HB3346 Engrossed

1 AN ACT concerning finance.

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 5.786 and 6z-87 as follows:
- 6 (30 ILCS 105/5.786 new)

7 <u>Sec. 5.786. The Illinois Law Enforcement Alarm Systems</u> 8 <u>Fund.</u>

- 9 (30 ILCS 105/6z-87 new)
- 10 <u>Sec. 6z-87. Illinois Law Enforcement Alarm Systems Fund.</u>

11 (a) There is created in the State treasury a special fund

12 known as the Illinois Law Enforcement Alarm Systems (ILEAS) 13 Fund. The Fund may also receive revenue from grants, donations, 14 appropriations, and any other legal source.

15 (b) Moneys in the Fund may be used to finance support for 16 law enforcement, airborne, and terrorism operations as 17 approved by the ILEAS Executive Board with 33.3% of the revenue 18 used for air support programs.

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

21 <u>(d) Investment income that is attributable to the</u> 22 <u>investment of moneys in the Fund shall be retained in the Fund</u> HB3346 Engrossed - 2 - LRB097 10888 KMW 51414 b for the uses specified in this Section. (e) The Illinois Law Enforcement Alarm Systems Fund shall not be subject to administrative chargebacks.

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

6 (705 ILCS 105/27.3a) (from Ch. 25, par. 27.3a)

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

1. The expense of establishing and maintaining automated 9 10 record keeping systems in the offices of the clerks of the 11 circuit court shall be borne by the county. To defray such expense in any county having established such an automated 12 13 system or which elects to establish such a system, the county 14 board may require the clerk of the circuit court in their 15 county to charge and collect a court automation fee of not less than \$1 nor more than \$15 to be charged and collected by the 16 clerk of the court. Such fee shall be paid at the time of 17 filing the first pleading, paper or other appearance filed by 18 each party in all civil cases or by the defendant in any 19 20 felony, traffic, misdemeanor, municipal ordinance, or 21 conservation case upon a judgment of guilty or grant of 22 supervision, provided that the record keeping system which processes the case category for which the fee is charged is 23 24 automated or has been approved for automation by the county

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board, and provided further that no additional fee shall be required if more than one party is presented in a single pleading, paper or other appearance. Such fee shall be collected in the manner in which all other fees or costs are collected.

1.5. Starting on the effective date of this amendatory Act 6 7 of the 96th General Assembly, a clerk of the circuit court in 8 any county that imposes a fee pursuant to subsection 1 of this 9 Section, shall charge and collect an additional fee in an 10 amount equal to the amount of the fee imposed pursuant to 11 subsection 1 of this Section. This additional fee shall be paid 12 by the defendant in any felony, traffic, misdemeanor, local 13 ordinance, or conservation case upon a judgment of guilty or 14 grant of supervision.

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

3. With respect to the fee imposed under subsection 1 of this Section, such fees shall be in addition to all other fees and charges of such clerks, and assessable as costs, and may be waived only if the judge specifically provides for the waiver of the court automation fee. The fees shall be remitted monthly by such clerk to the county treasurer, to be retained by him in a special fund designated as the court automation fund. The HB3346 Engrossed - 4 - LRB097 10888 KMW 51414 b

fund shall be audited by the county auditor, and the board shall make expenditure from the fund in payment of any cost related to the automation of court records, including hardware, software, research and development costs and personnel related thereto, provided that the expenditure is approved by the clerk of the court and by the chief judge of the circuit court or his designate.

8 4. With respect to the fee imposed under subsection 1 of 9 this Section, such fees shall not be charged in any matter 10 coming to any such clerk on change of venue, nor in any 11 proceeding to review the decision of any administrative 12 officer, agency or body.

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

6. With respect to the additional fees imposed under 18 19 subsection 1.5 of this Section, the Director of State Police 20 may direct the use of these fees for homeland security purposes by transferring these fees on a quarterly basis from the State 21 22 Police Operations Assistance Fund into the Illinois Law 23 Enforcement Alarm Systems (ILEAS) Fund for homeland security 24 initiatives programs. The transferred fees shall be allocated, 25 subject to the approval of the ILEAS Executive Board, as follows: (i) 66.6% shall be used for homeland security 26

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initiatives and (ii) 33.3% shall be used for airborne
operations. The ILEAS Executive Board shall annually supply the
Director of State Police with a report of the use of these
fees.
(Source: P.A. 96-1029, eff. 7-13-10.)
Section 99. Effective date. This Act takes effect upon

7 becoming law.