

1 AN ACT in relation to criminal law.

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

4 Section 5. The Unified Code of Corrections is amended  
5 by changing Section 5-9-1.2 as follows:

6 (730 ILCS 5/5-9-1.2) (from Ch. 38, par. 1005-9-1.2)

7 Sec. 5-9-1.2. (a) Twelve and one-half percent of all  
8 amounts collected as fines pursuant to Section 5-9-1.1 shall  
9 be paid into the Youth Drug Abuse Prevention Fund, which is  
10 hereby created in the State treasury, to be used by the  
11 Department of Human Services for the funding of programs and  
12 services for drug-abuse treatment, and prevention and  
13 education services, for juveniles.

14 (b) Eighty-seven and one-half percent of the proceeds of  
15 all fines received pursuant to Section 5-9-1.1 shall be  
16 transmitted to and deposited in the treasurer's office at the  
17 level of government as follows:

18 (1) If such seizure was made by a combination of  
19 law enforcement personnel representing differing units of  
20 local government, the court levying the fine shall  
21 equitably allocate 50% of the fine among these units of  
22 local government and shall allocate 37 1/2% to the county  
23 general corporate fund. In the event that the seizure was  
24 made by law enforcement personnel representing a unit of  
25 local government from a municipality where the number of  
26 inhabitants exceeds 2 million in population, the court  
27 levying the fine shall allocate 87 1/2% of the fine to  
28 that unit of local government. If the seizure was made  
29 by a combination of law enforcement personnel  
30 representing differing units of local government, and at  
31 least one of those units represents a municipality where

1 the number of inhabitants exceeds 2 million in  
2 population, the court shall equitably allocate 87 1/2% of  
3 the proceeds of the fines received among the differing  
4 units of local government.

5 (2) If such seizure was made by State law  
6 enforcement personnel, then the court shall allocate 37  
7 1/2% to the State treasury and 50% to the county general  
8 corporate fund.

9 (3) If a State law enforcement agency in  
10 combination with a law enforcement agency or agencies of  
11 a unit or units of local government conducted the  
12 seizure, the court shall equitably allocate 37 1/2% of  
13 the fines to or among the law enforcement agency or  
14 agencies of the unit or units of local government which  
15 conducted the seizure and shall allocate 50% to the  
16 county general corporate fund.

17 (c) The proceeds of all fines allocated to the law  
18 enforcement agency or agencies of the unit or units of local  
19 government pursuant to subsection (b) shall be made available  
20 to that law enforcement agency as expendable receipts for use  
21 in the enforcement of laws regulating controlled substances  
22 and cannabis. The proceeds of fines awarded to the State  
23 treasury shall be deposited in a special fund known as the  
24 Drug Traffic Prevention Fund. Monies from this fund may be  
25 used by the Department of State Police for use in the  
26 enforcement of laws regulating controlled substances and  
27 cannabis; to satisfy funding provisions of the  
28 Intergovernmental Drug Laws Enforcement Act; and to defray  
29 costs and expenses associated with returning violators of the  
30 Cannabis Control Act and the Illinois Controlled Substances  
31 Act only, as provided in those Acts, when punishment of the  
32 crime shall be confinement of the criminal in the  
33 penitentiary. Moneys in the Drug Traffic Prevention Fund  
34 deposited from fines awarded as a direct result of

1 enforcement efforts of the Illinois Conservation Police may  
2 be used by the Department of Natural Resources Office of Law  
3 Enforcement for use in enforcing laws regulating controlled  
4 substances and cannabis on Department of Natural Resources  
5 regulated lands and waterways.;-and All other monies shall be  
6 paid into the general revenue fund in the State treasury.  
7 (Source: P.A. 89-507, eff. 7-1-97.)

8 Section 99. Effective date. This Act takes effect July  
9 1, 2002.