



Sen. Bill Cunningham

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10400SB1348sam001

LRB104 10901 RTM 22364 a

1 AMENDMENT TO SENATE BILL 1348

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1348 by replacing  
3 everything after the enacting clause with the following:

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

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

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

12 Fees for Sheriff

13 For serving or attempting to serve any summons filed in  
14 person on each defendant, \$60 ~~\$35~~.

15 For serving or attempting to serve any summons filed  
16 electronically on each defendant, \$35.

1 For serving or attempting to serve each alias summons or  
2 other process mileage will be charged as hereinafter provided  
3 when the address for service differs from the address for  
4 service on the original summons or other process.

5 For serving or attempting to serve all other process,  
6 filed in person on each defendant, \$60 ~~\$35~~.

7 For serving or attempting to serve all other process filed  
8 electronically on each defendant, \$35.

9 For serving or attempting to serve a subpoena on each  
10 witness, \$35.

11 For serving or attempting to serve each warrant, \$35.

12 For serving or attempting to serve each garnishee, \$35.

13 For summoning each juror, \$10.

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

16 For serving or attempting to serve an order for  
17 attachment, on each defendant, \$35.

18 For serving or attempting to serve an order or judgment  
19 for the possession of real estate in an action of ejectment or  
20 in any other action, or for restitution in an eviction action,  
21 without aid, \$60 ~~\$35~~, and when aid is necessary, the sheriff  
22 shall be allowed to tax in addition the actual costs of service  
23 ~~thereof~~.

24 For serving or attempting to serve an order or judgment  
25 for the possession of real estate in an action of ejectment or  
26 in any other action, or for restitution in an eviction action,

1 without aid, when filed electronically \$35, and when aid is  
2 necessary, the sheriff shall be allowed to tax in addition the  
3 actual costs of service.

4 For serving or attempting to serve notice of judgment,  
5 \$35.

6 For levying to satisfy an order in an action for  
7 attachment, \$25.

8 For executing order of court to seize personal property,  
9 \$25.

10 For making certificate of levy on real estate and filing  
11 or recording same, \$8, and the fee for filing or recording  
12 shall be advanced by the plaintiff in attachment or by the  
13 judgment creditor and taxed as costs. For taking possession of  
14 or removing property levied on, the sheriff shall be allowed  
15 to tax the necessary actual costs of such possession or  
16 removal.

17 For advertising property for sale, \$20.

18 For making certificate of sale and making and filing  
19 duplicate for record, \$15, and the fee for recording same  
20 shall be advanced by the judgment creditor and taxed as costs.

21 For preparing, executing and acknowledging deed on  
22 redemption from a court sale of real estate, \$15; for  
23 preparing, executing and acknowledging all other deeds on sale  
24 of real estate, \$10.

25 For making and filing certificate of redemption, \$15, and  
26 the fee for recording same shall be advanced by party making

1 the redemption and taxed as costs.

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

6 For taking all bonds on legal process, \$10.

7 For returning each process initially filed in person,  
8 \$25~~\$15~~.

9 For returning each process initially filed electronically,  
10 \$15.

11 Mileage for service or attempted service of all process is  
12 a \$10 flat fee.

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

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

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

18 For committing to or discharging each prisoner from jail,  
19 \$3.

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

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

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

3           For discharging such prisoners, \$3.

4           For conveying persons to the penitentiary, reformatories,  
5 Illinois State Training School for Boys, Illinois State  
6 Training School for Girls, Reception Centers and Illinois  
7 Security Hospital, the following fees, payable out of the  
8 State Treasury. When one person is conveyed, 20¢ per mile in  
9 going to the penitentiary, reformatories, Illinois State  
10 Training School for Boys, Illinois State Training School for  
11 Girls, Reception Centers and Illinois Security Hospital from  
12 the place of conviction; when 2 persons are conveyed at the  
13 same time, 20¢ per mile for the first and 15¢ per mile for the  
14 second person; when more than 2 persons are conveyed at the  
15 same time as Stated above, the sheriff shall be allowed 20¢ per  
16 mile for the first, 15¢ per mile for the second and 10¢ per  
17 mile for each additional person.

18           The fees provided for herein for transporting persons to  
19 the penitentiary, reformatories, Illinois State Training  
20 School for Boys, Illinois State Training School for Girls,  
21 Reception Centers and Illinois Security Hospital, shall be  
22 paid for each trip so made. Mileage as used in this Section  
23 means the shortest route on a hard surfaced road, (either  
24 State Bond Issue Route or Federal highways) or railroad,  
25 whichever is shorter, between the place from which the person  
26 is to be transported, to the penitentiary, reformatories,

1 Illinois State Training School for Boys, Illinois State  
2 Training School for Girls, Reception Centers and Illinois  
3 Security Hospital, and all fees per mile shall be computed on  
4 such basis.

5 In addition to the above fees, there shall be allowed to  
6 the sheriff a fee of \$900 for the sale of real estate which  
7 shall be made by virtue of any judgment of a court. In addition  
8 to this fee and all other fees provided by this Section, there  
9 shall be allowed to the sheriff a fee in accordance with the  
10 following schedule for the sale of personal estate which is  
11 made by virtue of any judgment of a court:

12 For judgments up to \$1,000, \$100;

13 For judgments over \$1,000 to \$15,000, \$300;

14 For judgments over \$15,000, \$500.

15 In all cases where the judgment is settled by the parties,  
16 replevied, stopped by injunction or paid, or where the  
17 property levied upon is not actually sold, the sheriff shall  
18 be allowed the fee for levying and mileage, together with half  
19 the fee for all money collected by him or her which he or she  
20 would be entitled to if the same were made by sale in the  
21 enforcement of a judgment. In no case shall the fee exceed the  
22 amount of money arising from the sale.

23 The fee requirements of this Section do not apply to  
24 police departments or other law enforcement agencies. For the  
25 purposes of this Section, "law enforcement agency" means an  
26 agency of the State or unit of local government which is vested

1 by law or ordinance with the duty to maintain public order and  
2 to enforce criminal laws or ordinances.

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

5 (Source: P.A. 100-173, eff. 1-1-18; 101-652, eff. 1-1-23.)".