

1 AN ACT to amend the Unified Code of Corrections by
2 changing Section 5-9-1.4.

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

5 Section 5. The Unified Code of Corrections is amended
6 by changing Section 5-9-1.4 as follows:

7 (730 ILCS 5/5-9-1.4) (from Ch. 38, par. 1005-9-1.4)

8 Sec. 5-9-1.4. (a) "Crime laboratory" means any
9 not-for-profit laboratory registered with the Drug
10 Enforcement Administration of the United States Department of
11 Justice, substantially funded by a unit or combination of
12 units of local government or the State of Illinois, which
13 regularly employs at least one person engaged in the analysis
14 of controlled substances, cannabis or steroids for criminal
15 justice agencies in criminal matters and provides testimony
16 with respect to such examinations.

17 (b) When a person has been adjudged guilty of an offense
18 in violation of the Cannabis Control Act, the Illinois
19 Controlled Substances Act or the Steroid Control Act, in
20 addition to any other disposition, penalty or fine imposed, a
21 criminal laboratory analysis fee of \$100 ~~\$50~~ for each offense
22 for which he was convicted shall be levied by the court. Any
23 person placed on probation pursuant to Section 10 of the
24 Cannabis Control Act, Section 410 of the Illinois Controlled
25 Substances Act or Section 10 of the Steroid Control Act or
26 placed on supervision for a violation of the Cannabis Control
27 Act, the Illinois Controlled Substances Act or the Steroid
28 Control Act shall be assessed a criminal laboratory analysis
29 fee of \$100 ~~\$50~~ for each offense for which he was charged.
30 Upon verified petition of the person, the court may suspend
31 payment of all or part of the fee if it finds that the person

1 does not have the ability to pay the fee.

2 (c) In addition to any other disposition made pursuant
3 to the provisions of the Juvenile Court Act of 1987, any
4 minor adjudicated delinquent for an offense which if
5 committed by an adult would constitute a violation of the
6 Cannabis Control Act, the Illinois Controlled Substances Act
7 or the Steroid Control Act shall be assessed a criminal
8 laboratory analysis fee of ~~\$100~~ \$50 for each adjudication.
9 Upon verified petition of the minor, the court may suspend
10 payment of all or part of the fee if it finds that the minor
11 does not have the ability to pay the fee. The parent,
12 guardian or legal custodian of the minor may pay some or all
13 of such fee on the minor's behalf.

14 (d) All criminal laboratory analysis fees provided for
15 by this Section shall be collected by the clerk of the court
16 and forwarded to the appropriate crime laboratory fund as
17 provided in subsection (f).

18 (e) Crime laboratory funds shall be established as
19 follows:

20 (1) Any unit of local government which maintains a
21 crime laboratory may establish a crime laboratory fund
22 within the office of the county or municipal treasurer.

23 (2) Any combination of units of local government
24 which maintains a crime laboratory may establish a crime
25 laboratory fund within the office of the treasurer of the
26 county where the crime laboratory is situated.

27 (3) The State Crime Laboratory Fund is hereby
28 created as a special fund in the State Treasury.

29 (f) The analysis fee provided for in subsections (b) and
30 (c) of this Section shall be forwarded to the office of the
31 treasurer of the unit of local government that performed the
32 analysis if that unit of local government has established a
33 crime laboratory fund, or to the State Crime Laboratory Fund
34 if the analysis was performed by a laboratory operated by the

1 Illinois State Police. If the analysis was performed by a
2 crime laboratory funded by a combination of units of local
3 government, the analysis fee shall be forwarded to the
4 treasurer of the county where the crime laboratory is
5 situated if a crime laboratory fund has been established in
6 that county. If the unit of local government or combination
7 of units of local government has not established a crime
8 laboratory fund, then the analysis fee shall be forwarded to
9 the State Crime Laboratory Fund. The clerk of the circuit
10 court may retain the amount of \$10 \$5 from each collected
11 analysis fee to offset administrative costs incurred in
12 carrying out the clerk's responsibilities under this Section.

13 (g) Fees deposited into a crime laboratory fund created
14 pursuant to paragraphs (1) or (2) of subsection (e) of this
15 Section shall be in addition to any allocations made pursuant
16 to existing law and shall be designated for the exclusive use
17 of the crime laboratory. These uses may include, but are not
18 limited to, the following:

19 (1) costs incurred in providing analysis for
20 controlled substances in connection with criminal
21 investigations conducted within this State;

22 (2) purchase and maintenance of equipment for use
23 in performing analyses; and

24 (3) continuing education, training and professional
25 development of forensic scientists regularly employed by
26 these laboratories.

27 (h) Fees deposited in the State Crime Laboratory Fund
28 created pursuant to paragraph (3) of subsection (d) of this
29 Section shall be used by State crime laboratories as
30 designated by the Director of State Police. These funds
31 shall be in addition to any allocations made pursuant to
32 existing law and shall be designated for the exclusive use of
33 State crime laboratories. These uses may include those
34 enumerated in subsection (g) of this Section.

1 (Source: P.A. 90-655, eff. 7-30-98.)

2 Section 99. Effective date. This Act takes effect on

3 January 1, 2002.