



## 102ND GENERAL ASSEMBLY

### State of Illinois

### 2021 and 2022

### HB1726

Introduced 2/17/2021, by Rep. William Davis

#### SYNOPSIS AS INTRODUCED:

20 ILCS 210/6	from Ch. 127, par. 1706
20 ILCS 665/4b	
20 ILCS 1305/10-6 rep.	
20 ILCS 2310/2310-358 rep.	
30 ILCS 105/6a	from Ch. 127, par. 142a
30 ILCS 105/5.72 rep.	
30 ILCS 105/5.599 rep.	
30 ILCS 105/5.748 rep.	
30 ILCS 105/6w rep.	
30 ILCS 105/8k rep.	
35 ILCS 5/507DDD	
35 ILCS 5/507AA rep.	
35 ILCS 5/507BB rep.	
35 ILCS 5/507TT rep.	
35 ILCS 405/13	from Ch. 120, par. 405A-13
235 ILCS 5/1-3.37 rep.	
305 ILCS 40/Act rep.	
705 ILCS 105/27.1b	
705 ILCS 135/15-20	
730 ILCS 5/5-9-1.22	

Amends the State Fair Act, the Illinois Promotion Act, the Department of Human Services Act, the State Finance Act, the Illinois Income Tax Act, the Illinois Estate and Generation-Skipping Transfer Tax Act, the Liquor Control Act of 1934, the Clerks of Courts Act, the Criminal and Traffic Assessment Act, and the Unified Code of Corrections to make various technical corrections. Repeals obsolete Sections of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois and the State Finance Act. Effective immediately.

LRB102 13675 HLH 19025 b

1 AN ACT concerning State government.

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

4 Section 5. The State Fair Act is amended by changing  
5 Section 6 as follows:

6 (20 ILCS 210/6) (from Ch. 127, par. 1706)

7 Sec. 6. Policies, procedures, and powers concerning the  
8 operation of fairs.

9 (a) Policies. The Department shall, pursuant to the  
10 Illinois Administrative Procedure Act, establish by rule:

11 (1) the policy for the operation of the Illinois State  
12 Fair and the DuQuoin State Fair, except those operations  
13 regarding contests as provided for in subparagraphs (b)  
14 and (c) of this Section, and

15 (2) the policies and procedures for the sale, barter,  
16 or exchange of tickets and for ticket refunds for  
17 cancelled events.

18 (b) Contests. The Department shall establish and make  
19 available, for all contestants and other interested persons,  
20 sufficient copies of a premium book or other publication that  
21 establishes the kinds and classes of events or exhibits for  
22 contests at the fairs, the conditions under which contestants  
23 shall be entered into contests, the qualification and

1 disqualification requirements of contests, the drug testing  
2 requirements for contests (if applicable), the premiums to be  
3 offered to contest winners, the manner in which certificates  
4 of award shall be distributed and premiums paid to contest  
5 winners, the penalty for violations of a rule, condition,  
6 instruction, or directive, and requirements of contests,  
7 including but not limited to the return of all premiums paid,  
8 the forfeiture of awards, and the prohibition of participating  
9 in future contests, and all other rules and requirements for  
10 contests. These rules, conditions, instructions, directives,  
11 and requirements shall be exempt from the rulemaking  
12 procedures of the Illinois Administrative Procedure Act. All  
13 such publications issued by the Department that relate to a  
14 contest, event, or exhibit shall be maintained as a public  
15 record at the Department's principal office in Springfield,  
16 Illinois, and made available for public inspection and copying  
17 during regular business hours.

18 (c) Fees. The Department shall establish and publish for  
19 the Illinois State Fair and the DuQuoin State Fair a schedule  
20 of admission fees, entry fees, concession fees, space rentals  
21 and other fees for activities offered or provided at each  
22 State Fair. These schedules of fees shall be maintained as a  
23 public record at the Department's principal office in  
24 Springfield, Illinois, and made available for public  
25 inspection and copying during regular business, but shall be  
26 exempt from the rulemaking procedures of the Illinois

1 Administrative Procedure Act.

2 (d) Facilities. The Department may negotiate and enter  
3 into contracts for activities and use of facilities for which  
4 there is not an established or published schedule. The  
5 contract criteria shall be established by rule, pursuant to  
6 the Illinois Administrative Procedure Act. The Department may  
7 lease any of its facilities for activities during the State  
8 Fair.

9 (e) Advertising. The Illinois State Fair in Springfield  
10 and the DuQuoin State Fair shall have the power and authority  
11 to sell or exchange advertising rights in all of its  
12 publications and printed materials. The sale of advertising  
13 shall be subject to the rules promulgated by the Department,  
14 pursuant to the Illinois Administrative Procedure Act. All  
15 income derived from the sale of advertising at the Illinois  
16 State Fair in Springfield shall be deposited into the Illinois  
17 State Fair Fund. All income derived from the sale of  
18 advertising at the DuQuoin State Fair shall be deposited into  
19 the Agricultural Premium Fund.

20 (f) Veterans. On the day set aside as Veterans Day,  
21 honorably discharged veterans and members of their families  
22 shall be admitted without admission charge upon presentation  
23 of identification of any of the following: honorable discharge  
24 certificate, or photostatic copy thereof, or a paid up  
25 membership card in any recognized veterans organization.

26 (g) Government functions. The Governor, Lieutenant

1 Governor, Attorney General, Secretary of State, Treasurer,  
2 Comptroller, President and Minority Leader of the Senate, and  
3 Minority Leader of the House of Representatives shall be  
4 afforded space for official governmental functions, without  
5 charge, during the State Fair and the DuQuoin State Fair.

6 (Source: P.A. 93-1055, eff. 11-23-04.)

7 Section 10. The Illinois Promotion Act is amended by  
8 changing Section 4b as follows:

9 (20 ILCS 665/4b)

10 Sec. 4b. Coordinating Committee. There is created a  
11 Coordinating Committee of State agencies involved with tourism  
12 in the State of Illinois. The Committee shall consist of the  
13 Director of Commerce and Economic Opportunity as chairman, the  
14 Lieutenant Governor, the Secretary of Transportation or his or  
15 her designee, and the head executive officer or his or her  
16 designee of the following: the Lincoln Presidential Library;  
17 the Department of Natural Resources; the Department of  
18 Agriculture; the Illinois Arts Council; the Illinois Community  
19 College Board; and the Board of Higher Education; ~~and the~~  
20 ~~Grape and Wine Resources Council~~. The Committee shall also  
21 include 4 members of the Illinois General Assembly, one of  
22 whom shall be named by the Speaker of the House of  
23 Representatives, one of whom shall be named by the Minority  
24 Leader of the House of Representatives, one of whom who shall

1 be named by the President of the Senate, and one of whom shall  
2 be named by the Minority Leader of the Senate. The Committee  
3 shall meet at least quarterly and at other times as called by  
4 the chair. The Committee shall coordinate the promotion and  
5 development of tourism activities throughout State government.  
6 (Source: P.A. 94-793, eff. 5-19-06.)

7 (20 ILCS 1305/10-6 rep.)

8 Section 15. The Department of Human Services Act is  
9 amended by repealing Section 10-6.

10 (20 ILCS 2310/2310-358 rep.)

11 Section 17. The Department of Public Health Powers and  
12 Duties Law of the Civil Administrative Code of Illinois is  
13 amended by repealing Section 2310-358.

14 Section 20. The State Finance Act is amended by changing  
15 Section 6a as follows:

16 (30 ILCS 105/6a) (from Ch. 127, par. 142a)

17 Sec. 6a. (1) The following items of income received by the  
18 State Colleges and Universities under the jurisdiction of the  
19 Board of Governors of State Colleges and Universities for  
20 general operational and educational purposes shall be paid  
21 into the state treasury without delay and shall be covered  
22 into a special fund to be known as the Board of Governors of

1 State Colleges and Universities Income Fund: (a) tuition,  
2 laboratory, library fees, and any interest which may be earned  
3 thereon not later than 20 days after receipt of the same  
4 without any deductions except for refunds to students for whom  
5 duplicate payment has been made and to students who have  
6 withdrawn after registration and who are entitled to such  
7 refunds; and (b) excess income from auxiliary enterprises and  
8 activities as provided in paragraph (2) of this Section, and  
9 all other income arising out of any activity or purpose not  
10 specified in paragraph (2) of this Section or in Section 6a-2  
11 not later than 10 days after receipt of the same and without  
12 any deduction whatever. Such items of income shall be either  
13 paid into the State treasury or deposited into a college or  
14 university bank account within the time period established for  
15 like amounts in Section 2 of the State Officers and Employees  
16 Money Disposition Act; provided, that if deposited into a bank  
17 account, such items together with interest thereon shall be  
18 paid into the State treasury as provided in the preceding  
19 sentence. The General Assembly shall from time to time make  
20 appropriations payable from the Board of Governors of State  
21 Colleges and Universities Income Fund for the support and  
22 improvement of such State Colleges and Universities.

23 (2) The following items of income shall be retained by  
24 each such State College or University or by the Board of  
25 Governors of State Colleges and Universities in its own  
26 treasury: endowment funds, gifts, trust funds, and Federal

1 aid; funds received in connection with contracts with  
2 governmental, public or private agencies or persons, for  
3 research or services including funds which are paid as  
4 reimbursement to the State College or University or to the  
5 Board of Governors of State Colleges and Universities and  
6 funds received in connection with its operation of research  
7 and high technology parks; funds received in connection with  
8 reserves authorized by Section 8a of "An Act to provide for the  
9 management, operation, control and maintenance of the State  
10 Colleges and Universities System", approved July 2, 1951, as  
11 amended; funds received in connection with the retention,  
12 receipt, assignment, license, sale or transfer of interests  
13 in, rights to, or income from discoveries, inventions,  
14 patents, or copyrightable works; funds retained by the State  
15 College or University under the authority of Section 6a-2, and  
16 funds received from the operation of student or staff  
17 residence facilities, student and staff medical and health  
18 programs, Union buildings, bookstores, farms, stores, and  
19 other auxiliary enterprises or activities which are  
20 self-supporting in whole or in part. Any income derived from  
21 such auxiliary enterprises or activities which is not  
22 necessary to their support, maintenance, or development shall  
23 not, however, be applied to any general operational or  
24 educational purpose but shall be paid into the State Treasury  
25 as provided in paragraph (1) of this Section.

26 Whenever such funds retained by each such State College or



1 University or by the Board of Governors of State Colleges and  
2 Universities in its own treasury are deposited with a bank or  
3 savings and loan association and the amount of the deposit  
4 exceeds the amount of federal deposit insurance coverage, a  
5 bond or pledged securities shall be obtained. Only the types  
6 of securities which the State Treasurer may, in his  
7 discretion, accept for amounts not insured by the Federal  
8 Deposit Insurance Corporation or the Federal Savings and Loan  
9 Insurance Corporation under Section 11 of "An Act in relation  
10 to State moneys", approved June 28, 1919, as amended, may be  
11 accepted as pledged securities. The market value of the bond  
12 or pledged securities shall at all times be equal to or greater  
13 than the uninsured portion of the deposit.

14 (3) (Blank). ~~All monies received by the Cooperative~~  
15 ~~Computer Center operated and maintained by Governors State~~  
16 ~~University, in conjunction and pursuant to contracts with~~  
17 ~~other State universities, shall be deposited in the~~  
18 ~~Cooperative Computer Center Revolving Fund. The General~~  
19 ~~Assembly shall from time to time make appropriations from the~~  
20 ~~Cooperative Computer Center Revolving Fund to be used for~~  
21 ~~expenditures incurred by the Cooperative Computer Center.~~

22 (4) The Auditor General shall audit or cause to be audited  
23 the above items of income and all other income and  
24 expenditures of such institutions.

25 (5) Beginning on January 1, 1996, the provisions of  
26 paragraphs (1) and (2) of this Section shall be superseded by

1 Section 5-35 of the Chicago State University Law and Section  
2 6a-1c of the State Finance Act with respect to Chicago State  
3 University; by Section 10-35 of the Eastern Illinois  
4 University Law and Section 6a-1d of the State Finance Act with  
5 respect to Eastern Illinois University; by Section 15-35 of  
6 the Governors State University Law and Section 6a-1e of the  
7 State Finance Act with respect to Governors State University;  
8 by Section 25-35 of the Northeastern Illinois University Law  
9 and Section 6a-1f of the State Finance Act with respect to  
10 Northeastern Illinois University; and by Section 35-35 of the  
11 Western Illinois University Law and Section 6a-1g of the State  
12 Finance Act with respect to Western Illinois University. On  
13 January 1, 1996, all items of income and other funds  
14 deposited, retained, or otherwise held under paragraphs (1)  
15 and (2) of this Section shall be transferred, appropriated,  
16 retained and used as provided by the provisions of law cited in  
17 this paragraph as superseding the provisions of paragraphs (1)  
18 and (2) of this Section.

19 (Source: P.A. 89-4, eff. 1-1-96.)

20 (30 ILCS 105/5.72 rep.)

21 (30 ILCS 105/5.599 rep.)

22 (30 ILCS 105/5.748 rep.)

23 (30 ILCS 105/6w rep.)

24 (30 ILCS 105/8k rep.)

25 Section 23. The State Finance Act is amended by repealing

1 Sections 5.72, 5.599, 5.748, 6w, and 8k.

2 Section 25. The Illinois Income Tax Act is amended by  
3 changing Section 507DDD as follows:

4 (35 ILCS 5/507DDD)

5 Sec. 507DDD. Special Olympics Illinois and Special  
6 Children's Checkoff. For taxable years beginning on or after  
7 January 1, 2015, the Department shall print on its standard  
8 individual income tax form a provision indicating that if the  
9 taxpayer wishes to contribute to the Special Olympics Illinois  
10 and Special Children's Charities ~~Checkoff~~ Fund as authorized  
11 by Public Act 99-423, he or she may do so by stating the amount  
12 of the contribution (not less than \$1) on the return and that  
13 the contribution will reduce the taxpayer's refund or increase  
14 the amount of payment to accompany the return. Failure to  
15 remit any amount of increased payment shall reduce the  
16 contribution accordingly. This Section shall not apply to an  
17 amended return. ~~For the purpose of this Section, the~~  
18 ~~Department of Revenue must distribute the moneys as provided~~  
19 ~~in subsection 21.9(b) of the Illinois Lottery Law: (i) 75% of~~  
20 ~~the moneys to Special Olympics Illinois to support the~~  
21 ~~statewide training, competitions, and programs for future~~  
22 ~~Special Olympics athletes; and (ii) 25% of the moneys to~~  
23 ~~Special Children's Charities to support the City of~~  
24 ~~Chicago wide training, competitions, and programs for future~~

1 ~~Special Olympics athletes.~~

2 (Source: P.A. 99-423, eff. 8-20-15; 99-642, eff. 7-28-16.)

3 (35 ILCS 5/507AA rep.)

4 (35 ILCS 5/507BB rep.)

5 (35 ILCS 5/507TT rep.)

6 Section 30. The Illinois Income Tax Act is amended by  
7 repealing Sections 507AA, 507BB, and 507TT.

8 Section 35. The Illinois Estate and Generation-Skipping  
9 Transfer Tax Act is amended by changing Section 13 as follows:

10 (35 ILCS 405/13) (from Ch. 120, par. 405A-13)

11 Sec. 13. Collection by county treasurers; tax collection  
12 distribution fund.

13 (a) Collection by county treasurers. Each county treasurer  
14 shall transmit to the State Treasurer all taxes, interest or  
15 penalties paid to the county treasurer under this Act and in  
16 the county treasurer's possession as of the last day of the  
17 previous month, together with a report under oath identifying  
18 the taxpayer for or by whom an amount was paid. Those amounts  
19 and the report shall be transmitted to and received by the  
20 State Treasurer by the 10th day of each month. At the same  
21 time, a copy of the report shall be furnished to the Attorney  
22 General. The report shall be in a form and contain the  
23 particulars as the State Treasurer may prescribe. The State

1 Treasurer shall give the county treasurer a receipt for the  
2 amount transmitted to the State Treasurer. Except as provided  
3 in subsection (a-5) of this Section, if any county treasurer  
4 fails to pay to the State Treasurer all amounts that may be due  
5 and payable under this Act as required by this Section, the  
6 county treasurer shall pay to the State Treasurer, as a  
7 penalty, a sum of money equal to the interest on the amounts  
8 not paid at the rate of 1% per month from the time those  
9 amounts are due by the county treasurer until those amounts  
10 are paid. The sureties upon the official bond of the county  
11 treasurer shall be security for the payment of the penalty.  
12 The penalty under this Section may be recovered in a civil  
13 action against the county treasurer and his or her sureties,  
14 in the name of the People of the State of Illinois, in the  
15 circuit court within the county wherein the county treasurer  
16 is resident; and the penalty, when recovered, shall be paid  
17 into the State treasury. The civil action to recover the  
18 penalty shall be brought by the State treasurer within 10 days  
19 after the failure of the county treasurer to pay to the State  
20 Treasurer any amounts collected by the county treasurer within  
21 the time required by this Act. Failure to bring the action  
22 within that time shall not prevent the bringing of the action  
23 thereafter. It is the duty of the State Treasurer to make  
24 necessary and proper investigation to determine what amounts  
25 should be paid under this Act.

26 (a-5) The State Treasurer may waive penalties imposed by

1 subsection (a) of this Section on a case-by-case basis if the  
2 State Treasurer finds that imposing penalties would be  
3 unreasonable or unnecessarily burdensome because the delay in  
4 payment was due to an incident caused by the operation of an  
5 extraordinary force, including, but not limited to, the  
6 occurrence of a natural disaster, that cannot be foreseen,  
7 that cannot be avoided by the exercise of due care, and for  
8 which no person can be held liable.

9 (b) (Blank). ~~Transfer Tax Collection Distributive Fund.~~  
10 ~~The Transfer Tax Collection Distributive Fund is created as a~~  
11 ~~special fund in the State treasury. The Fund is a continuation~~  
12 ~~of the Fund of the same name created under the Illinois Estate~~  
13 ~~Tax Law, repealed by this Act. As soon as may be after the~~  
14 ~~first day of each month after the effective date of this Act,~~  
15 ~~and before September 1, 2012, the State Treasurer shall~~  
16 ~~transfer from the General Revenue Fund to the Transfer Tax~~  
17 ~~Collection Distributive Fund an amount equal to 6% of the net~~  
18 ~~revenue realized from this Act during the preceding month.~~

19 ~~As soon as may be after the first day of each month, the~~  
20 ~~State Treasurer shall allocate among the counties of this~~  
21 ~~State the amount available in the Transfer Tax Collection~~  
22 ~~Distributive Fund. The allocation to each county shall be 6%~~  
23 ~~of the net revenues collected by the county treasurer under~~  
24 ~~this Act. The State Comptroller, pursuant to appropriation,~~  
25 ~~shall then pay those allocations over to the counties. As soon~~  
26 ~~as possible after all of the required monthly allocations are~~

1 ~~made from the Transfer Tax Collection Distributive Fund and~~  
2 ~~before September 1, 2012, the State Comptroller shall order~~  
3 ~~transferred and the State Treasurer shall transfer any moneys~~  
4 ~~remaining in the Transfer Tax Collection Distributive Fund~~  
5 ~~from that Fund to the General Revenue Fund, and the Transfer~~  
6 ~~Tax Collection Distributive Fund shall be dissolved.~~

7 (c) On and after July 1, 2012, 94% of the amounts collected  
8 from the taxes, interest, and penalties collected under this  
9 Act shall be deposited into the General Revenue Fund and 6% of  
10 those amounts shall be deposited into the Estate Tax Refund  
11 Fund, a special fund created in the State treasury.

12 Moneys in the Estate Tax Refund Fund shall be expended  
13 exclusively for the purpose of paying refunds resulting from  
14 overpayment of tax liability under this Act, except that,  
15 whenever the State Treasurer determines that any such moneys  
16 in the Fund exceed the amount required for the purpose of  
17 paying refunds resulting from overpayment of tax liability  
18 under this Act, the State Treasurer may transfer any such  
19 excess amounts from the Estate Tax Refund Fund to the General  
20 Revenue Fund.

21 The Treasurer shall order payment of refunds resulting  
22 from overpayment of tax liability under this Act from the  
23 Estate Tax Refund Fund only to the extent that amounts have  
24 been deposited and retained in the Fund.

25 Public Act 97-732 ~~This amendatory Act of the 97th General~~  
26 ~~Assembly~~ shall constitute an irrevocable and continuing

1 appropriation from the Estate Tax Refund Fund for the purpose  
2 of paying refunds upon the order of the Treasurer in  
3 accordance with the provisions of this Act and for the purpose  
4 of paying refunds under this Act.

5 (Source: P.A. 96-1162, eff. 7-21-10; 97-732, eff. 6-30-12.)

6 (235 ILCS 5/1-3.37 rep.)

7 Section 40. The Liquor Control Act of 1934 is amended by  
8 repealing Section 1-3.37.

9 (305 ILCS 40/Act rep.)

10 Section 45. The Nursing Home Grant Assistance Act is  
11 repealed.

12 Section 50. The Clerks of Courts Act is amended by  
13 changing Section 27.1b 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



1 population of over 3,000,000, units of local government and  
2 school districts shall not be required to pay fees under this  
3 Section in advance and the clerk shall instead send an  
4 itemized bill to the unit of local government or school  
5 district, within 30 days of the fee being incurred, and the  
6 unit of local government or school district shall be allowed  
7 at least 30 days from the date of the itemized bill to pay;  
8 these payments shall be disbursed by each clerk on a monthly  
9 basis. Unless otherwise specified in this Section, the amount  
10 of a fee shall be determined by ordinance or resolution of the  
11 county board and remitted to the county treasurer to be used  
12 for purposes related to the operation of the court system in  
13 the county. In a county with a population of over 3,000,000,  
14 any amount retained by the clerk of the circuit court or  
15 remitted to the county treasurer shall be subject to  
16 appropriation by the county board.

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

22 (1) SCHEDULE 1: not to exceed a total of \$366 in a  
23 county with a population of 3,000,000 or more and not to  
24 exceed \$316 in any other county, except as applied to  
25 units of local government and school districts in counties  
26 with more than 3,000,000 inhabitants an amount not to

1 exceed \$190 through December 31, 2021 and \$184 on and  
2 after January 1, 2022. The fees collected under this  
3 schedule shall be disbursed as follows:

4 (A) The clerk shall retain a sum, in an amount not  
5 to exceed \$55 in a county with a population of  
6 3,000,000 or more and in an amount not to exceed \$45 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 up to \$21 to the State  
12 Treasurer. The State Treasurer shall deposit the  
13 appropriate amounts, in accordance with the clerk's  
14 instructions, as follows:

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

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

20 (iii) \$9 into the Supreme Court Special  
21 Purposes Fund.

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

1 for purposes related to the operation of the court  
2 system in the county.

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

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

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

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

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

1 (iii) \$9 into the Supreme Court Special  
2 Purposes Fund.

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

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

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

25 (B) The clerk shall remit \$11 to the State  
26 Treasurer. The State Treasurer shall deposit the

1 appropriate amounts in accordance with the clerk's  
2 instructions, as follows:

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

4 (ii) \$9 into the Supreme Court Special  
5 Purposes Fund.

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

13 (4) SCHEDULE 4: \$0.

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

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

26 (A) The clerk shall retain a sum, in an amount not

1 to exceed \$50 in a county with a population of  
2 3,000,000 or more and in an amount not to exceed \$45 in  
3 any other county determined by the clerk with the  
4 approval of the Supreme Court, to be used for court  
5 automation, court document storage, and administrative  
6 purposes.

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

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

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

16 (iii) \$9 into the Supreme Court Special  
17 Purposes Fund.

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

25 (2) SCHEDULE 2: not to exceed a total of \$130 in a  
26 county with a population of 3,000,000 or more and not to

1 exceed \$109 in any other county, except as applied to  
2 units of local government and school districts in counties  
3 with more than 3,000,000 inhabitants an amount not to  
4 exceed \$75. The fees collected under this schedule shall  
5 be disbursed as follows:

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

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

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

23 (3) SCHEDULE 3: \$0.

24 (b-5) Kane County and Will County. In Kane County and Will  
25 County civil cases, there is an additional fee of up to \$30 as  
26 set by the county board under Section 5-1101.3 of the Counties

1 Code to be paid by each party at the time of filing the first  
2 pleading, paper, or other appearance; provided that no  
3 additional fee shall be required if more than one party is  
4 represented in a single pleading, paper, or other appearance.  
5 Distribution of fees collected under this subsection (b-5)  
6 shall be as provided in Section 5-1101.3 of the Counties Code.

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

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

24 (e) Jury services. The clerk shall collect, in addition to  
25 other fees allowed by law, a sum not to exceed \$212.50, as a  
26 fee for the services of a jury in every civil action not



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

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

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

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

16 (g) Petition to vacate or modify.

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

1 government and school districts in counties with more than  
2 3,000,000 inhabitants an amount not to exceed \$50.

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

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

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

18 (1) if the record contains no more than 100 pages, the  
19 fee shall not exceed \$70 in a county with a population of  
20 3,000,000 or more and shall not exceed \$50 in any other  
21 county;

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

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

1 (i) Remands. In any cases remanded to the circuit court  
2 from the Supreme Court or the appellate court for a new trial,  
3 the clerk shall reinstate the case with either its original  
4 number or a new number. The clerk shall not charge any new or  
5 additional fee for the reinstatement. Upon reinstatement, the  
6 clerk shall advise the parties of the reinstatement. Parties  
7 shall have the same right to a jury trial on remand and  
8 reinstatement that they had before the appeal, and no  
9 additional or new fee or charge shall be made for a jury trial  
10 after remand.

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

14 (1) if the amount in controversy in the proceeding is  
15 not more than \$1,000, the fee may not exceed \$35 in a  
16 county with a population of 3,000,000 or more and may not  
17 exceed \$15 in any other county, except as applied to units  
18 of local government and school districts in counties with  
19 more than 3,000,000 inhabitants an amount not to exceed  
20 \$15;

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

1 an amount not to exceed \$30; and

2 (3) if the amount in controversy in the proceeding is  
3 greater than \$5,000, the fee may not exceed \$65 in a county  
4 with a population of 3,000,000 or more and may not exceed  
5 \$50 in any other county, except as applied to units of  
6 local government and school districts in counties with  
7 more than 3,000,000 inhabitants an amount not to exceed  
8 \$50.

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

14 (1) \$35 if the amount in controversy in the proceeding  
15 is not more than \$1,000;

16 (2) \$45 if the amount in controversy in the proceeding  
17 is greater than \$1,000 and not more than \$5,000; and

18 (3) \$65 if the amount in controversy in the proceeding  
19 is greater than \$5,000.

20 (k) Collections.

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

25 (2) In child support and maintenance cases, the clerk  
26 may collect an annual fee of up to \$36 from the person

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

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

21 (4) In proceedings to foreclose the lien of delinquent  
22 real estate taxes, State's Attorneys shall receive a fee  
23 of 10% of the total amount realized from the sale of real  
24 estate sold in the proceedings. The clerk shall collect  
25 the fee from the total amount realized from the sale of the  
26 real estate sold in the proceedings and remit to the

1 County Treasurer to be credited to the earnings of the  
2 Office of the State's Attorney.

3 (l) Mailing. The fee for the clerk mailing documents shall  
4 not exceed \$10 plus the cost of postage.

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

7 (n) Certification, authentication, and reproduction.

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

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

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

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

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

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

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

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

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

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

25           (t) Expungement petition. The clerk may collect a fee not  
26 to exceed \$60 for each expungement petition filed and an

1 additional fee not to exceed \$4 for each certified copy of an  
2 order to expunge arrest records.

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

6 (v) Probate filings.

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

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

23 (3) For filing in an estate a claim, petition, or  
24 supplemental proceeding based upon an action seeking  
25 equitable relief including the construction or contest of  
26 a will, enforcement of a contract to make a will, and



1 proceedings involving testamentary trusts or the  
2 appointment of testamentary trustees, the fee shall not  
3 exceed \$60.

4 (4) There shall be no fee for filing in an estate: (i)  
5 the appearance of any person for the purpose of consent;  
6 or (ii) the appearance of an executor, administrator,  
7 administrator to collect, guardian, guardian ad litem, or  
8 special administrator.

9 (5) For each jury demand, the fee shall not exceed  
10 \$137.50.

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

14 (7) For each exemplification, the fee shall not exceed  
15 \$2, plus the fee for certification.

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

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

24 (10) The executor, administrator, guardian,  
25 petitioner, or other interested person or his or her  
26 attorney shall pay to the clerk all postage charges

1 incurred by the clerk in mailing petitions, orders,  
2 notices, or other documents pursuant to the provisions of  
3 the Probate Act of 1975.

4 (w) Corrections of numbers. For correction of the case  
5 number, case title, or attorney computer identification  
6 number, if required by rule of court, on any document filed in  
7 the clerk's office, to be charged against the party that filed  
8 the document, the fee shall not exceed \$25.

9 (x) Miscellaneous.

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

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

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

1 subsection shall be construed to require any clerk to provide  
2 any service not otherwise required by law.

3 (y-5) Unpaid fees. Unless a court ordered payment schedule  
4 is implemented or the fee requirements of this Section are  
5 waived under a court order, the clerk of the circuit court may  
6 add to any unpaid fees and costs under this Section a  
7 delinquency amount equal to 5% of the unpaid fees that remain  
8 unpaid after 30 days, 10% of the unpaid fees that remain unpaid  
9 after 60 days, and 15% of the unpaid fees that remain unpaid  
10 after 90 days. Notice to those parties may be made by signage  
11 posting or publication. The additional delinquency amounts  
12 collected under this Section shall be deposited into the  
13 Circuit Court Clerk Operations and Administration Fund and  
14 used to defray additional administrative costs incurred by the  
15 clerk of the circuit court in collecting unpaid fees and  
16 costs.

17 (z) Exceptions.

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

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

26 (A-5) any unit of local government or school

1 district, except in counties having a population of  
2 500,000 or more the county board may by resolution set  
3 fees for units of local government or school districts  
4 no greater than the minimum fees applicable in  
5 counties with a population less than 3,000,000;  
6 provided however, no fee may be charged to any unit of  
7 local government or school district in connection with  
8 any action which, in whole or in part, is: (i) to  
9 enforce an ordinance; (ii) to collect a debt; or (iii)  
10 under the Administrative Review Law;

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

21 (C) any commitment petition or petition for an  
22 order authorizing the administration of psychotropic  
23 medication or electroconvulsive therapy under the  
24 Mental Health and Developmental Disabilities Code;

25 (D) a petitioner in any order of protection  
26 proceeding, including, but not limited to, fees for

1 filing, modifying, withdrawing, certifying, or  
2 photocopying petitions for orders of protection,  
3 issuing alias summons, any related filing service, or  
4 certifying, modifying, vacating, or photocopying any  
5 orders of protection; or

6 (E) proceedings for the appointment of a  
7 confidential intermediary under the Adoption Act.

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

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

15 (aa) This Section is repealed on January 1, 2022.

16 (Source: P.A. 100-987, eff. 7-1-19; 100-994, eff. 7-1-19;  
17 100-1161, eff. 7-1-19; 101-645, eff. 6-26-20; revised  
18 8-18-20.)

19 Section 55. The Criminal and Traffic Assessment Act is  
20 amended by changing Section 15-20 as follows:

21 (705 ILCS 135/15-20)

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

23 Sec. 15-20. SCHEDULE 4; felony sex offenses.

24 SCHEDULE 4: For a felony or attempted felony under Article

1 11 or Section 12-33 of the Criminal Code of 2012, the Clerk of  
2 the Circuit Court shall collect \$1,314 and remit as follows:

3 (1) As the county's portion, \$354 to the county treasurer,  
4 who shall deposit the money as follows:

5 (A) \$20 into the Court Automation Fund;

6 (B) \$20 into the Court Document Storage Fund;

7 (C) \$5 into the Circuit Court Clerk Operation and  
8 Administrative Fund;

9 (D) \$255 into the county's General Fund;

10 (E) \$10 into the Child Advocacy Center Fund;

11 (F) \$2 into the State's Attorney Records Automation  
12 Fund;

13 (G) \$2 into the Public Defender Records Automation  
14 Fund;

15 (H) \$20 into the County Jail Medical Costs Fund; and

16 (I) \$20 into the Probation and Court Services Fund.

17 (2) As the State's portion, \$960 to the State Treasurer,  
18 who shall deposit the money as follows:

19 (A) \$520 into the State Police Operations Assistance  
20 Fund;

21 (B) \$100 into the Violent Crime Victims Assistance  
22 Fund;

23 (C) \$200 into the Sexual Assault Services Fund;

24 (D) \$100 into the Domestic Violence Shelter and  
25 Service ~~Services~~ Fund;

26 (E) \$5 into the State Police Merit Board Public Safety

1 Fund; and  
2 (F) \$35 into the Traffic and Criminal Conviction  
3 Surcharge Fund.  
4 (Source: P.A. 100-987, eff. 7-1-19.)

5 Section 60. The Unified Code of Corrections is amended by  
6 changing Section 5-9-1.22 as follows:

7 (730 ILCS 5/5-9-1.22)

8 Sec. 5-9-1.22. Fee; Roadside Memorial Fund. A person who  
9 is convicted or receives a disposition of court supervision  
10 for a violation of Section 11-501 of the Illinois Vehicle Code  
11 shall, in addition to any other disposition, penalty, or fine  
12 imposed, pay a fee of \$50 which shall be collected by the clerk  
13 of the court and then remitted to the State Treasurer for  
14 deposit into the Roadside Memorial Fund, a special fund that  
15 is created in the State treasury. However, the court may waive  
16 the fee if full restitution is complied with. Subject to  
17 appropriation, all moneys in the Roadside Memorial Fund shall  
18 be used by the Department of Transportation to pay fees  
19 imposed under subsection (f) of Section 20 of the Roadside  
20 Memorial Act.

21 This Section is substantially the same as Section 5-9-1.18  
22 ~~5-9-1.8~~ of the Unified Code of Corrections, which Section was  
23 repealed by Public Act 100-987, and shall be construed as a  
24 continuation of the fee established by that prior law, and not

1 as a new or different fee.

2 (Source: P.A. 101-10, eff. 6-5-19.)

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