

1 AN ACT concerning transportation.

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

4 Section 5. The State Finance Act is amended by adding  
5 Section 5.719 and changing Section 8h as follows:

6 (30 ILCS 105/5.719 new)

7 Sec. 5.719. The Roadside Memorial Fund.

8 (30 ILCS 105/8h)

9 Sec. 8h. Transfers to General Revenue Fund.

10 (a) Except as otherwise provided in this Section and  
11 Section 8n of this Act, and notwithstanding any other State law  
12 to the contrary, the Governor may, through June 30, 2007, from  
13 time to time direct the State Treasurer and Comptroller to  
14 transfer a specified sum from any fund held by the State  
15 Treasurer to the General Revenue Fund in order to help defray  
16 the State's operating costs for the fiscal year. The total  
17 transfer under this Section from any fund in any fiscal year  
18 shall not exceed the lesser of (i) 8% of the revenues to be  
19 deposited into the fund during that fiscal year or (ii) an  
20 amount that leaves a remaining fund balance of 25% of the July  
21 1 fund balance of that fiscal year. In fiscal year 2005 only,  
22 prior to calculating the July 1, 2004 final balances, the

1 Governor may calculate and direct the State Treasurer with the  
2 Comptroller to transfer additional amounts determined by  
3 applying the formula authorized in Public Act 93-839 to the  
4 funds balances on July 1, 2003. No transfer may be made from a  
5 fund under this Section that would have the effect of reducing  
6 the available balance in the fund to an amount less than the  
7 amount remaining unexpended and unreserved from the total  
8 appropriation from that fund estimated to be expended for that  
9 fiscal year. This Section does not apply to any funds that are  
10 restricted by federal law to a specific use, to any funds in  
11 the Motor Fuel Tax Fund, the Intercity Passenger Rail Fund, the  
12 Hospital Provider Fund, the Medicaid Provider Relief Fund, the  
13 Teacher Health Insurance Security Fund, the Reviewing Court  
14 Alternative Dispute Resolution Fund, the Voters' Guide Fund,  
15 the Foreign Language Interpreter Fund, the Lawyers' Assistance  
16 Program Fund, the Supreme Court Federal Projects Fund, the  
17 Supreme Court Special State Projects Fund, the Supplemental  
18 Low-Income Energy Assistance Fund, the Good Samaritan Energy  
19 Trust Fund, the Low-Level Radioactive Waste Facility  
20 Development and Operation Fund, the Horse Racing Equity Trust  
21 Fund, the Metabolic Screening and Treatment Fund, or the  
22 Hospital Basic Services Preservation Fund, or to any funds to  
23 which Section 70-50 of the Nurse Practice Act applies. No  
24 transfers may be made under this Section from the Pet  
25 Population Control Fund. Notwithstanding any other provision  
26 of this Section, for fiscal year 2004, the total transfer under

1 this Section from the Road Fund or the State Construction  
2 Account Fund shall not exceed the lesser of (i) 5% of the  
3 revenues to be deposited into the fund during that fiscal year  
4 or (ii) 25% of the beginning balance in the fund. For fiscal  
5 year 2005 through fiscal year 2007, no amounts may be  
6 transferred under this Section from the Road Fund, the State  
7 Construction Account Fund, the Criminal Justice Information  
8 Systems Trust Fund, the Wireless Service Emergency Fund, or the  
9 Mandatory Arbitration Fund.

10 In determining the available balance in a fund, the  
11 Governor may include receipts, transfers into the fund, and  
12 other resources anticipated to be available in the fund in that  
13 fiscal year.

14 The State Treasurer and Comptroller shall transfer the  
15 amounts designated under this Section as soon as may be  
16 practicable after receiving the direction to transfer from the  
17 Governor.

18 (a-5) Transfers directed to be made under this Section on  
19 or before February 28, 2006 that are still pending on May 19,  
20 2006 (the effective date of Public Act 94-774) shall be  
21 redirected as provided in Section 8n of this Act.

22 (b) This Section does not apply to: (i) the Ticket For The  
23 Cure Fund; (ii) any fund established under the Community Senior  
24 Services and Resources Act; or (iii) on or after January 1,  
25 2006 (the effective date of Public Act 94-511), the Child Labor  
26 and Day and Temporary Labor Enforcement Fund.

1 (c) This Section does not apply to the Demutualization  
2 Trust Fund established under the Uniform Disposition of  
3 Unclaimed Property Act.

4 (d) This Section does not apply to moneys set aside in the  
5 Illinois State Podiatric Disciplinary Fund for podiatric  
6 scholarships and residency programs under the Podiatric  
7 Scholarship and Residency Act.

8 (e) Subsection (a) does not apply to, and no transfer may  
9 be made under this Section from, the Pension Stabilization  
10 Fund.

11 (f) Subsection (a) does not apply to, and no transfer may  
12 be made under this Section from, the Illinois Power Agency  
13 Operations Fund, the Illinois Power Agency Facilities Fund, the  
14 Illinois Power Agency Debt Service Fund, and the Illinois Power  
15 Agency Trust Fund.

16 (g) This Section does not apply to the Veterans Service  
17 Organization Reimbursement Fund.

18 (h) This Section does not apply to the Supreme Court  
19 Historic Preservation Fund.

20 (i) This Section does not apply to, and no transfer may be  
21 made under this Section from, the Money Follows the Person  
22 Budget Transfer Fund.

23 (j) This Section does not apply to the Roadside Memorial  
24 Fund.

25 (Source: P.A. 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511,  
26 eff. 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05;

1 94-645, eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff.  
2 11-2-05; 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773,  
3 eff. 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06;  
4 94-839, eff. 6-6-06; 95-331, eff. 8-21-07; 95-410, eff.  
5 8-24-07; 95-481, eff. 8-28-07; 95-629, eff. 9-25-07; 95-639,  
6 eff. 10-5-07; 95-695, eff. 11-5-07; 95-744, eff. 7-18-08;  
7 95-876, eff. 8-21-08.)

8 Section 10. The Roadside Memorial Act is amended by  
9 changing Section 20 as follows:

10 (605 ILCS 125/20)

11 Sec. 20. DUI memorial markers.

12 (a) A DUI memorial marker shall consist of a white on blue  
13 panel bearing the message "Please Don't Drink and Drive". At  
14 the request of the qualified relative, a separate panel bearing  
15 the words "In Memory of (victim's name)", followed by the date  
16 of the crash that was the proximate cause of the loss of the  
17 victim's life, shall be mounted below the primary panel.

18 (b) A DUI memorial marker may memorialize more than one  
19 victim who died as a result of the same DUI-related crash. If  
20 one or more additional DUI crash deaths subsequently occur in  
21 close proximity to an existing DUI memorial marker, the  
22 supporting jurisdiction may use the same marker to memorialize  
23 the subsequent death or deaths, by adding the names of the  
24 additional persons.

1 (c) A DUI memorial marker shall be maintained for at least  
2 2 years from the date the last person was memorialized on the  
3 marker.

4 (d) The supporting jurisdiction has the right to install a  
5 marker at a location other than the location of the crash or to  
6 relocate a marker due to restricted room, property owner  
7 complaints, interference with essential traffic control  
8 devices, safety concerns, or other restrictions. In such cases,  
9 the sponsoring jurisdiction may select an alternate location.

10 (e) The Department shall secure the consent of any  
11 municipality before placing a DUI memorial marker within the  
12 corporate limits of the municipality.

13 (f) A fee in an amount to be determined by the supporting  
14 jurisdiction may be paid in whole or in part from the Roadside  
15 Memorial Fund if moneys are made available by the Department of  
16 Transportation from that Fund or may be charged to the  
17 qualified relative to the extent moneys from that Fund are not  
18 made available. The fee shall not exceed the costs associated  
19 with the fabrication, installation, and maintenance of the DUI  
20 memorial marker.

21 (Source: P.A. 95-398, eff. 1-1-08.)

22 Section 13. The Clerks of Courts Act is amended by changing  
23 Sections 27.5 and 27.6 as follows:

24 (705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

1           Sec. 27.5. (a) All fees, fines, costs, additional  
2 penalties, bail balances assessed or forfeited, and any other  
3 amount paid by a person to the circuit clerk that equals an  
4 amount less than \$55, except restitution under Section 5-5-6 of  
5 the Unified Code of Corrections, reimbursement for the costs of  
6 an emergency response as provided under Section 11-501 of the  
7 Illinois Vehicle Code, any fees collected for attending a  
8 traffic safety program under paragraph (c) of Supreme Court  
9 Rule 529, any fee collected on behalf of a State's Attorney  
10 under Section 4-2002 of the Counties Code or a sheriff under  
11 Section 4-5001 of the Counties Code, or any cost imposed under  
12 Section 124A-5 of the Code of Criminal Procedure of 1963, for  
13 convictions, orders of supervision, or any other disposition  
14 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois  
15 Vehicle Code, or a similar provision of a local ordinance, and  
16 any violation of the Child Passenger Protection Act, or a  
17 similar provision of a local ordinance, and except as provided  
18 in subsection (b) shall be disbursed within 60 days after  
19 receipt by the circuit clerk as follows: 47% shall be disbursed  
20 to the entity authorized by law to receive the fine imposed in  
21 the case; 12% shall be disbursed to the State Treasurer; and  
22 41% shall be disbursed to the county's general corporate fund.  
23 Of the 12% disbursed to the State Treasurer, 1/6 shall be  
24 deposited by the State Treasurer into the Violent Crime Victims  
25 Assistance Fund, 1/2 shall be deposited into the Traffic and  
26 Criminal Conviction Surcharge Fund, and 1/3 shall be deposited

1 into the Drivers Education Fund. For fiscal years 1992 and  
2 1993, amounts deposited into the Violent Crime Victims  
3 Assistance Fund, the Traffic and Criminal Conviction Surcharge  
4 Fund, or the Drivers Education Fund shall not exceed 110% of  
5 the amounts deposited into those funds in fiscal year 1991. Any  
6 amount that exceeds the 110% limit shall be distributed as  
7 follows: 50% shall be disbursed to the county's general  
8 corporate fund and 50% shall be disbursed to the entity  
9 authorized by law to receive the fine imposed in the case. Not  
10 later than March 1 of each year the circuit clerk shall submit  
11 a report of the amount of funds remitted to the State Treasurer  
12 under this Section during the preceding year based upon  
13 independent verification of fines and fees. All counties shall  
14 be subject to this Section, except that counties with a  
15 population under 2,000,000 may, by ordinance, elect not to be  
16 subject to this Section. For offenses subject to this Section,  
17 judges shall impose one total sum of money payable for  
18 violations. The circuit clerk may add on no additional amounts  
19 except for amounts that are required by Sections 27.3a and  
20 27.3c of this Act, unless those amounts are specifically waived  
21 by the judge. With respect to money collected by the circuit  
22 clerk as a result of forfeiture of bail, ex parte judgment or  
23 guilty plea pursuant to Supreme Court Rule 529, the circuit  
24 clerk shall first deduct and pay amounts required by Sections  
25 27.3a and 27.3c of this Act. This Section is a denial and  
26 limitation of home rule powers and functions under subsection



1 (h) of Section 6 of Article VII of the Illinois Constitution.

2 (b) The following amounts must be remitted to the State  
3 Treasurer for deposit into the Illinois Animal Abuse Fund:

4 (1) 50% of the amounts collected for felony offenses  
5 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,  
6 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for  
7 Animals Act and Section 26-5 of the Criminal Code of 1961;

8 (2) 20% of the amounts collected for Class A and Class  
9 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,  
10 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care  
11 for Animals Act and Section 26-5 of the Criminal Code of  
12 1961; and

13 (3) 50% of the amounts collected for Class C  
14 misdemeanors under Sections 4.01 and 7.1 of the Humane Care  
15 for Animals Act and Section 26-5 of the Criminal Code of  
16 1961.

17 (c) Any person who receives a disposition of court  
18 supervision for a violation of the Illinois Vehicle Code or a  
19 similar provision of a local ordinance shall, in addition to  
20 any other fines, fees, and court costs, pay an additional fee  
21 of \$20, to be disbursed as provided in Section 16-104c of the  
22 Illinois Vehicle Code. In addition to the fee of \$20, the  
23 person shall also pay a fee of \$5, if not waived by the court.  
24 If this \$5 fee is collected, \$4.50 of the fee shall be  
25 deposited into the Circuit Court Clerk Operation and  
26 Administrative Fund created by the Clerk of the Circuit Court

1 and 50 cents of the fee shall be deposited into the Prisoner  
2 Review Board Vehicle and Equipment Fund in the State treasury.

3 (d) Any person convicted of or pleading guilty to a serious  
4 traffic violation, as defined in Section 1-187.001 of the  
5 Illinois Vehicle Code, shall pay an additional fee of \$20, to  
6 be disbursed as provided in Section 16-104d of that Code.

7 This subsection (d) becomes inoperative 7 years after the  
8 effective date of Public Act 95-154.

9 (e) Any person who receives a disposition of court  
10 supervision for a violation of Section 11-501 of the Illinois  
11 Vehicle Code shall, in addition to any other fines, fees, and  
12 court costs, pay an additional fee of \$50, which shall be  
13 collected by the circuit clerk and then remitted to the State  
14 Treasurer for deposit into the Roadside Memorial Fund, a  
15 special fund in the State treasury. However, the court may  
16 waive 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 imposed  
19 under subsection (f) of Section 20 of the Roadside Memorial  
20 Act. The fee shall be remitted by the circuit clerk within one  
21 month after receipt to the State Treasurer for deposit into the  
22 Roadside Memorial Fund.

23 (Source: P.A. 94-1009, eff. 1-1-07; 95-154, eff. 10-13-07;  
24 95-428, eff. 8-24-07; 95-876, eff. 8-21-08.)

25 (705 ILCS 105/27.6)

1           Sec. 27.6. (a) All fees, fines, costs, additional  
2 penalties, bail balances assessed or forfeited, and any other  
3 amount paid by a person to the circuit clerk equalling an  
4 amount of \$55 or more, except the fine imposed by Section  
5 5-9-1.15 of the Unified Code of Corrections, the additional fee  
6 required by subsections (b) and (c), restitution under Section  
7 5-5-6 of the Unified Code of Corrections, reimbursement for the  
8 costs of an emergency response as provided under Section 11-501  
9 of the Illinois Vehicle Code, any fees collected for attending  
10 a traffic safety program under paragraph (c) of Supreme Court  
11 Rule 529, any fee collected on behalf of a State's Attorney  
12 under Section 4-2002 of the Counties Code or a sheriff under  
13 Section 4-5001 of the Counties Code, or any cost imposed under  
14 Section 124A-5 of the Code of Criminal Procedure of 1963, for  
15 convictions, orders of supervision, or any other disposition  
16 for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois  
17 Vehicle Code, or a similar provision of a local ordinance, and  
18 any violation of the Child Passenger Protection Act, or a  
19 similar provision of a local ordinance, and except as provided  
20 in subsections (d) and (g) shall be disbursed within 60 days  
21 after receipt by the circuit clerk as follows: 44.5% shall be  
22 disbursed to the entity authorized by law to receive the fine  
23 imposed in the case; 16.825% shall be disbursed to the State  
24 Treasurer; and 38.675% shall be disbursed to the county's  
25 general corporate fund. Of the 16.825% disbursed to the State  
26 Treasurer, 2/17 shall be deposited by the State Treasurer into

1 the Violent Crime Victims Assistance Fund, 5.052/17 shall be  
2 deposited into the Traffic and Criminal Conviction Surcharge  
3 Fund, 3/17 shall be deposited into the Drivers Education Fund,  
4 and 6.948/17 shall be deposited into the Trauma Center Fund. Of  
5 the 6.948/17 deposited into the Trauma Center Fund from the  
6 16.825% disbursed to the State Treasurer, 50% shall be  
7 disbursed to the Department of Public Health and 50% shall be  
8 disbursed to the Department of Healthcare and Family Services.  
9 For fiscal year 1993, amounts deposited into the Violent Crime  
10 Victims Assistance Fund, the Traffic and Criminal Conviction  
11 Surcharge Fund, or the Drivers Education Fund shall not exceed  
12 110% of the amounts deposited into those funds in fiscal year  
13 1991. Any amount that exceeds the 110% limit shall be  
14 distributed as follows: 50% shall be disbursed to the county's  
15 general corporate fund and 50% shall be disbursed to the entity  
16 authorized by law to receive the fine imposed in the case. Not  
17 later than March 1 of each year the circuit clerk shall submit  
18 a report of the amount of funds remitted to the State Treasurer  
19 under this Section during the preceding year based upon  
20 independent verification of fines and fees. All counties shall  
21 be subject to this Section, except that counties with a  
22 population under 2,000,000 may, by ordinance, elect not to be  
23 subject to this Section. For offenses subject to this Section,  
24 judges shall impose one total sum of money payable for  
25 violations. The circuit clerk may add on no additional amounts  
26 except for amounts that are required by Sections 27.3a and

1 27.3c of this Act, unless those amounts are specifically waived  
2 by the judge. With respect to money collected by the circuit  
3 clerk as a result of forfeiture of bail, ex parte judgment or  
4 guilty plea pursuant to Supreme Court Rule 529, the circuit  
5 clerk shall first deduct and pay amounts required by Sections  
6 27.3a and 27.3c of this Act. This Section is a denial and  
7 limitation of home rule powers and functions under subsection  
8 (h) of Section 6 of Article VII of the Illinois Constitution.

9 (b) In addition to any other fines and court costs assessed  
10 by the courts, any person convicted or receiving an order of  
11 supervision for driving under the influence of alcohol or drugs  
12 shall pay an additional fee of \$100 to the clerk of the circuit  
13 court. This amount, less 2 1/2% that shall be used to defray  
14 administrative costs incurred by the clerk, shall be remitted  
15 by the clerk to the Treasurer within 60 days after receipt for  
16 deposit into the Trauma Center Fund. This additional fee of  
17 \$100 shall not be considered a part of the fine for purposes of  
18 any reduction in the fine for time served either before or  
19 after sentencing. Not later than March 1 of each year the  
20 Circuit Clerk shall submit a report of the amount of funds  
21 remitted to the State Treasurer under this subsection during  
22 the preceding calendar year.

23 (b-1) In addition to any other fines and court costs  
24 assessed by the courts, any person convicted or receiving an  
25 order of supervision for driving under the influence of alcohol  
26 or drugs shall pay an additional fee of \$5 to the clerk of the

1 circuit court. This amount, less 2 1/2% that shall be used to  
2 defray administrative costs incurred by the clerk, shall be  
3 remitted by the clerk to the Treasurer within 60 days after  
4 receipt for deposit into the Spinal Cord Injury Paralysis Cure  
5 Research Trust Fund. This additional fee of \$5 shall not be  
6 considered a part of the fine for purposes of any reduction in  
7 the fine for time served either before or after sentencing. Not  
8 later than March 1 of each year the Circuit Clerk shall submit  
9 a report of the amount of funds remitted to the State Treasurer  
10 under this subsection during the preceding calendar year.

11 (c) In addition to any other fines and court costs assessed  
12 by the courts, any person convicted for a violation of Sections  
13 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or a  
14 person sentenced for a violation of the Cannabis Control Act,  
15 the Illinois Controlled Substances Act, or the Methamphetamine  
16 Control and Community Protection Act shall pay an additional  
17 fee of \$100 to the clerk of the circuit court. This amount,  
18 less 2 1/2% that shall be used to defray administrative costs  
19 incurred by the clerk, shall be remitted by the clerk to the  
20 Treasurer within 60 days after receipt for deposit into the  
21 Trauma Center Fund. This additional fee of \$100 shall not be  
22 considered a part of the fine for purposes of any reduction in  
23 the fine for time served either before or after sentencing. Not  
24 later than March 1 of each year the Circuit Clerk shall submit  
25 a report of the amount of funds remitted to the State Treasurer  
26 under this subsection during the preceding calendar year.

1 (c-1) In addition to any other fines and court costs  
2 assessed by the courts, any person sentenced for a violation of  
3 the Cannabis Control Act, the Illinois Controlled Substances  
4 Act, or the Methamphetamine Control and Community Protection  
5 Act shall pay an additional fee of \$5 to the clerk of the  
6 circuit court. This amount, less 2 1/2% that shall be used to  
7 defray administrative costs incurred by the clerk, shall be  
8 remitted by the clerk to the Treasurer within 60 days after  
9 receipt for deposit into the Spinal Cord Injury Paralysis Cure  
10 Research Trust Fund. This additional fee of \$5 shall not be  
11 considered a part of the fine for purposes of any reduction in  
12 the fine for time served either before or after sentencing. Not  
13 later than March 1 of each year the Circuit Clerk shall submit  
14 a report of the amount of funds remitted to the State Treasurer  
15 under this subsection during the preceding calendar year.

16 (d) The following amounts must be remitted to the State  
17 Treasurer for deposit into the Illinois Animal Abuse Fund:

18 (1) 50% of the amounts collected for felony offenses  
19 under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5,  
20 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for  
21 Animals Act and Section 26-5 of the Criminal Code of 1961;

22 (2) 20% of the amounts collected for Class A and Class  
23 B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04,  
24 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care  
25 for Animals Act and Section 26-5 of the Criminal Code of  
26 1961; and

1           (3) 50% of the amounts collected for Class C  
2           misdemeanors under Sections 4.01 and 7.1 of the Humane Care  
3           for Animals Act and Section 26-5 of the Criminal Code of  
4           1961.

5           (e) Any person who receives a disposition of court  
6           supervision for a violation of the Illinois Vehicle Code or a  
7           similar provision of a local ordinance shall, in addition to  
8           any other fines, fees, and court costs, pay an additional fee  
9           of \$20, to be disbursed as provided in Section 16-104c of the  
10          Illinois Vehicle Code. In addition to the fee of \$20, the  
11          person shall also pay a fee of \$5, if not waived by the court.  
12          If this \$5 fee is collected, \$4.50 of the fee shall be  
13          deposited into the Circuit Court Clerk Operation and  
14          Administrative Fund created by the Clerk of the Circuit Court  
15          and 50 cents of the fee shall be deposited into the Prisoner  
16          Review Board Vehicle and Equipment Fund in the State treasury.

17          (f) This Section does not apply to the additional child  
18          pornography fines assessed and collected under Section  
19          5-9-1.14 of the Unified Code of Corrections.

20          (g) Of the amounts collected as fines under subsection (b)  
21          of Section 3-712 of the Illinois Vehicle Code, 99% shall be  
22          deposited into the Illinois Military Family Relief Fund and 1%  
23          shall be deposited into the Circuit Court Clerk Operation and  
24          Administrative Fund created by the Clerk of the Circuit Court  
25          to be used to offset the costs incurred by the Circuit Court  
26          Clerk in performing the additional duties required to collect



1 and disburse funds to entities of State and local government as  
2 provided by law.

3 (h) Any person who receives a disposition of court  
4 supervision for a violation of Section 11-501 of the Illinois  
5 Vehicle Code or a similar provision of a local ordinance shall,  
6 in addition to any other fines, fees, and court costs, pay an  
7 additional fee of \$50, which shall be collected by the circuit  
8 clerk and then remitted to the State Treasurer for deposit into  
9 the Roadside Memorial Fund, a special fund in the State  
10 treasury. However, the court may waive the fee if full  
11 restitution is complied with. Subject to appropriation, all  
12 moneys in the Roadside Memorial Fund shall be used by the  
13 Department of Transportation to pay fees imposed under  
14 subsection (f) of Section 20 of the Roadside Memorial Act. The  
15 fee shall be remitted by the circuit clerk within one month  
16 after receipt to the State Treasurer for deposit into the  
17 Roadside Memorial Fund.

18 (Source: P.A. 94-556, eff. 9-11-05; 94-1009, eff. 1-1-07;  
19 95-191, eff. 1-1-08; 95-291, eff. 1-1-08; 95-428, eff. 8-24-07;  
20 95-600, eff. 6-1-08; 95-876, eff. 8-21-08.)

21 Section 15. The Unified Code of Corrections is amended by  
22 adding Section 5-9-1.17 as follows:

23 (730 ILCS 5/5-9-1.17 new)

24 Sec. 5-9-1.17. Fee; Roadside Memorial Fund. A person who is

1 convicted or receives a disposition of court supervision for a  
2 violation of Section 11-501 of the Illinois Vehicle Code shall,  
3 in addition to any other disposition, penalty, or fine imposed,  
4 pay a fee of \$50 which shall be collected by the clerk of the  
5 court and then remitted to the State Treasurer for deposit into  
6 the Roadside Memorial Fund, a special fund that is created in  
7 the State treasury. However, the court may waive the fee if  
8 full restitution is complied with. Subject to appropriation,  
9 all moneys in the Roadside Memorial Fund shall be used by the  
10 Department of Transportation to pay fees imposed under  
11 subsection (f) of Section 20 of the Roadside Memorial Act.

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.