

SB1703



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB1703

Introduced 2/26/2021, by Sen. Cristina Castro

SYNOPSIS AS INTRODUCED:

705 ILCS 105/27.1b
705 ILCS 105/27.1c
705 ILCS 135/1-10
705 ILCS 135/20-5

Amends the Clerks of Courts Act and the Criminal and Traffic Assessment Act. Requires the clerk of circuit court to submit specified assessment reports no later than March 1, 2021, and March 1 of every year thereafter. Changes the repeal date of the Criminal and Traffic Assessment Act to January 1, 2023 (rather than 2022), and makes a corresponding change in the Clerks of Courts Act. Effective immediately.

LRB102 10940 LNS 16272 b

A BILL FOR

1 AN ACT concerning courts.

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

4 Section 5. The Clerks of Courts Act is amended by changing
5 Sections 27.1b and 27.1c as follows:

6 (705 ILCS 105/27.1b)

7 (Section scheduled to be repealed on January 1, 2022)

8 Sec. 27.1b. Circuit court clerk fees. Notwithstanding any
9 other provision of law, all fees charged by the clerks of the
10 circuit court for the services described in this Section shall
11 be established, collected, and disbursed in accordance with
12 this Section. Except as otherwise specified in this Section,
13 all fees under this Section shall be paid in advance and
14 disbursed by each clerk on a monthly basis. In a county with a
15 population of over 3,000,000, units of local government and
16 school districts shall not be required to pay fees under this
17 Section in advance and the clerk shall instead send an
18 itemized bill to the unit of local government or school
19 district, within 30 days of the fee being incurred, and the
20 unit of local government or school district shall be allowed
21 at least 30 days from the date of the itemized bill to pay;
22 these payments shall be disbursed by each clerk on a monthly
23 basis. Unless otherwise specified in this Section, the amount

1 of a fee shall be determined by ordinance or resolution of the
2 county board and remitted to the county treasurer to be used
3 for purposes related to the operation of the court system in
4 the county. In a county with a population of over 3,000,000,
5 any amount retained by the clerk of the circuit court or
6 remitted to the county treasurer shall be subject to
7 appropriation by the county board.

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

13 (1) SCHEDULE 1: not to exceed a total of \$366 in a
14 county with a population of 3,000,000 or more and not to
15 exceed \$316 in any other county, except as applied to
16 units of local government and school districts in counties
17 with more than 3,000,000 inhabitants an amount not to
18 exceed \$190 through December 31, 2021 and \$184 on and
19 after January 1, 2022. The fees collected under this
20 schedule shall be disbursed as follows:

21 (A) The clerk shall retain a sum, in an amount not
22 to exceed \$55 in a county with a population of
23 3,000,000 or more and in an amount not to exceed \$45 in
24 any other county determined by the clerk with the
25 approval of the Supreme Court, to be used for court
26 automation, court document storage, and administrative

1 purposes.

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

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

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

11 (iii) \$9 into the Supreme Court Special
12 Purposes Fund.

13 (C) The clerk shall remit a sum to the County
14 Treasurer, in an amount not to exceed \$290 in a county
15 with a population of 3,000,000 or more and in an amount
16 not to exceed \$250 in any other county, as specified by
17 ordinance or resolution passed by the county board,
18 for purposes related to the operation of the court
19 system in the county.

20 (2) SCHEDULE 2: not to exceed a total of \$357 in a
21 county with a population of 3,000,000 or more and not to
22 exceed \$266 in any other county, except as applied to
23 units of local government and school districts in counties
24 with more than 3,000,000 inhabitants an amount not to
25 exceed \$190 through December 31, 2021 and \$184 on and
26 after January 1, 2022. The fees collected under this

1 schedule 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 \$281 in a county
22 with a population of 3,000,000 or more and in an amount
23 not to exceed \$200 in any other county, as specified by
24 ordinance or resolution passed by the county board,
25 for purposes related to the operation of the court
26 system in the county.

1 (3) SCHEDULE 3: not to exceed a total of \$265 in a
2 county with a population of 3,000,000 or more and not to
3 exceed \$89 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 \$22 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 \$11 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) \$2 into the Access to Justice Fund; and

21 (ii) \$9 into the Supreme Court Special
22 Purposes Fund.

23 (C) The clerk shall remit a sum to the County
24 Treasurer, in an amount not to exceed \$199 in a county
25 with a population of 3,000,000 or more and in an amount
26 not to exceed \$56 in any other county, as specified by

1 ordinance or resolution passed by the county board,
2 for purposes related to the operation of the court
3 system in the county.

4 (4) SCHEDULE 4: \$0.

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

10 (1) SCHEDULE 1: not to exceed a total of \$230 in a
11 county with a population of 3,000,000 or more and not to
12 exceed \$191 in any other county, except as applied to
13 units of local government and school districts in counties
14 with more than 3,000,000 inhabitants an amount not to
15 exceed \$75. The fees collected under this schedule shall
16 be disbursed as follows:

17 (A) The clerk shall retain a sum, in an amount not
18 to exceed \$50 in a county with a population of
19 3,000,000 or more and in an amount not to exceed \$45 in
20 any other county determined by the clerk with the
21 approval of the Supreme Court, to be used for court
22 automation, court document storage, and administrative
23 purposes.

24 (B) The clerk shall remit up to \$21 to the State
25 Treasurer. The State Treasurer shall deposit the
26 appropriate amounts, in accordance with the clerk's

1 instructions, as follows:

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

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

7 (iii) \$9 into the Supreme Court Special
8 Purposes Fund.

9 (C) The clerk shall remit a sum to the County
10 Treasurer, in an amount not to exceed \$159 in a county
11 with a population of 3,000,000 or more and in an amount
12 not to exceed \$125 in any other county, as specified by
13 ordinance or resolution passed by the county board,
14 for purposes related to the operation of the court
15 system in the county.

16 (2) SCHEDULE 2: not to exceed a total of \$130 in a
17 county with a population of 3,000,000 or more and not to
18 exceed \$109 in any other county, except as applied to
19 units of local government and school districts in counties
20 with more than 3,000,000 inhabitants an amount not to
21 exceed \$75. The fees collected under this schedule shall
22 be disbursed as follows:

23 (A) The clerk shall retain a sum, in an amount not
24 to exceed \$50 in a county with a population of
25 3,000,000 or more and in an amount not to exceed \$10 in
26 any other county determined by the clerk with the

1 approval of the Supreme Court, to be used for court
2 automation, court document storage, and administrative
3 purposes.

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

7 (C) The clerk shall remit a sum to the County
8 Treasurer, in an amount not to exceed \$71 in a county
9 with a population of 3,000,000 or more and in an amount
10 not to exceed \$90 in any other county, as specified by
11 ordinance or resolution passed by the county board,
12 for purposes related to the operation of the court
13 system in the county.

14 (3) SCHEDULE 3: \$0.

15 (b-5) Kane County and Will County. In Kane County and Will
16 County civil cases, there is an additional fee of up to \$30 as
17 set by the county board under Section 5-1101.3 of the Counties
18 Code to be paid by each party at the time of filing the first
19 pleading, paper, or other appearance; provided that no
20 additional fee shall be required if more than one party is
21 represented in a single pleading, paper, or other appearance.
22 Distribution of fees collected under this subsection (b-5)
23 shall be as provided in Section 5-1101.3 of the Counties Code.

24 (c) Counterclaim or third party complaint. When any
25 defendant files a counterclaim or third party complaint, as
26 part of the defendant's answer or otherwise, the defendant

1 shall pay a filing fee for each counterclaim or third party
2 complaint in an amount equal to the filing fee the defendant
3 would have had to pay had the defendant brought a separate
4 action for the relief sought in the counterclaim or third
5 party complaint, less the amount of the appearance fee, if
6 any, that the defendant has already paid in the action in which
7 the counterclaim or third party complaint is filed.

8 (d) Alias summons. The clerk shall collect a fee not to
9 exceed \$6 in a county with a population of 3,000,000 or more
10 and not to exceed \$5 in any other county for each alias summons
11 or citation issued by the clerk, except as applied to units of
12 local government and school districts in counties with more
13 than 3,000,000 inhabitants an amount not to exceed \$5 for each
14 alias summons or citation issued by the clerk.

15 (e) Jury services. The clerk shall collect, in addition to
16 other fees allowed by law, a sum not to exceed \$212.50, as a
17 fee for the services of a jury in every civil action not
18 quasi-criminal in its nature and not a proceeding for the
19 exercise of the right of eminent domain and in every other
20 action wherein the right of trial by jury is or may be given by
21 law. The jury fee shall be paid by the party demanding a jury
22 at the time of filing the jury demand. If the fee is not paid
23 by either party, no jury shall be called in the action or
24 proceeding, and the action or proceeding shall be tried by the
25 court without a jury.

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

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

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

7 (g) Petition to vacate or modify.

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

20 (2) In a proceeding involving a petition to vacate or
21 modify any final judgment or order filed more than 30 days
22 after the judgment or order was entered, except for a
23 petition to modify, terminate, or enforce a judgment or
24 order for child or spousal support, or petition to modify,
25 suspend, or terminate an order for withholding, the fee
26 shall not exceed \$75.

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

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

9 (1) if the record contains no more than 100 pages, the
10 fee shall not exceed \$70 in a county with a population of
11 3,000,000 or more and shall not exceed \$50 in any other
12 county;

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

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

18 (i) Remands. In any cases remanded to the circuit court
19 from the Supreme Court or the appellate court for a new trial,
20 the clerk shall reinstate the case with either its original
21 number or a new number. The clerk shall not charge any new or
22 additional fee for the reinstatement. Upon reinstatement, the
23 clerk shall advise the parties of the reinstatement. Parties
24 shall have the same right to a jury trial on remand and
25 reinstatement that they had before the appeal, and no
26 additional or new fee or charge shall be made for a jury trial

1 after remand.

2 (j) Garnishment, wage deduction, and citation. In
3 garnishment affidavit, wage deduction affidavit, and citation
4 petition proceedings:

5 (1) if the amount in controversy in the proceeding is
6 not more than \$1,000, the fee may not exceed \$35 in a
7 county with a population of 3,000,000 or more and may not
8 exceed \$15 in any other county, except as applied to units
9 of local government and school districts in counties with
10 more than 3,000,000 inhabitants an amount not to exceed
11 \$15;

12 (2) if the amount in controversy in the proceeding is
13 greater than \$1,000 and not more than \$5,000, the fee may
14 not exceed \$45 in a county with a population of 3,000,000
15 or more and may not exceed \$30 in any other county, except
16 as applied to units of local government and school
17 districts in counties with more than 3,000,000 inhabitants
18 an amount not to exceed \$30; and

19 (3) if the amount in controversy in the proceeding is
20 greater than \$5,000, the fee may not exceed \$65 in a county
21 with a population of 3,000,000 or more and may not exceed
22 \$50 in any other county, except as applied to units of
23 local government and school districts in counties with
24 more than 3,000,000 inhabitants an amount not to exceed
25 \$50.

26 (j-5) Debt collection. In any proceeding to collect a debt

1 subject to the exception in item (ii) of subparagraph (A-5) of
2 paragraph (1) of subsection (z) of this Section, the circuit
3 court shall order and the clerk shall collect from each
4 judgment debtor a fee of:

5 (1) \$35 if the amount in controversy in the proceeding
6 is not more than \$1,000;

7 (2) \$45 if the amount in controversy in the proceeding
8 is greater than \$1,000 and not more than \$5,000; and

9 (3) \$65 if the amount in controversy in the proceeding
10 is greater than \$5,000.

11 (k) Collections.

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

16 (2) In child support and maintenance cases, the clerk
17 may collect an annual fee of up to \$36 from the person
18 making payment for maintaining child support records and
19 the processing of support orders to the State of Illinois
20 KIDS system and the recording of payments issued by the
21 State Disbursement Unit for the official record of the
22 Court. This fee is in addition to and separate from
23 amounts ordered to be paid as maintenance or child support
24 and shall be deposited into a Separate Maintenance and
25 Child Support Collection Fund, of which the clerk shall be
26 the custodian, ex officio, to be used by the clerk to

1 maintain child support orders and record all payments
2 issued by the State Disbursement Unit for the official
3 record of the Court. The clerk may recover from the person
4 making the maintenance or child support payment any
5 additional cost incurred in the collection of this annual
6 fee.

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

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

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

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

24 (n) Certification, authentication, and reproduction.

25 (1) The fee for each certification or authentication
26 for taking the acknowledgment of a deed or other

1 instrument in writing with the seal of office shall not
2 exceed \$6.

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

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

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

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

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

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

18 (q) Index inquiry and other records. No fee shall be
19 charged for a single plaintiff and defendant index inquiry or
20 single case record inquiry when this request is made in person
21 and the records are maintained in a current automated medium,
22 and when no hard copy print output is requested. The fees to be
23 charged for management records, multiple case records, and
24 multiple journal records may be specified by the Chief Judge
25 pursuant to the guidelines for access and dissemination of
26 information approved by the Supreme Court.

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

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

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

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

23 (v) Probate filings.

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

1 (2) For filing a claim in an estate when the amount
2 claimed is greater than \$150 and not more than \$500, the
3 fee shall not exceed \$40 in a county with a population of
4 3,000,000 or more and shall not exceed \$25 in any other
5 county; when the amount claimed is greater than \$500 and
6 not more than \$10,000, the fee shall not exceed \$55 in a
7 county with a population of 3,000,000 or more and shall
8 not exceed \$40 in any other county; and when the amount
9 claimed is more than \$10,000, the fee shall not exceed \$75
10 in a county with a population of 3,000,000 or more and
11 shall not exceed \$60 in any other county; except the court
12 in allowing a claim may add to the amount allowed the
13 filing fee paid by the claimant.

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

21 (4) There shall be no fee for filing in an estate: (i)
22 the appearance of any person for the purpose of consent;
23 or (ii) the appearance of an executor, administrator,
24 administrator to collect, guardian, guardian ad litem, or
25 special administrator.

26 (5) For each jury demand, the fee shall not exceed

1 \$137.50.

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

5 (7) For each exemplification, the fee shall not exceed
6 \$2, plus the fee for certification.

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

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

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

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

26 (x) Miscellaneous.

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

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

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

20 (y-5) Unpaid fees. Unless a court ordered payment schedule
21 is implemented or the fee requirements of this Section are
22 waived under a court order, the clerk of the circuit court may
23 add to any unpaid fees and costs under this Section a
24 delinquency amount equal to 5% of the unpaid fees that remain
25 unpaid after 30 days, 10% of the unpaid fees that remain unpaid
26 after 60 days, and 15% of the unpaid fees that remain unpaid

1 after 90 days. Notice to those parties may be made by signage
2 posting or publication. The additional delinquency amounts
3 collected under this Section shall be deposited into the
4 Circuit Court Clerk Operations and Administration Fund and
5 used to defray additional administrative costs incurred by the
6 clerk of the circuit court in collecting unpaid fees and
7 costs.

8 (z) Exceptions.

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

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

17 (A-5) any unit of local government or school
18 district, except in counties having a population of
19 500,000 or more the county board may by resolution set
20 fees for units of local government or school districts
21 no greater than the minimum fees applicable in
22 counties with a population less than 3,000,000;
23 provided however, no fee may be charged to any unit of
24 local government or school district in connection with
25 any action which, in whole or in part, is: (i) to
26 enforce an ordinance; (ii) to collect a debt; or (iii)

1 under the Administrative Review Law;

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

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

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

23 (E) proceedings for the appointment of a
24 confidential intermediary under the Adoption Act.

25 (2) No fee other than the filing fee contained in the
26 applicable schedule in subsection (a) shall be charged to

1 any person in connection with an adoption proceeding.

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

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

7 (Source: P.A. 100-987, eff. 7-1-19; 100-994, eff. 7-1-19;
8 100-1161, eff. 7-1-19; 101-645, eff. 6-26-20; revised
9 8-18-20.)

10 (705 ILCS 105/27.1c)

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

12 Sec. 27.1c. Assessment report.

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

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

22 (2) the amount of filing fees that were collected
23 pursuant to subsection (a) of Section 27.1b;

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

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

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

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

8 (7) the number of cases for which, pursuant to Section
9 5-105 of the Code of Civil Procedure, there were waivers
10 of fees, costs, and charges of 25%, 50%, 75%, or 100%,
11 respectively, and the associated amount of fees, costs,
12 and charges that were waived.

13 (b) The Administrative Office of the Illinois Courts shall
14 publish the reports submitted under this Section on its
15 website.

16 (c) (Blank). ~~This Section is repealed on January 1, 2022.~~
17 (Source: P.A. 100-1161, eff. 7-1-19; 101-645, eff. 6-26-20.)

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

20 (705 ILCS 135/1-10)

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

22 Sec. 1-10. Assessment reports.

23 (a) Not later than March 1, 2021, and March 1 of every year
24 thereafter, February 29, 2020, the clerk of the circuit court

1 shall file with the Administrative Office of the Illinois
2 Courts:

3 (1) an annual ~~a~~ report for the period January 1 ~~July 1,~~
4 ~~2019~~ through December 31 of the previous year ~~, 2019~~
5 containing the total number of cases filed in the
6 following categories: total felony cases; felony driving
7 under the influence of alcohol, drugs, or a combination
8 thereof; cases that contain at least one count of driving
9 under the influence of alcohol, drugs, or a combination
10 thereof; felony cases that contain at least one count of a
11 drug offense; felony cases that contain at least one count
12 of a sex offense; total misdemeanor cases; misdemeanor
13 driving under the influence of alcohol, drugs, or a
14 combination thereof cases; misdemeanor cases that contain
15 at least one count of a drug offense; misdemeanor cases
16 that contain at least one count of a sex offense; total
17 traffic offense counts; traffic offense counts of a
18 misdemeanor offense under the Illinois Vehicle Code;
19 traffic offense counts of an overweight offense under the
20 Illinois Vehicle Code; traffic offense counts that are
21 satisfied under Supreme Court Rule 529; conservation
22 cases; and ordinance cases that do not contain an offense
23 under the Illinois Vehicle Code;

24 (2) an annual ~~a~~ report for the period January 1 ~~July 1,~~
25 ~~2019~~ through December 31 of the previous year ~~, 2019~~
26 containing the following for each schedule referenced in

1 Sections 15-5 through 15-70 of this Act: the number of
2 offenses for which assessments were imposed; the amount of
3 any fines imposed in addition to assessments; the number
4 and amount of conditional assessments ordered pursuant to
5 Section 15-70; and for 25%, 50%, 75%, and 100% waivers,
6 respectively, the number of offenses for which waivers
7 were granted and the associated amount of assessments that
8 were waived; and

9 (3) an annual ~~a~~ report for the period January 1 ~~July 1,~~
10 ~~2019~~ through December 31 of the previous year ~~, 2019~~
11 containing, with respect to each schedule referenced in
12 Sections 15-5 through 15-70 of this Act, the number of
13 offenses for which assessments were collected; the number
14 of offenses for which fines were collected and the amount
15 collected; and how much was disbursed to each fund under
16 the disbursement requirements for each schedule defined in
17 Section 15-5.

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

21 (c) A list of offenses that qualify as drug offenses for
22 Schedules 3 and 7 and a list of offenses that qualify as sex
23 offenses for Schedules 4 and 8 shall be distributed to clerks
24 of the circuit court by the Administrative Office of the
25 Illinois Courts.

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

1 (705 ILCS 135/20-5)

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

3 Sec. 20-5. Repeal. This Act is repealed on January 1, 2023
4 ~~2022~~.

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

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.