



Rep. Kimberly Du Buclet

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10400HB5558ham001

LRB104 18092 TRT 36542 a

1 AMENDMENT TO HOUSE BILL 5558

2 AMENDMENT NO. _____. Amend House Bill 5558 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Section 5-39001 as follows:

6 (55 ILCS 5/5-39001) (from Ch. 34, par. 5-39001)

7 Sec. 5-39001. Establishment and use; fee. The county board
8 of any county may establish and maintain a county law library,
9 to be located in any county building or privately or publicly
10 owned building at the county seat of government. The term
11 "county building" includes premises leased by the county from
12 a public building commission created under the Public Building
13 Commission Act. After August 2, 1976, the county board of any
14 county may establish and maintain a county law library at the
15 county seat of government and, in addition, branch law
16 libraries in other locations within that county as the county

1 board deems necessary.

2 The facilities of those libraries shall be freely
3 available to all licensed Illinois attorneys, judges, other
4 public officers of the county, and all members of the public,
5 whenever the court house is open, and may include self-help
6 centers and other legal assistance programs for the public as
7 part of the services it provides on-site and online. Law
8 libraries in counties with more than 2,000,000 inhabitants may
9 close, even when the court house is open, based on operational
10 necessity or as determined by the county board.

11 The expense of establishing and maintaining those
12 libraries shall be borne by the county. To defray that
13 expense, including the expense of any attendant self-help
14 centers and legal assistance programs, in any county having
15 established a county law library or libraries, the clerk of
16 all trial courts located at the county seat of government
17 shall charge and collect a county law library fee of \$2, and
18 the county board may authorize a county law library fee of not
19 to exceed \$21 through December 31, 2021 and \$20 on and after
20 January 1, 2022, to be charged and collected by the clerks of
21 all trial courts located in the county. The fee shall be paid
22 at the time of filing the first pleading, paper, or other
23 appearance filed by each party in all civil cases, but no
24 additional fee shall be required if more than one party is
25 represented in a single pleading, paper, or other appearance.

26 Each clerk shall commence those charges and collections

1 upon receipt of written notice from the chairman of the county
2 board that the board has acted under this Division to
3 establish and maintain a law library.

4 The fees shall be in addition to all other fees and charges
5 of the clerks, assessable as costs, remitted by the clerks
6 monthly to the county treasurer or other appropriate county
7 office, and retained ~~by the county treasurer~~ in a special fund
8 designated as the County Law Library Fund. Except as otherwise
9 provided in this paragraph, disbursements from the fund shall
10 be made ~~by the county treasurer~~, on order of a majority of the
11 resident circuit judges of the circuit court of the county. In
12 any county with more than 2,000,000 inhabitants, the county
13 board shall order disbursements from the fund and the
14 presiding officer of the county board, with the advice and
15 consent of the county board, may appoint a library committee
16 of not less than 9 members, who, by majority vote, may
17 recommend to the county board as to disbursements of the fund
18 and the operation of the library. In single county circuits
19 with 2,000,000 or fewer inhabitants, disbursements from the
20 County Law Library Fund shall be made ~~by the county treasurer~~
21 on the order of the chief judge of the circuit court of the
22 county. In those single county circuits, the number of
23 personnel necessary to operate and maintain the county law
24 library shall be set by and those personnel shall be appointed
25 by the chief judge. The county law library personnel shall
26 serve at the pleasure of the appointing authority. The

1 salaries of those personnel shall be fixed by the county board
2 of the county. Orders shall be pre-audited, funds shall be
3 audited by the county auditor, and a report of the orders and
4 funds shall be rendered to the county board and to the judges.

5 Fees shall not be charged in any criminal or
6 quasi-criminal case, in any matter coming to the clerk on
7 change of venue, or in any proceeding to review the decision of
8 any administrative officer, agency, or body.

9 No moneys distributed from the County Law Library Fund may
10 be directly or indirectly used for lobbying activities, as
11 defined in Section 2 of the Lobbyist Registration Act or as
12 defined in any ordinance or resolution of a municipality,
13 county, or other unit of local government in Illinois.

14 (Source: P.A. 98-351, eff. 8-15-13; 99-859, eff. 8-19-16.)".