

1 AN ACT concerning corrections.

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 Sections 5.777, 5.778, 6z-82, and 8p as follows:

6 (30 ILCS 105/5.777 new)

7 Sec. 5.777. The State Police Streetgang-Related Crime
8 Fund.

9 (30 ILCS 105/5.778 new)

10 Sec. 5.778. The State Police Operations Assistance Fund.

11 (30 ILCS 105/6z-82 new)

12 Sec. 6z-82. State Police Operations Assistance Fund.

13 (a) There is created in the State treasury a special fund
14 known as the State Police Operations Assistance Fund. The Fund
15 shall receive revenue pursuant to Section 27.3a of the Clerks
16 of Courts Act. The Fund may also receive revenue from grants,
17 donations, appropriations, and any other legal source.

18 (b) The Department of State Police may use moneys in the
19 Fund to finance any of its lawful purposes or functions.

20 (c) Expenditures may be made from the Fund only as
21 appropriated by the General Assembly by law.

1 (d) Investment income that is attributable to the
2 investment of moneys in the Fund shall be retained in the Fund
3 for the uses specified in this Section.

4 (e) The State Police Operations Assistance Fund shall not
5 be subject to administrative chargebacks.

6 (30 ILCS 105/8p new)

7 Sec. 8p. State Police Streetgang-Related Crime Fund.

8 (a) The State Police Streetgang-Related Crime Fund is
9 created as a special fund in the State treasury.

10 (b) All moneys collected and payable to the Department of
11 State Police under Section 5-9-1.19 of the Unified Code of
12 Corrections shall be deposited into the State Police
13 Streetgang-Related Crime Fund and shall be appropriated to and
14 administered by the Department of State Police for operations
15 and initiatives to combat and prevent streetgang-related
16 crime.

17 (c) The State Police Streetgang-Related Crime Fund shall
18 not be subject to administrative chargebacks.

19 Section 6. The Clerks of Courts Act is amended by changing
20 Section 27.3a as follows:

21 (705 ILCS 105/27.3a) (from Ch. 25, par. 27.3a)

22 Sec. 27.3a. Fees for automated record keeping and State
23 Police operations.

1 1. The expense of establishing and maintaining automated
2 record keeping systems in the offices of the clerks of the
3 circuit court shall be borne by the county. To defray such
4 expense in any county having established such an automated
5 system or which elects to establish such a system, the county
6 board may require the clerk of the circuit court in their
7 county to charge and collect a court automation fee of not less
8 than \$1 nor more than \$15 to be charged and collected by the
9 clerk of the court. Such fee shall be paid at the time of
10 filing the first pleading, paper or other appearance filed by
11 each party in all civil cases or by the defendant in any
12 felony, traffic, misdemeanor, municipal ordinance, or
13 conservation case upon a judgment of guilty or grant of
14 supervision, provided that the record keeping system which
15 processes the case category for which the fee is charged is
16 automated or has been approved for automation by the county
17 board, and provided further that no additional fee shall be
18 required if more than one party is presented in a single
19 pleading, paper or other appearance. Such fee shall be
20 collected in the manner in which all other fees or costs are
21 collected.

22 1.5. Starting on the effective date of this amendatory Act
23 of the 96th General Assembly, a clerk of the circuit court in
24 any county that imposes a fee pursuant to subsection 1 of this
25 Section, shall charge and collect an additional fee in an
26 amount equal to the amount of the fee imposed pursuant to

1 subsection 1 of this Section. This additional fee shall be paid
2 by the defendant in any felony, traffic, misdemeanor, local
3 ordinance, or conservation case upon a judgment of guilty or
4 grant of supervision.

5 2. With respect to the fee imposed under subsection 1 of
6 this Section, each ~~Each~~ clerk shall commence such charges and
7 collections upon receipt of written notice from the chairman of
8 the county board together with a certified copy of the board's
9 resolution, which the clerk shall file of record in his office.

10 3. With respect to the fee imposed under subsection 1 of
11 this Section, such ~~Such~~ fees shall be in addition to all other
12 fees and charges of such clerks, and assessable as costs, and
13 may be waived only if the judge specifically provides for the
14 waiver of the court automation fee. The fees shall be remitted
15 monthly by such clerk to the county treasurer, to be retained
16 by him in a special fund designated as the court automation
17 fund. The fund shall be audited by the county auditor, and the
18 board shall make expenditure from the fund in payment of any
19 cost related to the automation of court records, including
20 hardware, software, research and development costs and
21 personnel related thereto, provided that the expenditure is
22 approved by the clerk of the court and by the chief judge of
23 the circuit court or his designate.

24 4. With respect to the fee imposed under subsection 1 of
25 this Section, such ~~Such~~ fees shall not be charged in any matter
26 coming to any such clerk on change of venue, nor in any

1 proceeding to review the decision of any administrative
2 officer, agency or body.

3 5. With respect to the additional fee imposed under
4 subsection 1.5 of this Section, the fee shall be remitted by
5 the circuit clerk to the State Treasurer within one month after
6 receipt for deposit into the State Police Operations Assistance
7 Fund.

8 (Source: P.A. 94-595, eff. 1-1-06.)

9 Section 10. The Unified Code of Corrections is amended by
10 adding Section 5-9-1.19 as follows:

11 (730 ILCS 5/5-9-1.19 new)

12 Sec. 5-9-1.19. Additional streetgang fine. In addition to
13 any other penalty imposed, a fine of \$100 shall be imposed upon
14 a person convicted of any violation of the Criminal Code of
15 1961 who was, at the time of the commission of the violation a
16 streetgang member, as defined in Section 10 of the Illinois
17 Streetgang Terrorism Omnibus Prevention Act. Such additional
18 fine shall be assessed by the court imposing sentence and shall
19 be collected by the circuit clerk. Of this fee, \$5 shall be
20 deposited into the Circuit Court Clerk Operation and
21 Administrative Fund created by the Clerk of the Circuit Court
22 to be used to offset the costs incurred by the Circuit Court
23 Clerk in performing the additional duties required to collect
24 and disburse funds as provided by law. Each such additional

1 fine shall be remitted by the Circuit Court Clerk within one
2 month after receipt to the State Police Streetgang-Related
3 Crime Fund in the State treasury.

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