



Rep. Jay Hoffman

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1 AMENDMENT TO SENATE BILL 1302

2 AMENDMENT NO. _____. Amend Senate Bill 1302 by replacing
3 everything after the enacting clause with the following:

4 "Article 1.

5 Section 1-5. The Intergenerational Poverty Act is amended
6 by changing Section 95-501 as follows:

7 (305 ILCS 70/95-501)

8 Sec. 95-501. The Commission on Poverty Elimination and
9 Economic Security.

10 (a) Establishment. The Commission on Poverty Elimination
11 and Economic Security is established.

12 (b) Purpose. The purpose of the Commission is to:

13 (1) Inform the public policy making process by:

14 (i) Improving policymakers' understanding of the
15 root causes of poverty and economic insecurity,

1 including contributing social, economic, and cultural
2 factors and the reasons that poverty and economic
3 insecurity persist in this State.

4 (ii) Expanding policymakers' understanding of
5 poverty by distinguishing a standard that measures a
6 level of freedom from deprivation from a standard that
7 measures economic security provided by a living wage
8 and access to a livable standard of living.

9 (iii) Educating policymakers on the impact poverty
10 has on other measures of economic stability and
11 economic outcomes, including educational attainment,
12 rates of incarceration, lifetime earnings, access to
13 health care, health care outcomes, and access to
14 housing.

15 (2) Support governmental efforts to ensure that
16 residents of this State have equal opportunity to achieve
17 economic security.

18 (3) Reduce and ultimately eliminate poverty in this
19 State by making policy and other recommendations to the
20 legislative, executive, and judicial branches of this
21 State.

22 (c) Membership. The Commission shall consist of the
23 following members:

24 (1) Four members of the General Assembly, one each
25 appointed by the President of the Senate, the Minority
26 Leader of the Senate, the Speaker of the House of

1 Representatives, and the Minority Leader of the House of
2 Representative.

3 (2) Two members ~~A member~~ of the judiciary ~~or a designee~~
4 who shall be appointed by the Chief Justice of the Illinois
5 Supreme Court.

6 (3) Twenty members of the public appointed under
7 subsection (d) representing stakeholders as follows:

8 (i) Two representatives, one of whom shall
9 represent an organization that focuses on rural
10 poverty and one of whom shall represent an organization
11 that focuses on urban and suburban poverty.

12 (ii) Two individuals who have experienced deep
13 poverty.

14 (iii) One representative of an organization that
15 advocates for health care access, affordability, and
16 availability.

17 (iv) One representative of an organization that
18 advocated for individuals with mental illness.

19 (v) One representative of an organization that
20 advocates for children and youth.

21 (vi) One representative of an organization that
22 advocates for equity and equality in education.

23 (vii) One representative of an organization that
24 advocates for individuals who are homeless.

25 (viii) One representative of a Statewide
26 antihunger organization.

1 (ix) One representative of an organization that
2 advocates for military veterans.

3 (x) One representative of an organization that
4 advocates for individuals with disabilities.

5 (xi) One representative of an organization that
6 advocates for immigrants.

7 (xii) One representative of a Statewide
8 faith-based organization that provides direct social
9 services in this State.

10 (xiii) One representative of an organization that
11 advocates for economic security for women.

12 (xiv) One representative of an organization that
13 advocates for older adults.

14 (xv) One representative of a labor organization
15 that represents primarily low-wage and middle-wage
16 earners.

17 (xvi) One representative of school districts in
18 this State.

19 (xvii) One representative of county governments in
20 this State.

21 (xviii) One representative of municipal
22 corporation governments in this State.

23 (4) The members of the workgroup shall serve as
24 nonvoting ex officio members of the Commission.

25 (d) Appointment. The following shall apply:

26 (1) The public members of the Commission under

1 paragraph (3) of subsection (c) shall be appointed as
2 follows:

3 (i) Four shall be appointed by the Governor.

4 (ii) Four shall be appointed by the President of
5 the Senate.

6 (iii) Four shall be appointed by the Minority
7 Leader of the Senate.

8 (iv) Four shall be appointed by the Speaker of the
9 House of Representatives.

10 (v) Four shall be appointed by the Minority Leader
11 of the House of Representatives.

12 (2) It shall be determined by lot which appointing
13 authority appoints which public members to the Commission.

14 (3) The appointed members shall reflect the racial,
15 gender, and geographic diversity of this State and shall
16 include representation from regions of this State
17 experiencing economic insecurity and the highest rates of
18 deep poverty.

19 (4) Public members of the Commission shall be selected
20 for service on the Commission within 45 days after the
21 effective date of this Act.

22 (e) Qualifications. Each member of the Commission must have
23 been a resident of this State for a period of at least one year
24 immediately preceding appointment and must continue residence
25 in this State during the member's tenure of service on the
26 Commission.

1 (f) Organizational meeting. The organizational meeting of
2 the Commission shall take place after all members are appointed
3 but no later than 60 days after the effective date of this Act.

4 (g) Compensation. Members shall serve without
5 compensation, but public members may be reimbursed for
6 reasonable and necessary travel expenses connected to
7 Commission business.

8 (h) Commission chairperson. The representatives of the
9 antipoverty organizations appointed under subparagraph (i) of
10 paragraph (3) of subsection (c) shall serve as cochairs of the
11 Commission.

12 (i) Committees. The Commission may establish subcommittees
13 to address specific issues or populations and may collaborate
14 with individuals with relevant expertise who are not members of
15 the Commission to assist the subcommittee in carrying out its
16 duties.

17 (j) Meetings. The full Commission shall meet at least once
18 annually.

19 (k) Quorum. A majority plus one of the voting members shall
20 constitute a quorum.

21 (l) Voting. All actions of the Commission and any
22 subcommittees established by the Commission shall be approved
23 by a majority vote of the Commission or subcommittee as
24 applicable.

25 (m) Open meetings. The meetings of the Commission shall be
26 conducted in accordance with the provisions of Section 2 of the

1 Open Meetings Act.

2 (n) Administrative support. The Department of Human
3 Services shall provide staff and administrative support to
4 assist the Commission in carrying out its duties.

5 (Source: P.A. 101-636, eff. 6-10-20.)

6 Article 5.

7 Section 5-5. The Supreme Court Act is amended by changing
8 Section 11 as follows:

9 (705 ILCS 5/11) (from Ch. 37, par. 16)

10 Sec. 11. Marshals.

11 (a) The office of marshal for the Supreme Court is hereby
12 created, such marshals to be selected by the Supreme Court, and
13 the duties of such marshals shall be to attend upon its
14 sittings and to perform such other duties, under the order and
15 direction of the said court, as are usually performed by
16 sheriffs of courts. The salary of such marshals shall be fixed
17 by the judges of the Supreme Court, such salary to be payable
18 from the State treasury, upon bills of particulars, signed by
19 any one of the judges of the Supreme Court.

20 (b) Marshals are peace officers and have all the powers
21 possessed by police officers in cities and by sheriffs.
22 Marshals may exercise these powers throughout the State. No
23 marshal has peace officer status or may exercise police powers

1 unless: (i) he or she successfully completes the basic police
2 training course mandated and approved by the Illinois Law
3 Enforcement Training Standards Board; or (ii) the Illinois Law
4 Enforcement Training Standards Board waives the training
5 requirement by reason of the marshal's prior law enforcement
6 experience or training or both.

7 (c) The office of marshal for the Supreme Court may also
8 employ court security officers to be responsible for
9 maintaining the security of any courthouse or courtroom
10 occupied by the Supreme or Appellate Court of this State. A
11 court security officer hired under this subsection is subject
12 to the same training requirements and has the same authority to
13 arrest as a court security officer hired by a county sheriff
14 under Section 3-6012.1 of the Counties Code. However, the
15 arrest powers of the court security officer are limited to the
16 performance of the official duties of the court security
17 officer. A court security officer who is trained and qualified
18 as permitted by law may carry a weapon at his or her place of
19 employment and to and from his or her place of employment. No
20 court security officer authorized under this Section may
21 exercise arrest powers or carry a firearm unless: (i) he or she
22 successfully completes the basic police training course
23 mandated and approved by the Illinois Law Enforcement Training
24 Standards Board pursuant to subsection (b); or (ii) the
25 Illinois Law Enforcement Training Standards Board waives the
26 training requirement by reason of the individual's prior law

1 enforcement experience or training or both.

2 (Source: P.A. 100-151, eff. 8-18-17.)

3 Article 10.

4 Section 10-5. The Access to Justice Act is amended by
5 changing Section 25 as follows:

6 (705 ILCS 95/25)

7 Sec. 25. Statutory Court Fee Task Force.

8 (a) There is hereby created the Statutory Court Fee Task
9 Force. The purpose of the Task Force is to conduct a thorough
10 review of the various statutory fees imposed or assessed on
11 criminal defendants and civil litigants.

12 (b) The Task Force shall consist of 15 members, appointed
13 as follows: one each by the Speaker of the House of
14 Representatives, the Minority Leader of the House of
15 Representatives, the President of the Senate, and the Minority
16 Leader of the Senate; 2 by the association representing circuit
17 court clerks; 2 by the Governor, and 7 by the Supreme Court.
18 Each appointing authority shall fill any vacancy existing on
19 the effective date of this amendatory Act of the 101st General
20 Assembly by March 1, 2021.

21 (c) At the direction of the Supreme Court, the
22 Administrative Office of the Illinois Courts shall provide
23 administrative support to the Task Force.

1 (d) The Task Force shall submit a report containing its
2 findings and any recommendations to the Supreme Court and the
3 General Assembly by June 1, 2016.

4 (e) The Task Force shall review and study the
5 implementation and impact of the Criminal and Traffic
6 Assessment Act and Section 27.1b of the Clerk of Courts Act,
7 including the associated Supreme Court Rules on civil and
8 criminal assessments. The Task Force shall submit a report
9 containing its findings and any recommendations to the Supreme
10 Court and the General Assembly by January 1, 2022.

11 (Source: P.A. 98-351, eff. 8-15-13; 98-763, eff. 7-16-14.)

12 Section 10-10. The Clerks of Courts Act is amended by
13 changing Sections 27.1b and 27.1c as follows:

14 (705 ILCS 105/27.1b)

15 (Section scheduled to be repealed on January 1, 2022)

16 Sec. 27.1b. Circuit court clerk fees. Notwithstanding any
17 other provision of law, all fees charged by the clerks of the
18 circuit court for the services described in this Section shall
19 be established, collected, and disbursed in accordance with
20 this Section. Except as otherwise specified in this Section,
21 all fees under this Section shall be paid in advance and
22 disbursed by each clerk on a monthly basis. In a county with a
23 population of over 3,000,000, units of local government and
24 school districts shall not be required to pay fees under this

1 Section in advance and the clerk shall instead send an itemized
2 bill to the unit of local government or school district, within
3 30 days of the fee being incurred, and the unit of local
4 government or school district shall be allowed at least 30 days
5 from the date of the itemized bill to pay; these payments shall
6 be disbursed by each clerk on a monthly basis. Unless otherwise
7 specified in this Section, the amount of a fee shall be
8 determined by ordinance or resolution of the county board and
9 remitted to the county treasurer to be used for purposes
10 related to the operation of the court system in the county. In
11 a county with a population of over 3,000,000, any amount
12 retained by the clerk of the circuit court or remitted to the
13 county treasurer shall be subject to appropriation by the
14 county board.

15 (a) Civil cases. The fee for filing a complaint, petition,
16 or other pleading initiating a civil action shall be as set
17 forth in the applicable schedule under this subsection in
18 accordance with case categories established by the Supreme
19 Court in schedules.

20 (1) SCHEDULE 1: not to exceed a total of \$366 in a
21 county with a population of 3,000,000 or more and not to
22 exceed \$316 in any other county, except as applied to units
23 of local government and school districts in counties with
24 more than 3,000,000 inhabitants an amount not to exceed
25 \$190 through December 31, 2021 and \$184 on and after
26 January 1, 2022. The fees collected under this schedule

1 shall be disbursed as follows:

2 (A) The clerk shall retain a sum, in an amount not
3 to exceed \$55 in a county with a population of
4 3,000,000 or more and in an amount not to exceed \$45 in
5 any other county determined by the clerk with the
6 approval of the Supreme Court, to be used for court
7 automation, court document storage, and administrative
8 purposes.

9 (B) The clerk shall remit up to \$21 to the State
10 Treasurer. The State Treasurer shall deposit the
11 appropriate amounts, in accordance with the clerk's
12 instructions, as follows:

13 (i) up to \$10, as specified by the Supreme
14 Court in accordance with Part 10A of Article II of
15 the Code of Civil Procedure, into the Mandatory
16 Arbitration Fund;

17 (ii) \$2 into the Access to Justice Fund; and

18 (iii) \$9 into the Supreme Court Special
19 Purposes Fund.

20 (C) The clerk shall remit a sum to the County
21 Treasurer, in an amount not to exceed \$290 in a county
22 with a population of 3,000,000 or more and in an amount
23 not to exceed \$250 in any other county, as specified by
24 ordinance or resolution passed by the county board, for
25 purposes related to the operation of the court system
26 in the county.

1 (2) SCHEDULE 2: not to exceed a total of \$357 in a
2 county with a population of 3,000,000 or more and not to
3 exceed \$266 in any other county, except as applied to units
4 of local government and school districts in counties with
5 more than 3,000,000 inhabitants an amount not to exceed
6 \$190 through December 31, 2021 and \$184 on and after
7 January 1, 2022. The fees collected under this schedule
8 shall be disbursed as follows:

9 (A) The clerk shall retain a sum, in an amount not
10 to exceed \$55 in a county with a population of
11 3,000,000 or more and in an amount not to exceed \$45 in
12 any other county determined by the clerk with the
13 approval of the Supreme Court, to be used for court
14 automation, court document storage, and administrative
15 purposes.

16 (B) The clerk shall remit up to \$21 to the State
17 Treasurer. The State Treasurer shall deposit the
18 appropriate amounts, in accordance with the clerk's
19 instructions, as follows:

20 (i) up to \$10, as specified by the Supreme
21 Court in accordance with Part 10A of Article II of
22 the Code of Civil Procedure, into the Mandatory
23 Arbitration Fund;

24 (ii) \$2 into the Access to Justice Fund: and

25 (iii) \$9 into the Supreme Court Special
26 Purposes Fund.

1 (C) The clerk shall remit a sum to the County
2 Treasurer, in an amount not to exceed \$281 in a county
3 with a population of 3,000,000 or more and in an amount
4 not to exceed \$200 in any other county, as specified by
5 ordinance or resolution passed by the county board, for
6 purposes related to the operation of the court system
7 in the county.

8 (3) SCHEDULE 3: not to exceed a total of \$265 in a
9 county with a population of 3,000,000 or more and not to
10 exceed \$89 in any other county, except as applied to units
11 of local government and school districts in counties with
12 more than 3,000,000 inhabitants an amount not to exceed
13 \$190 through December 31, 2021 and \$184 on and after
14 January 1, 2022. The fees collected under this schedule
15 shall be disbursed as follows:

16 (A) The clerk shall retain a sum, in an amount not
17 to exceed \$55 in a county with a population of
18 3,000,000 or more and in an amount not to exceed \$22 in
19 any other county determined by the clerk with the
20 approval of the Supreme Court, to be used for court
21 automation, court document storage, and administrative
22 purposes.

23 (B) The clerk shall remit \$11 to the State
24 Treasurer. The State Treasurer shall deposit the
25 appropriate amounts in accordance with the clerk's
26 instructions, as follows:

1 (i) \$2 into the Access to Justice Fund; and

2 (ii) \$9 into the Supreme Court Special
3 Purposes Fund.

4 (C) The clerk shall remit a sum to the County
5 Treasurer, in an amount not to exceed \$199 in a county
6 with a population of 3,000,000 or more and in an amount
7 not to exceed \$56 in any other county, as specified by
8 ordinance or resolution passed by the county board, for
9 purposes related to the operation of the court system
10 in the county.

11 (4) SCHEDULE 4: \$0.

12 (b) Appearance. The fee for filing an appearance in a civil
13 action, including a cannabis civil law action under the
14 Cannabis Control Act, shall be as set forth in the applicable
15 schedule under this subsection in accordance with case
16 categories established by the Supreme Court in schedules.

17 (1) SCHEDULE 1: not to exceed a total of \$230 in a
18 county with a population of 3,000,000 or more and not to
19 exceed \$191 in any other county, except as applied to units
20 of local government and school districts in counties with
21 more than 3,000,000 inhabitants an amount not to exceed
22 \$75. The fees collected under this schedule shall be
23 disbursed as follows:

24 (A) The clerk shall retain a sum, in an amount not
25 to exceed \$50 in a county with a population of
26 3,000,000 or more and in an amount not to exceed \$45 in

1 any other county determined by the clerk with the
2 approval of the Supreme Court, to be used for court
3 automation, court document storage, and administrative
4 purposes.

5 (B) The clerk shall remit up to \$21 to the State
6 Treasurer. The State Treasurer shall deposit the
7 appropriate amounts, in accordance with the clerk's
8 instructions, as follows:

9 (i) up to \$10, as specified by the Supreme
10 Court in accordance with Part 10A of Article II of
11 the Code of Civil Procedure, into the Mandatory
12 Arbitration Fund;

13 (ii) \$2 into the Access to Justice Fund; and

14 (iii) \$9 into the Supreme Court Special
15 Purposes Fund.

16 (C) The clerk shall remit a sum to the County
17 Treasurer, in an amount not to exceed \$159 in a county
18 with a population of 3,000,000 or more and in an amount
19 not to exceed \$125 in any other county, as specified by
20 ordinance or resolution passed by the county board, for
21 purposes related to the operation of the court system
22 in the county.

23 (2) SCHEDULE 2: not to exceed a total of \$130 in a
24 county with a population of 3,000,000 or more and not to
25 exceed \$109 in any other county, except as applied to units
26 of local government and school districts in counties with

1 more than 3,000,000 inhabitants an amount not to exceed
2 \$75. The fees collected under this schedule shall be
3 disbursed as follows:

4 (A) The clerk shall retain a sum, in an amount not
5 to exceed \$50 in a county with a population of
6 3,000,000 or more and in an amount not to exceed \$10 in
7 any other county determined by the clerk with the
8 approval of the Supreme Court, to be used for court
9 automation, court document storage, and administrative
10 purposes.

11 (B) The clerk shall remit \$9 to the State
12 Treasurer, which the State Treasurer shall deposit
13 into the Supreme Court Special Purpose Fund.

14 (C) The clerk shall remit a sum to the County
15 Treasurer, in an amount not to exceed \$71 in a county
16 with a population of 3,000,000 or more and in an amount
17 not to exceed \$90 in any other county, as specified by
18 ordinance or resolution passed by the county board, for
19 purposes related to the operation of the court system
20 in the county.

21 (3) SCHEDULE 3: \$0.

22 (b-5) Kane County and Will County. In Kane County and Will
23 County civil cases, there is an additional fee of up to \$30 as
24 set by the county board under Section 5-1101.3 of the Counties
25 Code to be paid by each party at the time of filing the first
26 pleading, paper, or other appearance; provided that no

1 additional fee shall be required if more than one party is
2 represented in a single pleading, paper, or other appearance.
3 Distribution of fees collected under this subsection (b-5)
4 shall be as provided in Section 5-1101.3 of the Counties Code.

5 (c) Counterclaim or third party complaint. When any
6 defendant files a counterclaim or third party complaint, as
7 part of the defendant's answer or otherwise, the defendant
8 shall pay a filing fee for each counterclaim or third party
9 complaint in an amount equal to the filing fee the defendant
10 would have had to pay had the defendant brought a separate
11 action for the relief sought in the counterclaim or third party
12 complaint, less the amount of the appearance fee, if any, that
13 the defendant has already paid in the action in which the
14 counterclaim or third party complaint is filed.

15 (d) Alias summons. The clerk shall collect a fee not to
16 exceed \$6 in a county with a population of 3,000,000 or more
17 and not to exceed \$5 in any other county for each alias summons
18 or citation issued by the clerk, except as applied to units of
19 local government and school districts in counties with more
20 than 3,000,000 inhabitants an amount not to exceed \$5 for each
21 alias summons or citation issued by the clerk.

22 (e) Jury services. The clerk shall collect, in addition to
23 other fees allowed by law, a sum not to exceed \$212.50, as a
24 fee for the services of a jury in every civil action not
25 quasi-criminal in its nature and not a proceeding for the
26 exercise of the right of eminent domain and in every other

1 action wherein the right of trial by jury is or may be given by
2 law. The jury fee shall be paid by the party demanding a jury
3 at the time of filing the jury demand. If the fee is not paid by
4 either party, no jury shall be called in the action or
5 proceeding, and the action or proceeding shall be tried by the
6 court without a jury.

7 (f) Change of venue. In connection with a change of venue:

8 (1) The clerk of the jurisdiction from which the case
9 is transferred may charge a fee, not to exceed \$40, for the
10 preparation and certification of the record; and

11 (2) The clerk of the jurisdiction to which the case is
12 transferred may charge the same filing fee as if it were
13 the commencement of a new suit.

14 (g) Petition to vacate or modify.

15 (1) In a proceeding involving a petition to vacate or
16 modify any final judgment or order filed within 30 days
17 after the judgment or order was entered, except for an
18 eviction case, small claims case, petition to reopen an
19 estate, petition to modify, terminate, or enforce a
20 judgment or order for child or spousal support, or petition
21 to modify, suspend, or terminate an order for withholding,
22 the fee shall not exceed \$60 in a county with a population
23 of 3,000,000 or more and shall not exceed \$50 in any other
24 county, except as applied to units of local government and
25 school districts in counties with more than 3,000,000
26 inhabitants an amount not to exceed \$50.

1 (2) In a proceeding involving a petition to vacate or
2 modify any final judgment or order filed more than 30 days
3 after the judgment or order was entered, except for a
4 petition to modify, terminate, or enforce a judgment or
5 order for child or spousal support, or petition to modify,
6 suspend, or terminate an order for withholding, the fee
7 shall not exceed \$75.

8 (3) In a proceeding involving a motion to vacate or
9 amend a final order, motion to vacate an ex parte judgment,
10 judgment of forfeiture, or "failure to appear" or "failure
11 to comply" notices sent to the Secretary of State, the fee
12 shall equal \$40.

13 (h) Appeals preparation. The fee for preparation of a
14 record on appeal shall be based on the number of pages, as
15 follows:

16 (1) if the record contains no more than 100 pages, the
17 fee shall not exceed \$70 in a county with a population of
18 3,000,000 or more and shall not exceed \$50 in any other
19 county;

20 (2) if the record contains between 100 and 200 pages,
21 the fee shall not exceed \$100; and

22 (3) if the record contains 200 or more pages, the clerk
23 may collect an additional fee not to exceed 25 cents per
24 page.

25 (i) Remands. In any cases remanded to the circuit court
26 from the Supreme Court or the appellate court for a new trial,

1 the clerk shall reinstate the case with either its original
2 number or a new number. The clerk shall not charge any new or
3 additional fee for the reinstatement. Upon reinstatement, the
4 clerk shall advise the parties of the reinstatement. Parties
5 shall have the same right to a jury trial on remand and
6 reinstatement that they had before the appeal, and no
7 additional or new fee or charge shall be made for a jury trial
8 after remand.

9 (j) Garnishment, wage deduction, and citation. In
10 garnishment affidavit, wage deduction affidavit, and citation
11 petition proceedings:

12 (1) if the amount in controversy in the proceeding is
13 not more than \$1,000, the fee may not exceed \$35 in a
14 county with a population of 3,000,000 or more and may not
15 exceed \$15 in any other county, except as applied to units
16 of local government and school districts in counties with
17 more than 3,000,000 inhabitants an amount not to exceed
18 \$15;

19 (2) if the amount in controversy in the proceeding is
20 greater than \$1,000 and not more than \$5,000, the fee may
21 not exceed \$45 in a county with a population of 3,000,000
22 or more and may not exceed \$30 in any other county, except
23 as applied to units of local government and school
24 districts in counties with more than 3,000,000 inhabitants
25 an amount not to exceed \$30; and

26 (3) if the amount in controversy in the proceeding is

1 greater than \$5,000, the fee may not exceed \$65 in a county
2 with a population of 3,000,000 or more and may not exceed
3 \$50 in any other county, except as applied to units of
4 local government and school districts in counties with more
5 than 3,000,000 inhabitants an amount not to exceed \$50.

6 (j-5) Debt collection. In any proceeding to collect a debt
7 subject to the exception in item (ii) of subparagraph (A-5) of
8 paragraph (1) of subsection (z) of this Section, the circuit
9 court shall order and the clerk shall collect from each
10 judgment debtor a fee of:

11 (1) \$35 if the amount in controversy in the proceeding
12 is not more than \$1,000;

13 (2) \$45 if the amount in controversy in the proceeding
14 is greater than \$1,000 and not more than \$5,000; and

15 (3) \$65 if the amount in controversy in the proceeding
16 is greater than \$5,000.

17 (k) Collections.

18 (1) For all collections made of others, except the
19 State and county and except in maintenance or child support
20 cases, the clerk may collect a fee of up to 2.5% of the
21 amount collected and turned over.

22 (2) In child support and maintenance cases, the clerk
23 may collect an annual fee of up to \$36 from the person
24 making payment for maintaining child support records and
25 the processing of support orders to the State of Illinois
26 KIDS system and the recording of payments issued by the

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

12 (3) The clerk may collect a fee of \$5 for
13 certifications made to the Secretary of State as provided
14 in Section 7-703 of the Illinois Vehicle Code, and this fee
15 shall be deposited into the Separate Maintenance and Child
16 Support Collection Fund.

17 (4) In proceedings to foreclose the lien of delinquent
18 real estate taxes, State's Attorneys shall receive a fee of
19 10% of the total amount realized from the sale of real
20 estate sold in the proceedings. The clerk shall collect the
21 fee from the total amount realized from the sale of the
22 real estate sold in the proceedings and remit to the County
23 Treasurer to be credited to the earnings of the Office of
24 the State's Attorney.

25 (1) Mailing. The fee for the clerk mailing documents shall
26 not exceed \$10 plus the cost of postage.

1 (m) Certified copies. The fee for each certified copy of a
2 judgment, after the first copy, shall not exceed \$10.

3 (n) Certification, authentication, and reproduction.

4 (1) The fee for each certification or authentication
5 for taking the acknowledgment of a deed or other instrument
6 in writing with the seal of office shall not exceed \$6.

7 (2) The fee for reproduction of any document contained
8 in the clerk's files shall not exceed:

9 (A) \$2 for the first page;

10 (B) 50 cents per page for the next 19 pages; and

11 (C) 25 cents per page for all additional pages.

12 (o) Record search. For each record search, within a
13 division or municipal district, the clerk may collect a search
14 fee not to exceed \$6 for each year searched.

15 (p) Hard copy. For each page of hard copy print output,
16 when case records are maintained on an automated medium, the
17 clerk may collect a fee not to exceed \$10 in a county with a
18 population of 3,000,000 or more and not to exceed \$6 in any
19 other county, except as applied to units of local government
20 and school districts in counties with more than 3,000,000
21 inhabitants an amount not to exceed \$6.

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

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

5 (r) Performing a marriage. There shall be a \$10 fee for
6 performing a marriage in court.

7 (s) Voluntary assignment. For filing each deed of voluntary
8 assignment, the clerk shall collect a fee not to exceed \$20.
9 For recording a deed of voluntary assignment, the clerk shall
10 collect a fee not to exceed 50 cents for each 100 words.
11 Exceptions filed to claims presented to an assignee of a debtor
12 who has made a voluntary assignment for the benefit of
13 creditors shall be considered and treated, for the purpose of
14 taxing costs therein, as actions in which the party or parties
15 filing the exceptions shall be considered as party or parties
16 plaintiff, and the claimant or claimants as party or parties
17 defendant, and those parties respectively shall pay to the
18 clerk the same fees as provided by this Section to be paid in
19 other actions.

20 (t) Expungement petition. The clerk may collect a fee not
21 to exceed \$60 for each expungement petition filed and an
22 additional fee not to exceed \$4 for each certified copy of an
23 order to expunge arrest records.

24 (u) Transcripts of judgment. For the filing of a transcript
25 of judgment, the clerk may collect the same fee as if it were
26 the commencement of a new suit.

1 (v) Probate filings.

2 (1) For each account (other than one final account)
3 filed in the estate of a decedent, or ward, the fee shall
4 not exceed \$25.

5 (2) For filing a claim in an estate when the amount
6 claimed is greater than \$150 and not more than \$500, the
7 fee shall not exceed \$40 in a county with a population of
8 3,000,000 or more and shall not exceed \$25 in any other
9 county; when the amount claimed is greater than \$500 and
10 not more than \$10,000, the fee shall not exceed \$55 in a
11 county with a population of 3,000,000 or more and shall not
12 exceed \$40 in any other county; and when the amount claimed
13 is more than \$10,000, the fee shall not exceed \$75 in a
14 county with a population of 3,000,000 or more and shall not
15 exceed \$60 in any other county; except the court in
16 allowing a claim may add to the amount allowed the filing
17 fee paid by the claimant.

18 (3) For filing in an estate a claim, petition, or
19 supplemental proceeding based upon an action seeking
20 equitable relief including the construction or contest of a
21 will, enforcement of a contract to make a will, and
22 proceedings involving testamentary trusts or the
23 appointment of testamentary trustees, the fee shall not
24 exceed \$60.

25 (4) There shall be no fee for filing in an estate: (i)
26 the appearance of any person for the purpose of consent; or

1 (ii) the appearance of an executor, administrator,
2 administrator to collect, guardian, guardian ad litem, or
3 special administrator.

4 (5) For each jury demand, the fee shall not exceed
5 \$137.50.

6 (6) For each certified copy of letters of office, of
7 court order, or other certification, the fee shall not
8 exceed \$2 per page.

9 (7) For each exemplification, the fee shall not exceed
10 \$2, plus the fee for certification.

11 (8) The executor, administrator, guardian, petitioner,
12 or other interested person or his or her attorney shall pay
13 the cost of publication by the clerk directly to the
14 newspaper.

15 (9) The person on whose behalf a charge is incurred for
16 witness, court reporter, appraiser, or other miscellaneous
17 fees shall pay the same directly to the person entitled
18 thereto.

19 (10) The executor, administrator, guardian,
20 petitioner, or other interested person or his or her
21 attorney shall pay to the clerk all postage charges
22 incurred by the clerk in mailing petitions, orders,
23 notices, or other documents pursuant to the provisions of
24 the Probate Act of 1975.

25 (w) Corrections of numbers. For correction of the case
26 number, case title, or attorney computer identification

1 number, if required by rule of court, on any document filed in
2 the clerk's office, to be charged against the party that filed
3 the document, the fee shall not exceed \$25.

4 (x) Miscellaneous.

5 (1) Interest earned on any fees collected by the clerk
6 shall be turned over to the county general fund as an
7 earning of the office.

8 (2) For any check, draft, or other bank instrument
9 returned to the clerk for non-sufficient funds, account
10 closed, or payment stopped, the clerk shall collect a fee
11 of \$25.

12 (y) Other fees. Any fees not covered in this Section shall
13 be set by rule or administrative order of the circuit court
14 with the approval of the Administrative Office of the Illinois
15 Courts. The clerk of the circuit court may provide services in
16 connection with the operation of the clerk's office, other than
17 those services mentioned in this Section, as may be requested
18 by the public and agreed to by the clerk and approved by the
19 Chief Judge. Any charges for additional services shall be as
20 agreed to between the clerk and the party making the request
21 and approved by the Chief Judge. Nothing in this subsection
22 shall be construed to require any clerk to provide any service
23 not otherwise required by law.

24 (y-5) Unpaid fees. Unless a court ordered payment schedule
25 is implemented or the fee requirements of this Section are
26 waived under a court order, the clerk of the circuit court may

1 add to any unpaid fees and costs under this Section a
2 delinquency amount equal to 5% of the unpaid fees that remain
3 unpaid after 30 days, 10% of the unpaid fees that remain unpaid
4 after 60 days, and 15% of the unpaid fees that remain unpaid
5 after 90 days. Notice to those parties may be made by signage
6 posting or publication. The additional delinquency amounts
7 collected under this Section shall be deposited into the
8 Circuit Court Clerk Operations and Administration Fund and used
9 to defray additional administrative costs incurred by the clerk
10 of the circuit court in collecting unpaid fees and costs.

11 (z) Exceptions.

12 (1) No fee authorized by this Section shall apply to:

13 (A) police departments or other law enforcement
14 agencies. In this Section, "law enforcement agency"
15 means: an agency of the State or agency of a unit of
16 local government which is vested by law or ordinance
17 with the duty to maintain public order and to enforce
18 criminal laws or ordinances; the Attorney General; or
19 any State's Attorney;

20 (A-5) any unit of local government or school
21 district, except in counties having a population of
22 500,000 or more the county board may by resolution set
23 fees for units of local government or school districts
24 no greater than the minimum fees applicable in counties
25 with a population less than 3,000,000; provided
26 however, no fee may be charged to any unit of local

1 government or school district in connection with any
2 action which, in whole or in part, is: (i) to enforce
3 an ordinance; (ii) to collect a debt; or (iii) under
4 the Administrative Review Law;

5 (B) any action instituted by the corporate
6 authority of a municipality with more than 1,000,000
7 inhabitants under Section 11-31-1 of the Illinois
8 Municipal Code and any action instituted under
9 subsection (b) of Section 11-31-1 of the Illinois
10 Municipal Code by a private owner or tenant of real
11 property within 1,200 feet of a dangerous or unsafe
12 building seeking an order compelling the owner or
13 owners of the building to take any of the actions
14 authorized under that subsection;

15 (C) any commitment petition or petition for an
16 order authorizing the administration of psychotropic
17 medication or electroconvulsive therapy under the
18 Mental Health and Developmental Disabilities Code;

19 (D) a petitioner in any order of protection
20 proceeding, including, but not limited to, fees for
21 filing, modifying, withdrawing, certifying, or
22 photocopying petitions for orders of protection,
23 issuing alias summons, any related filing service, or
24 certifying, modifying, vacating, or photocopying any
25 orders of protection; or

26 (E) proceedings for the appointment of a

1 confidential intermediary under the Adoption Act.

2 (2) No fee other than the filing fee contained in the
3 applicable schedule in subsection (a) shall be charged to
4 any person in connection with an adoption proceeding.

5 (3) Upon good cause shown, the court may waive any fees
6 associated with a special needs adoption. The term "special
7 needs adoption" has the meaning provided by the Illinois
8 Department of Children and Family Services.

9 (aa) This Section is repealed on January 1, 2023 ~~2022~~.

10 (Source: P.A. 100-987, eff. 7-1-19; 100-994, eff. 7-1-19;
11 100-1161, eff. 7-1-19; 101-645, eff. 6-26-20; revised
12 8-18-20.)

13 (705 ILCS 105/27.1c)

14 (Section scheduled to be repealed on January 1, 2022)

15 Sec. 27.1c. Assessment report.

16 (a) Not later than March 1, 2021, and March 1 of every year
17 thereafter, February 29, 2020, the clerk of the circuit court
18 shall submit to the Administrative Office of the Illinois
19 Courts an annual ~~a~~ report for the period January 1 ~~July 1, 2019~~
20 through December 31 ~~of the previous year.~~ The report shall
21 contain, ~~7-2019 containing,~~ with respect to each of the 4
22 categories of civil cases established by the Supreme Court
23 pursuant to Section 27.1b of this Act:

24 (1) the total number of cases that were filed;

25 (2) the amount of filing fees that were collected

1 pursuant to subsection (a) of Section 27.1b;

2 (3) the amount of appearance fees that were collected
3 pursuant to subsection (b) of Section 27.1b;

4 (4) the amount of fees collected pursuant to subsection
5 (b-5) of Section 27.1b;

6 (5) the amount of filing fees collected for
7 counterclaims or third party complaints pursuant to
8 subsection (c) of Section 27.1b;

9 (6) the nature and amount of any fees collected
10 pursuant to subsection (y) of Section 27.1b; and

11 (7) the number of cases for which, pursuant to Section
12 5-105 of the Code of Civil Procedure, there were waivers of
13 fees, costs, and charges of 25%, 50%, 75%, or 100%,
14 respectively, and the associated amount of fees, costs, and
15 charges that were waived.

16 (b) The Administrative Office of the Illinois Courts shall
17 publish the reports submitted under this Section on its
18 website.

19 (c) (Blank). ~~This Section is repealed on January 1, 2022.~~

20 (Source: P.A. 100-1161, eff. 7-1-19; 101-645, eff. 6-26-20.)

21 Section 10-15. The Criminal and Traffic Assessment Act is
22 amended by changing Sections 1-10 and 20-5 as follows:

23 (705 ILCS 135/1-10)

24 (Section scheduled to be repealed on January 1, 2022)

1 Sec. 1-10. Assessment reports.

2 (a) Not later than March 1, 2021, and March 1 of every year
3 thereafter, February 29, 2020, the clerk of the circuit court
4 shall file with the Administrative Office of the Illinois
5 Courts:

6 (1) an annual a report for the period January 1 ~~July 1,~~
7 ~~2019~~ through December 31 of the previous year ~~, 2019~~
8 containing the total number of cases filed in the following
9 categories: total felony cases; felony driving under the
10 influence of alcohol, drugs, or a combination thereof;
11 cases that contain at least one count of driving under the
12 influence of alcohol, drugs, or a combination thereof;
13 felony cases that contain at least one count of a drug
14 offense; felony cases that contain at least one count of a
15 sex offense; total misdemeanor cases; misdemeanor driving
16 under the influence of alcohol, drugs, or a combination
17 thereof cases; misdemeanor cases that contain at least one
18 count of a drug offense; misdemeanor cases that contain at
19 least one count of a sex offense; total traffic offense
20 counts; traffic offense counts of a misdemeanor offense
21 under the Illinois Vehicle Code; traffic offense counts of
22 an overweight offense under the Illinois Vehicle Code;
23 traffic offense counts that are satisfied under Supreme
24 Court Rule 529; conservation cases; and ordinance cases
25 that do not contain an offense under the Illinois Vehicle
26 Code;

1 (2) an annual ~~a~~ report for the period January 1 ~~July 1,~~
2 ~~2019~~ through December 31 of the previous year ~~, 2019~~
3 containing the following for each schedule referenced in
4 Sections 15-5 through 15-70 of this Act: the number of
5 offenses for which assessments were imposed; the amount of
6 any fines imposed in addition to assessments; the number
7 and amount of conditional assessments ordered pursuant to
8 Section 15-70; and for 25%, 50%, 75%, and 100% waivers,
9 respectively, the number of offenses for which waivers were
10 granted and the associated amount of assessments that were
11 waived; and

12 (3) an annual ~~a~~ report for the period January 1 ~~July 1,~~
13 ~~2019~~ through December 31 of the previous year ~~, 2019~~
14 containing, with respect to each schedule referenced in
15 Sections 15-5 through 15-70 of this Act, the number of
16 offenses for which assessments were collected; the number
17 of offenses for which fines were collected and the amount
18 collected; and how much was disbursed to each fund under
19 the disbursement requirements for each schedule defined in
20 Section 15-5.

21 (b) The Administrative Office of the Illinois Courts shall
22 publish the reports submitted under this Section on its
23 website.

24 (c) A list of offenses that qualify as drug offenses for
25 Schedules 3 and 7 and a list of offenses that qualify as sex
26 offenses for Schedules 4 and 8 shall be distributed to clerks

1 of the circuit court by the Administrative Office of the
2 Illinois Courts.

3 (Source: P.A. 100-1161, eff. 7-1-19.)

4 (705 ILCS 135/20-5)

5 (Section scheduled to be repealed on January 1, 2022)

6 Sec. 20-5. Repeal. This Act is repealed on January 1, 2023
7 ~~2022~~.

8 (Source: P.A. 100-987, eff. 7-1-19; 101-645, eff. 6-26-20.)

9 Article 15.

10 Section 15-5. The Code of Civil Procedure is amended by
11 changing Section 2-1001A as follows:

12 (735 ILCS 5/2-1001A) (from Ch. 110, par. 2-1001A)

13 Sec. 2-1001A. Authorization. The Supreme Court of
14 Illinois, by rule, may provide for mandatory arbitration of
15 such civil actions as the Court deems appropriate in order to
16 expedite in a less costly manner any litigation wherein a party
17 asserts a claim not exceeding \$75,000 ~~\$50,000~~ or any lesser
18 amount as authorized by the Supreme Court for a particular
19 Circuit, or a judge of the circuit court, at a pretrial
20 conference, determines that no greater amount than that
21 authorized for the Circuit appears to be genuinely in
22 controversy.

1 (Source: P.A. 88-108.)

2 Article 99.

3 Section 99-99. Effective date. This Act takes effect upon
4 becoming law.".