

*Ordinance of the County Board  
of  
Kankakee County, Illinois*

**RE: AUTHORIZING THE CIRCUIT CLERK TO CHARGE AN ELECTRONIC CITATION FEE**

**WHEREAS**, pursuant to 705 ILCS 105/27.3e the Circuit Clerk's office by the passage of a County Board ordinance may establish and maintain electronic citations and in order to defray the expense each County shall charge and collect an electronic citation fee of five (\$5.00) dollars; and,

**WHEREAS**, such fees are to be enumerated in Section 18.1 and hereby imposed and shall be paid by the defendant in any traffic, misdemeanor, municipal ordinance, or conservation case upon a judgment of guilty or grant of supervision; and,

**WHEREAS**, the electronic citation fee shall be in addition to all other fees and charges and assessable as costs and shall not be subject to disbursement; and,

**WHEREAS**, 60% of the fee shall be deposited into the Circuit Court Clerk Electronic Citation Fund and the remaining 40% of the fee shall be disbursed to the arresting agency to defray expenses; and,

**WHEREAS**, the fund shall be audited by the County's auditor and prepared according to generally accepted accounting principles detailing its financial transactions, collections, receipts and expenditures; and,

**WHEREAS**, the Criminal Justice Committee at their October 21<sup>st</sup>, 2014 meeting, after review, discussion and consideration, recommend the passage of the Electronic Citation Fee to be included as Section 30-4 of the County Code, and to be enumerated in Section 18.1 of the County code.

**NOW, THEREFORE, BE IT HEREBY ORDAINED** that, after review, discussion and consideration the Kankakee County Board hereby passes the Electronic Citation Fee to be included as Section 30-4 of the Kankakee County Code and to be as enumerated in Section 18.1.

- Sec. 30-4 – Electronic Citation Fee.

Definition: electronic citation means the process of transmitting traffic, misdemeanor, municipal ordinance, conservation, or other citations and law enforcement data via electronic means to a circuit court clerk.

The fee enumerated in section 18-1 of \$5.00 is hereby imposed and shall be assessed upon each traffic, misdemeanor, municipal ordinance, conservation, or other citations and law enforcement data via electronic means to a circuit court clerk as provided in 705 ILCS 105/27.3(e). Such fee shall be paid by the defendant in addition to all other fees and charges and assessable as costs and shall not be subject to disbursement under Section 27.5 or 27.6 of this Act. 60% of the fee shall be deposited into the Circuit Court Clerk Electronic Citation Fund and 40% of the fee shall be disbursed to the arresting agency to defray expenses related to the establishment and maintenance of electronic citations. The Circuit Court Clerk shall be the custodian, ex officio, of the Circuit Court Clerk Electronic Citation Fund and shall use the Fund to perform the duties required by the office for establishing and maintaining electronic citations.

The Electronic Citation Fund shall be audited by the County's auditor. The funds shall be collected upon passage of County Board approval.

**NOW THEREFORE, BE IT FURTHER ORDAINED** that the County Board of Kankakee Illinois hereby adopts and passes the amendments to this ordinance as written herein, with additions indicated by being underlined and to become effective upon the date of approval. The Circuit Clerk is hereby authorized to charge an electronic citation fee in the amount of five (\$5.00) dollars with 60% deposited into the Circuit Court Clerk Electronic Citation Fund and 40% of the fee disbursed to the arresting agency and this fee is in addition to all other fees and charges assessable as costs and is not subject to disbursement.

**ADOPTED, APPROVED and ORDAINED** by the Kankakee County Board of Illinois at its meeting of November 12th, 2014.

  
Michael Bossert, County Board Chairman

ATTEST:

  
Bruce Clark, County Clerk