



Rep. Lisa M. Dugan

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1 AMENDMENT TO HOUSE BILL 3346

2 AMENDMENT NO. _____. Amend House Bill 3346 by replacing
3 everything after the enacting clause with the following:

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 Sec. 5.786. The Illinois Law Enforcement Alarm Systems
8 Fund.

9 (30 ILCS 105/6z-87 new)

10 Sec. 6z-87. Illinois Law Enforcement Alarm Systems Fund.

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

1 law enforcement, airborne, and terrorism operations as
2 approved by the ILEAS Executive Board with 33.3% of the revenue
3 used for air support programs.

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

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

9 (e) The Illinois Law Enforcement Alarm Systems Fund shall
10 not be subject to administrative chargebacks.

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

13 (705 ILCS 105/27.3a) (from Ch. 25, par. 27.3a)

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

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

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

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

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

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

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

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

25 6. With respect to the additional fees imposed under
26 subsection 1.5 of this Section, the Director of State Police

1 may direct the use of these fees for homeland security purposes
2 by transferring these fees on a quarterly basis from the State
3 Police Operations Assistance Fund into the Illinois Law
4 Enforcement Alarm Systems (ILEAS) Fund for homeland security
5 initiatives programs. The transferred fees shall be allocated,
6 subject to the approval of the ILEAS Executive Board, as
7 follows: (i) 66.6% shall be used for homeland security
8 initiatives and (ii) 33.3% shall be used for airborne
9 operations. The ILEAS Executive Board shall annually supply the
10 Director of State Police with a report of the use of these
11 fees.

12 (Source: P.A. 96-1029, eff. 7-13-10.)

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