



Rep. Susana A. Mendoza

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LRB096 20803 RLC 40593 a

1 AMENDMENT TO SENATE BILL 3695

2 AMENDMENT NO. _____. Amend Senate Bill 3695 on page 1, by
3 replacing line 5 with the following:

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

5 on page 1, by inserting immediately below line 8 the following:

6 "(30 ILCS 105/5.778 new)

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

8 (30 ILCS 105/6z-82 new)

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

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

15 (b) The Department of State Police may use moneys in the

1 Fund to finance any of its lawful purposes or functions.

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

4 (d) Investment income that is attributable to the
5 investment of moneys in the Fund shall be retained in the Fund
6 for the uses specified in this Section."; and

7 on page 1, by inserting immediately below line 19 the
8 following:

9 "Section 6. The Clerks of Courts Act is amended by changing
10 Section 27.3a as follows:

11 (705 ILCS 105/27.3a) (from Ch. 25, par. 27.3a)

12 Sec. 27.3a. Fees for automated record keeping and State
13 Police operations.

14 1. The expense of establishing and maintaining automated
15 record keeping systems in the offices of the clerks of the
16 circuit court shall be borne by the county. To defray such
17 expense in any county having established such an automated
18 system or which elects to establish such a system, the county
19 board may require the clerk of the circuit court in their
20 county to charge and collect a court automation fee of not less
21 than \$1 nor more than \$15 to be charged and collected by the
22 clerk of the court. Such fee shall be paid at the time of
23 filing the first pleading, paper or other appearance filed by

1 each party in all civil cases or by the defendant in any
2 felony, traffic, misdemeanor, municipal ordinance, or
3 conservation case upon a judgment of guilty or grant of
4 supervision, provided that the record keeping system which
5 processes the case category for which the fee is charged is
6 automated or has been approved for automation by the county
7 board, and provided further that no additional fee shall be
8 required if more than one party is presented in a single
9 pleading, paper or other appearance. Such fee shall be
10 collected in the manner in which all other fees or costs are
11 collected.

12 1.5. Starting on the effective date of this amendatory Act
13 of the 96th General Assembly, a clerk of the circuit court in
14 any county that imposes a fee pursuant to subsection 1 of this
15 Section, shall charge and collect an additional fee in an
16 amount equal to the amount of the fee imposed pursuant to
17 subsection 1 of this Section. This additional fee shall be paid
18 by the defendant in any felony, traffic, misdemeanor, local
19 ordinance, or conservation case upon a judgment of guilty or
20 grant of supervision.

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

26 3. With respect to the fee imposed under subsection 1 of

1 this Section, such ~~Such~~ fees shall be in addition to all other
2 fees and charges of such clerks, and assessable as costs, and
3 may be waived only if the judge specifically provides for the
4 waiver of the court automation fee. The fees shall be remitted
5 monthly by such clerk to the county treasurer, to be retained
6 by him in a special fund designated as the court automation
7 fund. The fund shall be audited by the county auditor, and the
8 board shall make expenditure from the fund in payment of any
9 cost related to the automation of court records, including
10 hardware, software, research and development costs and
11 personnel related thereto, provided that the expenditure is
12 approved by the clerk of the court and by the chief judge of
13 the circuit court or his designate.

14 4. With respect to the fee imposed under subsection 1 of
15 this Section, such ~~Such~~ fees shall not be charged in any matter
16 coming to any such clerk on change of venue, nor in any
17 proceeding to review the decision of any administrative
18 officer, agency or body.

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

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