



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB1112

Introduced 02/07/11, by Rep. Sidney H. Mathias

#### SYNOPSIS AS INTRODUCED:

725 ILCS 240/8  
725 ILCS 240/10

from Ch. 70, par. 508  
from Ch. 70, par. 510

Amends the Violent Crime Victims Assistance Act. Provides that the victim and witness assistance centers shall provide assistance in exercising rights provided in the Roadside Memorial Act for the families of victims of fatal injury crashes on roadways. Provides that the offenses for which the additional penalty shall be assessed for deposit into the Violent Crime Victims Assistance Fund include the offenses of driving 30 miles per hour or more in excess of the applicable speed limit, driving in excess of the speed limit in a construction or maintenance zone, or in a park zones. Effective immediately.

LRB097 06793 RLC 46884 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

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

4 Section 5. The Violent Crime Victims Assistance Act is  
5 amended by changing Sections 8 and 10 as follows:

6 (725 ILCS 240/8) (from Ch. 70, par. 508)

7 Sec. 8. Centers - Services provided. (a) Each center shall  
8 provide one or more of the following services:

9 (1) Coordinate volunteers to work with criminal justice  
10 agencies to provide direct victim services or to establish  
11 community support;

12 (2) Provide assistance to victims of violent crime and  
13 their families in obtaining assistance through other official  
14 or community resources;

15 (3) Provide elderly victims of crime with services  
16 appropriate to their special needs;

17 (4) Provide transportation and/or household assistance to  
18 those victims participating in the criminal justice process;

19 (5) Provide victims of domestic and sexual violence and  
20 sexual harassment with services appropriate to their special  
21 needs;

22 (6) Provide courthouse reception and guidance, including  
23 explanation of unfamiliar procedures and bilingual

1 information;

2 (7) Provide in-person or telephone hot-line assistance to  
3 victims;

4 (8) Provide special counseling facilities and  
5 rehabilitation services to victims;

6 (9) Provide other services as the Commission shall deem  
7 appropriate to further the purposes of this Act;

8 (10) Provide public education on crime and crime victims;

9 (11) Provide training and sensitization for persons who  
10 work with victims of crime;

11 (12) Provide special counseling facilities and  
12 rehabilitation services for child victims of sex offenses;

13 (13) When applicable, centers shall enter into written  
14 networking agreements to provide for the special needs of child  
15 victims of violent crimes; -

16 (14) Provide assistance in exercising rights provided in  
17 the Roadside Memorial Act for the families of victims of fatal  
18 injury crashes on roadways.

19 (b) Such centers may provide one or more of the services  
20 enumerated in subparagraph (a) of this section for witnesses of  
21 crime.

22 (Source: P.A. 87-1257.)

23 (725 ILCS 240/10) (from Ch. 70, par. 510)

24 Sec. 10. Violent Crime Victims Assistance Fund.

25 (a) The "Violent Crime Victims Assistance Fund" is created

1 as a special fund in the State Treasury to provide monies for  
2 the grants to be awarded under this Act.

3 (b) On and after September 18, 1986, there shall be an  
4 additional penalty collected from each defendant upon  
5 conviction of any felony or upon conviction of or disposition  
6 of supervision for any misdemeanor, or upon conviction of or  
7 disposition of supervision for any offense under the Illinois  
8 Vehicle Code, exclusive of offenses enumerated in paragraph  
9 (a)(2) of Section 6-204 of that Code, and exclusive of any  
10 offense enumerated in Article VI of Chapter 11 of that Code  
11 relating to restrictions, regulations and limitations on the  
12 speed at which a motor vehicle is driven or operated, an  
13 additional penalty of \$4 for each \$40, or fraction thereof, of  
14 fine imposed. Notwithstanding any other provision of this  
15 Section, the penalty established in this Section shall be  
16 assessed for any violation of Section 11-601.5, 11-605.2, or  
17 11-605.3 of the Illinois Vehicle Code. Such additional amounts  
18 shall be collected by the Clerk of the Circuit Court in  
19 addition to the fine and costs in the case. Each such  
20 additional penalty collected under this subsection (b) or  
21 subsection (c) of this Section shall be remitted by the Clerk  
22 of the Circuit Court within one month after receipt to the  
23 State Treasurer for deposit into the Violent Crime Victims  
24 Assistance Fund, except as provided in subsection (g) of this  
25 Section. Such additional penalty shall not be considered a part  
26 of the fine for purposes of any reduction made in the fine for

1 time served either before or after sentencing. Not later than  
2 March 1 of each year the Clerk of the Circuit Court shall  
3 submit to the State Comptroller a report of the amount of funds  
4 remitted by him to the State Treasurer under this Section  
5 during the preceding calendar year. Except as otherwise  
6 provided by Supreme Court Rules, if a court in sentencing an  
7 offender levies a gross amount for fine, costs, fees and  
8 penalties, the amount of the additional penalty provided for  
9 herein shall be computed on the amount remaining after  
10 deducting from the gross amount levied all fees of the Circuit  
11 Clerk, the State's Attorney and the Sheriff. After deducting  
12 from the gross amount levied the fees and additional penalty  
13 provided for herein, less any other additional penalties  
14 provided by law, the clerk shall remit the net balance  
15 remaining to the entity authorized by law to receive the fine  
16 imposed in the case. For purposes of this Section "fees of the  
17 Circuit Clerk" shall include, if applicable, the fee provided  
18 for under Section 27.3a of the Clerks of Courts Act and the  
19 fee, if applicable, payable to the county in which the  
20 violation occurred pursuant to Section 5-1101 of the Counties  
21 Code.

22 (c) When any person is convicted in Illinois on or after  
23 August 28, 1986, of an offense listed below, or placed on  
24 supervision for such an offense on or after September 18, 1986,  
25 and no other fine is imposed, the following penalty shall be  
26 collected by the Circuit Court Clerk:

1           (1) \$25, for any crime of violence as defined in  
2           subsection (c) of Section 2 of the Crime Victims  
3           Compensation Act; and

4           (2) \$20, for any other felony or misdemeanor, excluding  
5           any conservation offense.

6           Such charge shall not be subject to the provisions of  
7           Section 110-14 of the Code of Criminal Procedure of 1963.

8           (d) Monies forfeited, and proceeds from the sale of  
9           property forfeited and seized, under the forfeiture provisions  
10          set forth in Part 500 of Article 124B of the Code of Criminal  
11          Procedure of 1963 shall be accepted for the Violent Crime  
12          Victims Assistance Fund.

13          (e) Investment income which is attributable to the  
14          investment of monies in the Violent Crime Victims Assistance  
15          Fund shall be credited to that fund for uses specified in this  
16          Act. The Treasurer shall provide the Attorney General a monthly  
17          status report on the amount of money in the Fund.

18          (f) Monies from the fund may be granted on and after July  
19          1, 1984.

20          (g) All amounts and charges imposed under this Section for  
21          any violation of Chapters 3, 4, 6, and 11 of the Illinois  
22          Vehicle Code, or a similar provision of a local ordinance, or  
23          any violation of the Child Passenger Protection Act, or a  
24          similar provision of a local ordinance, shall be collected and  
25          disbursed by the circuit clerk as provided under Section 27.5  
26          of the Clerks of Courts Act.

1 (Source: P.A. 96-712, eff. 1-1-10.)

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