
17 of the requirements of this subsection. Failure to include the
18 statement in the order for support does not affect the validity
19 of the order or the operation of the provisions of this
20 subsection with regard to the order. This subsection shall not
21 be construed to prevent or affect the establishment or
22 modification of an order for support of a minor child or the
23 establishment or modification of an order for support of a
24 non-minor child or educational expenses under Section 513 of
25 this Act.

26 (h) An order entered under this Section shall include a

1 provision requiring the obligor to report to the obligee and to
2 the clerk of court within 10 days each time the obligor obtains
3 new employment, and each time the obligor's employment is
4 terminated for any reason. The report shall be in writing and
5 shall, in the case of new employment, include the name and
6 address of the new employer. Failure to report new employment
7 or the termination of current employment, if coupled with
8 nonpayment of support for a period in excess of 60 days, is
9 indirect criminal contempt. For any obligor arrested for
10 failure to report new employment bond shall be set in the
11 amount of the child support that should have been paid during
12 the period of unreported employment. An order entered under
13 this Section shall also include a provision requiring the
14 obligor and obligee parents to advise each other of a change in
15 residence within 5 days of the change except when the court
16 finds that the physical, mental, or emotional health of a party
17 or that of a child, or both, would be seriously endangered by
18 disclosure of the party's address.

19 (i) The court does not lose the powers of contempt,
20 driver's license suspension, or other child support
21 enforcement mechanisms, including, but not limited to,
22 criminal prosecution as set forth in this Act, upon the
23 emancipation of the minor child or children.

24 (Source: P.A. 96-1134, eff. 7-21-10; 97-186, eff. 7-22-11;
25 97-608, eff. 1-1-12; 97-813, eff. 7-13-12; 97-878, eff. 8-2-12;
26 97-941, eff. 1-1-13; 97-1029, eff. 1-1-13; revised 8-23-12.)

1 (750 ILCS 5/607.1) (from Ch. 40, par. 607.1)

2 Sec. 607.1. Enforcement of visitation orders; visitation
3 abuse.

4 (a) The circuit court shall provide an expedited procedure
5 for enforcement of court ordered visitation in cases of
6 visitation abuse. Visitation abuse occurs when a party has
7 willfully and without justification: (1) denied another party
8 visitation as set forth by the court; or (2) exercised his or
9 her visitation rights in a manner that is harmful to the child
10 or child's custodian.

11 (b) An Action may be commenced by filing a petition setting
12 forth: (i) the petitioner's name, residence address or mailing
13 address, and telephone number; (ii) respondent's name and place
14 of residence, place of employment, or mailing address; (iii)
15 the nature of the visitation abuse, giving dates and other
16 relevant information; (iv) that a reasonable attempt was made
17 to resolve the dispute; and (v) the relief sought.

18 Notice of the filing of the petitions shall be given as
19 provided in Section 511.

20 (c) After hearing all of the evidence, the court may order
21 one or more of the following:

22 (1) Modification of the visitation order to
23 specifically outline periods of visitation or restrict
24 visitation as provided by law.

25 (2) Supervised visitation with a third party or public

1 agency.

2 (3) Make up visitation of the same time period, such as
3 weekend for weekend, holiday for holiday.

4 (4) Counseling or mediation, except in cases where
5 there is evidence of domestic violence, as defined in
6 Section 1 of the Domestic Violence Shelters Act, occurring
7 between the parties.

8 (5) Other appropriate relief deemed equitable.

9 (c-1) When the court issues an order holding a party in
10 contempt for violation of a visitation order and finds that the
11 party engaged in visitation abuse, the court may order one or
12 more of the following:

13 (1) (Blank). ~~Suspension of a party's Illinois driving~~
14 ~~privileges pursuant to Section 7-703 of the Illinois~~
15 ~~Vehicle Code until the court determines that the party is~~
16 ~~in compliance with the visitation order. The court may also~~
17 ~~order that a party be issued a family financial~~
18 ~~responsibility driving permit that would allow limited~~
19 ~~driving privileges for employment, for medical purposes,~~
20 ~~and to transport a child to or from scheduled visitation in~~
21 ~~order to comply with a visitation order in accordance with~~
22 ~~subsection (a-1) of Section 7-702.1 of the Illinois Vehicle~~
23 ~~Code.~~

24 (2) Placement of a party on probation with such
25 conditions of probation as the court deems advisable.

26 (3) Sentencing of a party to periodic imprisonment for

1 a period not to exceed 6 months; provided, that the court
2 may permit the party to be released for periods of time
3 during the day or night to:

4 (A) work; or

5 (B) conduct a business or other self-employed
6 occupation.

7 (4) Find that a party in engaging in visitation abuse
8 is guilty of a petty offense and should be fined an amount
9 of no more than \$500 for each finding of visitation abuse.

10 (d) Nothing contained in this Section shall be construed to
11 limit the court's contempt power, except as provided in
12 subsection (g) of this Section.

13 (e) When the court issues an order holding a party in
14 contempt of court for violation of a visitation order, the
15 clerk shall transmit a copy of the contempt order to the
16 sheriff of the county. The sheriff shall furnish a copy of each
17 contempt order to the Department of State Police on a daily
18 basis in the form and manner required by the Department. The
19 Department shall maintain a complete record and index of the
20 contempt orders and make this data available to all local law
21 enforcement agencies.

22 (f) Attorney fees and costs shall be assessed against a
23 party if the court finds that the enforcement action is
24 vexatious and constitutes harassment.

25 (g) A person convicted of unlawful visitation or parenting
26 time interference under Section 10-5.5 of the Criminal Code of

1 1961 shall not be subject to the provisions of this Section and
2 the court may not enter a contempt order for visitation abuse
3 against any person for the same conduct for which the person
4 was convicted of unlawful visitation interference or subject
5 that person to the sanctions provided for in this Section.

6 (Source: P.A. 96-333, eff. 8-11-09; 96-675, eff. 8-25-09;
7 97-1047, eff. 8-21-12.)

8 Section 35. The Non-Support Punishment Act is amended by
9 changing Section 50 as follows:

10 (750 ILCS 16/50)

11 Sec. 50. Community service; work alternative program.

12 (a) In addition to any other penalties imposed against an
13 offender under this Act, the court may order the offender to
14 perform community service for not less than 30 and not more
15 than 120 hours per month, if community service is available in
16 the jurisdiction and is funded and approved by the county board
17 of the county where the offense was committed. In addition,
18 whenever any person is placed on supervision for committing an
19 offense under this Act, the supervision shall be conditioned on
20 the performance of the community service.

21 (b) In addition to any other penalties imposed against an
22 offender under this Act, the court may sentence the offender to
23 service in a work alternative program administered by the
24 sheriff. The conditions of the program are that the offender

1 obtain or retain employment and participate in a work
2 alternative program administered by the sheriff during
3 non-working hours. A person may not be required to participate
4 in a work alternative program under this subsection if the
5 person is currently participating in a work program pursuant to
6 another provision of this Act, Section 10-11.1 of the Illinois
7 Public Aid Code, Section 505.1 of the Illinois Marriage and
8 Dissolution of Marriage Act, or Section 15.1 of the Illinois
9 Parentage Act of 1984.

10 (c) (Blank). ~~In addition to any other penalties imposed~~
11 ~~against an offender under this Act, the court may order, in~~
12 ~~cases where the offender has been in violation of this Act for~~
13 ~~90 days or more, that the offender's Illinois driving~~
14 ~~privileges be suspended until the court determines that the~~
15 ~~offender is in compliance with this Act.~~

16 ~~The court may determine that the offender is in compliance~~
17 ~~with this Act if the offender has agreed (i) to pay all~~
18 ~~required amounts of support and maintenance as determined by~~
19 ~~the court or (ii) to the garnishment of his or her income for~~
20 ~~the purpose of paying those amounts.~~

21 ~~The court may also order that the offender be issued a~~
22 ~~family financial responsibility driving permit that would~~
23 ~~allow limited driving privileges for employment and medical~~
24 ~~purposes in accordance with Section 7-702.1 of the Illinois~~
25 ~~Vehicle Code. The clerk of the circuit court shall certify the~~
26 ~~order suspending the driving privileges of the offender or~~

1 ~~granting the issuance of a family financial responsibility~~
2 ~~driving permit to the Secretary of State on forms prescribed by~~
3 ~~the Secretary. Upon receipt of the authenticated documents, the~~
4 ~~Secretary of State shall suspend the offender's driving~~
5 ~~privileges until further order of the court and shall, if~~
6 ~~ordered by the court, subject to the provisions of Section~~
7 ~~7-702.1 of the Illinois Vehicle Code, issue a family financial~~
8 ~~responsibility driving permit to the offender.~~

9 (d) If the court determines that the offender has been in
10 violation of this Act for more than 60 days, the court may
11 determine whether the offender has applied for or been issued a
12 professional license by the Department of Professional
13 Regulation or another licensing agency. If the court determines
14 that the offender has applied for or been issued such a
15 license, the court may certify to the Department of
16 Professional Regulation or other licensing agency that the
17 offender has been in violation of this Act for more than 60
18 days so that the Department or other agency may take
19 appropriate steps with respect to the license or application as
20 provided in Section 10-65 of the Illinois Administrative
21 Procedure Act and Section 2105-15 of the Department of
22 Professional Regulation Law of the Civil Administrative Code of
23 Illinois. The court may take the actions required under this
24 subsection in addition to imposing any other penalty authorized
25 under this Act.

26 (Source: P.A. 91-613, eff. 10-1-99; 92-651, eff. 7-11-02.)