

1 individual prohibited from having a Firearm Owner's
2 Identification Card and files an affidavit with the
3 Department as prescribed by the Department stating
4 that he or she is not an individual prohibited from
5 having a Card;

6 (ii) He or she has not been convicted of a
7 felony under the laws of this or any other
8 jurisdiction;

9 (iii) He or she is not addicted to narcotics;

10 (iv) He or she has not been a patient in a
11 mental institution within the past 5 years;

12 (v) He or she is not mentally retarded;

13 (vi) He or she is not an alien who is
14 unlawfully present in the United States under the
15 laws of the United States;

16 (vii) He or she is not subject to an existing
17 order of protection prohibiting him or her from
18 possessing a firearm;

19 (viii) He or she has not been convicted within
20 the past 5 years of battery, assault, aggravated
21 assault, violation of an order of protection, or a
22 substantially similar offense in another
23 jurisdiction, in which a firearm was used or
24 possessed;

25 (ix) He or she has not been convicted of
26 domestic battery or a substantially similar offense
27 in another jurisdiction committed on or after the
28 effective date of this amendatory Act of 1997; and

29 (x) He or she has not been convicted within
30 the past 5 years of domestic battery or a
31 substantially similar offense in another
32 jurisdiction committed before the effective date of
33 this amendatory Act of 1997; and

34 (3) Upon request by the Department of State Police,

1 sign a release on a form prescribed by the Department of
2 State Police waiving any right to confidentiality and
3 requesting the disclosure to the Department of State
4 Police of limited mental health institution admission
5 information from another state, the District of Columbia,
6 any other territory of the United States, or a foreign
7 nation concerning the applicant for the sole purpose of
8 determining whether the applicant is or was a patient in
9 a mental health institution and disqualified because of
10 that status from receiving a Firearm Owner's
11 Identification Card. No mental health care or treatment
12 records may be requested. The information received shall
13 be destroyed within one year of receipt.

14 (a-5) Each applicant for a Firearm Owner's
15 Identification Card who is over the age of 18 shall furnish
16 to the Department of State Police either his or her driver's
17 license number or Illinois Identification Card number.

18 (b) Each application form shall include the following
19 statement printed in bold type: "Warning: False statements
20 of the applicant shall result in prosecution for perjury in
21 accordance with Section 32-2 of the Criminal Code of 1961."

22 (c) Upon such written consent, pursuant to Section 4,
23 paragraph (a) (2) (i), the parent or legal guardian giving
24 the consent shall be liable for any damages resulting from
25 the applicant's use of firearms or firearm ammunition.

26 (Source: P.A. 90-493, eff. 1-1-98; 91-514, eff. 1-1-00;
27 91-694, eff. 4-13-00.)

28 (430 ILCS 65/6) (from Ch. 38, par. 83-6)

29 Sec. 6. Contents of Firearm Owner's Identification Card.

30 (a) A Firearm Owner's Identification Card, issued by the
31 Department of State Police at such places as the Director of
32 the Department shall specify, shall contain the applicant's
33 name, residence, date of birth, sex, physical description,

1 recent photograph and signature such---ether---personal
 2 ~~identifying--information--as-may-be-required-by-the-Direeter.~~
 3 Each Firearm Owner's Identification Card must have the
 4 expiration date boldly and conspicuously displayed on the
 5 face of the card. Each Firearm Owner's Identification Card
 6 must have printed on it the following: "CAUTION - This card
 7 does not permit bearer to UNLAWFULLY carry or use firearms."
 8 The Department shall use a person's digital photograph and
 9 signature from his or her Illinois driver's license or
 10 Illinois Identification Card, if available.

11 (b) A person applying for a Firearm Owner's
 12 Identification Card shall consent to the Department of State
 13 Police using the applicant's digital driver's license or
 14 Illinois Identification Card photograph, if available, and
 15 signature on the applicant's Firearm Owner's Identification
 16 Card. The Secretary of State shall allow the Department of
 17 State Police access to the photograph and signature for the
 18 purpose of identifying the applicant and issuing to the
 19 applicant a Firearm Owner's Identification Card.

20 (c) The Secretary of State shall conduct a study to
 21 determine the cost and feasibility of creating a method of
 22 adding an identifiable code, background, or other means on
 23 the driver's license or Illinois Identification Card to show
 24 that an individual is not disqualified from owning or
 25 possessing a firearm under State or federal law. The
 26 Secretary shall report the findings of this study 12 months
 27 after the effective date of this amendatory Act of the 92nd
 28 General Assembly.

29 (Source: P.A. 91-694, eff. 4-13-00.)

30 (430 ILCS 65/10) (from Ch. 38, par. 83-10)

31 Sec. 10. (a) Whenever an application for a Firearm
 32 Owner's Identification Card is denied, whenever the
 33 Department fails to act on an application within 30 days of

1 its receipt, or whenever such a Card is revoked or seized as
2 provided for in Section 8 of this Act, the aggrieved party
3 may appeal to the Director of the Department of State Police
4 for a hearing upon such denial, revocation or seizure, unless
5 the denial, revocation, or seizure was based upon a forcible
6 felony, stalking, aggravated stalking, domestic battery, any
7 violation of either the Illinois Controlled Substances Act or
8 the Cannabis Control Act that is classified as a Class 2 or
9 greater felony, or any felony violation of Article 24 of the
10 Criminal Code of 1961, in which case the aggrieved party may
11 petition the circuit court in writing in the county of his or
12 her residence for a hearing upon such denial, revocation, or
13 seizure.

14 (b) At least 30 days before any hearing in the circuit
15 court, the petitioner shall serve the relevant State's
16 Attorney with a copy of the petition. The State's Attorney
17 may object to the petition and present evidence. At the
18 hearing the court shall determine whether substantial justice
19 has been done. Should the court determine that substantial
20 justice has not been done, the court shall issue an order
21 directing the Department of State Police to issue a Card.
22 ~~Whenever, upon the receipt of such an appeal for a hearing,~~
23 ~~the Director is satisfied that substantial justice has not~~
24 ~~been done, he may order a hearing to be held by the~~
25 ~~Department upon the denial or revocation.~~

26 (c) Any person prohibited from possessing a firearm
27 under Sections 24-1.1 or 24-3.1 of the Criminal Code of 1961
28 or acquiring a Firearm Owner's Identification Card under
29 Section 8 of this Act may apply to the Director of the
30 Department of State Police or petition the circuit court in
31 the county where the petitioner resides, whichever is
32 applicable in accordance with subsection (a) of this Section,
33 requesting relief from such prohibition and the Director or
34 court may grant such relief if it is established by the

1 applicant to the court's or Director's satisfaction that:

2 (0.05) when in the circuit court, the State's Attorney
3 has been served with a written copy of the petition at least
4 30 days before any such hearing in the circuit court and at
5 the hearing the State' Attorney was afforded an opportunity
6 to present evidence and object to the petition;

7 (1) the applicant has not been convicted of a forcible
8 felony under the laws of this State or any other jurisdiction
9 within 20 years of the applicant's application for a Firearm
10 Owner's Identification Card, or at least 20 years have passed
11 since the end of any period of imprisonment imposed in
12 relation to that conviction;

13 (2) the circumstances regarding a criminal conviction,
14 where applicable, the applicant's criminal history and his
15 reputation are such that the applicant will not be likely to
16 act in a manner dangerous to public safety; and

17 (3) granting relief would not be contrary to the public
18 interest.

19 (Source: P.A. 85-920.)

20 (430 ILCS 65/14) (from Ch. 38, par. 83-14)
21 Sec. 14. Sentence.

22 (a) A violation of paragraph (1) of subsection (a) of
23 Section 2, when the person's Firearm Owner's Identification
24 Card is expired but the person is not otherwise disqualified
25 from renewing the card, is a Class A misdemeanor.

26 (b) Except as provided in subsection (a) with respect to
27 an expired card, a violation of paragraph (1) of subsection
28 (a) of Section 2 is a Class A misdemeanor when the person
29 does not possess a currently valid Firearm Owner's
30 Identification Card, but is otherwise eligible under this
31 Act. A second or subsequent violation is a Class 4 felony.

32 (c) A violation of paragraph (1) of subsection (a) of
33 Section 2 is a Class 3 felony when:

1 (1) the person's Firearm Owner's Identification
2 Card is revoked or subject to revocation under Section 8;
3 or

4 (2) the person's Firearm Owner's Identification
5 Card is expired and not otherwise eligible for renewal
6 under this Act; or

7 (3) the person does not possess a currently valid
8 Firearm Owner's Identification Card, and the person is
9 not otherwise eligible under this Act.

10 (d) A violation of subsection (a) of Section 3 is a
11 Class 4 felony. A third or subsequent conviction is a Class 1
12 felony.

13 (d-5) Any person who knowingly enters false information
14 on an application for a Firearm Owner's Identification Card,
15 who knowingly gives a false answer to any question on the
16 application, or who knowingly submits false evidence in
17 connection with an application is guilty of a Class 2 felony.

18 (e) Any other violation of this Act is a Class A
19 misdemeanor.

20 (Source: P.A. 91-694, eff. 4-13-00.)

21 Section 10. The Code of Criminal Procedure of 1963 is
22 amended by changing Section 110-10 as follows:

23 (725 ILCS 5/110-10) (from Ch. 38, par. 110-10)

24 Sec. 110-10. Conditions of bail bond.

25 (a) If a person is released prior to conviction, either
26 upon payment of bail security or on his or her own
27 recognizance, the conditions of the bail bond shall be that
28 he or she will:

29 (1) Appear to answer the charge in the court having
30 jurisdiction on a day certain and thereafter as ordered
31 by the court until discharged or final order of the
32 court;

1 (2) Submit himself or herself to the orders and
2 process of the court;

3 (3) Not depart this State without leave of the
4 court;

5 (4) Not violate any criminal statute of any
6 jurisdiction;

7 (5) At a time and place designated by the court,
8 surrender all firearms in his or her possession to a law
9 enforcement officer designated by the court to take
10 custody of and impound the firearms and physically
11 surrender his or her Firearm Owner's Identification Card
12 to the clerk of the circuit court when the offense the
13 person has been charged with is a forcible felony,
14 stalking, aggravated stalking, domestic battery, any
15 violation of either the Illinois Controlled Substances
16 Act or the Cannabis Control Act that is classified as a
17 Class 2 or greater felony, or any felony violation of
18 Article 24 of the Criminal Code of 1961; the court may,
19 however, forgo the imposition of this condition when the
20 circumstances of the case clearly do not warrant it or
21 when its imposition would be impractical; all legally
22 possessed firearms shall be returned to the person upon
23 that person completing a sentence for a conviction on a
24 misdemeanor domestic battery, upon the charges being
25 dismissed, or if the person is found not guilty, unless
26 the finding of not guilty is by reason of insanity; and

27 (6) At a time and place designated by the court,
28 submit to a psychological evaluation when the person has
29 been charged with a violation of item (4) of subsection
30 (a) of Section 24-1 of the Criminal Code of 1961 and that
31 violation occurred in a school or in any conveyance
32 owned, leased, or contracted by a school to transport
33 students to or from school or a school-related activity,
34 or on any public way within 1,000 feet of real property

1 comprising any school.

2 Psychological evaluations ordered pursuant to this
3 Section shall be completed promptly and made available to the
4 State, the defendant, and the court. As a further condition
5 of bail under these circumstances, the court shall order the
6 defendant to refrain from entering upon the property of the
7 school, including any conveyance owned, leased, or contracted
8 by a school to transport students to or from school or a
9 school-related activity, or on any public way within 1,000
10 feet of real property comprising any school. Upon receipt of
11 the psychological evaluation, either the State or the
12 defendant may request a change in the conditions of bail,
13 pursuant to Section 110-6 of this Code. The court may change
14 the conditions of bail to include a requirement that the
15 defendant follow the recommendations of the psychological
16 evaluation, including undergoing psychiatric treatment. The
17 conclusions of the psychological evaluation and any
18 statements elicited from the defendant during its
19 administration are not admissible as evidence of guilt during
20 the course of any trial on the charged offense, unless the
21 defendant places his or her mental competency in issue.

22 (b) The court may impose other conditions, such as the
23 following, if the court finds that such conditions are
24 reasonably necessary to assure the defendant's appearance in
25 court, protect the public from the defendant, or prevent the
26 defendant's unlawful interference with the orderly
27 administration of justice:

28 (1) Report to or appear in person before such
29 person or agency as the court may direct;

30 (2) Refrain from possessing a firearm or other
31 dangerous weapon;

32 (3) Refrain from approaching or communicating with
33 particular persons or classes of persons;

34 (4) Refrain from going to certain described

1 geographical areas or premises;

2 (5) Refrain from engaging in certain activities or
3 indulging in intoxicating liquors or in certain drugs;

4 (6) Undergo treatment for drug addiction or
5 alcoholism;

6 (7) Undergo medical or psychiatric treatment;

7 (8) Work or pursue a course of study or vocational
8 training;

9 (9) Attend or reside in a facility designated by
10 the court;

11 (10) Support his or her dependents;

12 (11) If a minor resides with his or her parents or
13 in a foster home, attend school, attend a non-residential
14 program for youths, and contribute to his or her own
15 support at home or in a foster home;

16 (12) Observe any curfew ordered by the court;

17 (13) Remain in the custody of such designated
18 person or organization agreeing to supervise his release.
19 Such third party custodian shall be responsible for
20 notifying the court if the defendant fails to observe the
21 conditions of release which the custodian has agreed to
22 monitor, and shall be subject to contempt of court for
23 failure so to notify the court;

24 (14) Be placed under direct supervision of the
25 Pretrial Services Agency, Probation Department or Court
26 Services Department in a pretrial bond home supervision
27 capacity with or without the use of an approved
28 electronic monitoring device subject to Article 8A of
29 Chapter V of the Unified Code of Corrections;

30 (14.1) The court shall impose upon a defendant who
31 is charged with any alcohol, cannabis or controlled
32 substance violation and is placed under direct
33 supervision of the Pretrial Services Agency, Probation
34 Department or Court Services Department in a pretrial

1 bond home supervision capacity with the use of an
2 approved monitoring device, as a condition of such bail
3 bond, a fee that represents costs incidental to the
4 electronic monitoring for each day of such bail
5 supervision ordered by the court, unless after
6 determining the inability of the defendant to pay the
7 fee, the court assesses a lesser fee or no fee as the
8 case may be. The fee shall be collected by the clerk of
9 the circuit court. The clerk of the circuit court shall
10 pay all monies collected from this fee to the county
11 treasurer for deposit in the substance abuse services
12 fund under Section 5-1086.1 of the Counties Code;

13 (14.2) The court shall impose upon all defendants,
14 including those defendants subject to paragraph (14.1)
15 above, placed under direct supervision of the Pretrial
16 Services Agency, Probation Department or Court Services
17 Department in a pretrial bond home supervision capacity
18 with the use of an approved monitoring device, as a
19 condition of such bail bond, a fee which shall represent
20 costs incidental to such electronic monitoring for each
21 day of such bail supervision ordered by the court, unless
22 after determining the inability of the defendant to pay
23 the fee, the court assesses a lesser fee or no fee as the
24 case may be. The fee shall be collected by the clerk of
25 the circuit court. The clerk of the circuit court shall
26 pay all monies collected from this fee to the county
27 treasurer who shall use the monies collected to defray
28 the costs of corrections. The county treasurer shall
29 deposit the fee collected in the county working cash fund
30 under Section 6-27001 or Section 6-29002 of the Counties
31 Code, as the case may be;

32 (15) Comply with the terms and conditions of an
33 order of protection issued by the court under the
34 Illinois Domestic Violence Act of 1986 or an order of

1 protection issued by the court of another state, tribe,
2 or United States territory;

3 (16) Under Section 110-6.5 comply with the
4 conditions of the drug testing program; and

5 (17) Such other reasonable conditions as the court
6 may impose.

7 (c) When a person is charged with an offense under
8 Section 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the
9 "Criminal Code of 1961", involving a victim who is a minor
10 under 18 years of age living in the same household with the
11 defendant at the time of the offense, in granting bail or
12 releasing the defendant on his own recognizance, the judge
13 shall impose conditions to restrict the defendant's access to
14 the victim which may include, but are not limited to
15 conditions that he will:

- 16 1. Vacate the Household.
- 17 2. Make payment of temporary support to his
18 dependents.
- 19 3. Refrain from contact or communication with the
20 child victim, except as ordered by the court.

21 (d) When a person is charged with a criminal offense and
22 the victim is a family or household member as defined in
23 Article 112A, conditions shall be imposed at the time of the
24 defendant's release on bond that restrict the defendant's
25 access to the victim. Unless provided otherwise by the court,
26 the restrictions shall include requirements that the
27 defendant do the following:

- 28 (1) refrain from contact or communication with the
29 victim for a minimum period of 72 hours following the
30 defendant's release; and
- 31 (2) refrain from entering or remaining at the
32 victim's residence for a minimum period of 72 hours
33 following the defendant's release.

34 (e) Local law enforcement agencies shall develop

1 standardized bond forms for use in cases involving family or
2 household members as defined in Article 112A, including
3 specific conditions of bond as provided in subsection (d).
4 Failure of any law enforcement department to develop or use
5 those forms shall in no way limit the applicability and
6 enforcement of subsections (d) and (f).

7 (f) If the defendant is admitted to bail after
8 conviction the conditions of the bail bond shall be that he
9 will, in addition to the conditions set forth in subsections
10 (a) and (b) hereof:

- 11 (1) Duly prosecute his appeal;
- 12 (2) Appear at such time and place as the court may
13 direct;
- 14 (3) Not depart this State without leave of the
15 court;
- 16 (4) Comply with such other reasonable conditions as
17 the court may impose; and,
- 18 (5) If the judgment is affirmed or the cause
19 reversed and remanded for a new trial, forthwith
20 surrender to the officer from whose custody he was
21 bailed.

22 (g) Upon a finding of guilty for any felony offense, the
23 defendant shall physically surrender any and all firearms in
24 his or her possession and shall physically surrender his or
25 her Firearm Owner's Identification Card as a condition of
26 remaining on bond pending sentencing.

27 (Source: P.A. 90-399, eff. 1-1-98; 91-11, eff. 6-4-99;
28 91-312, eff. 1-1-00; 91-696, eff. 4-13-00; 91-903, eff.
29 1-1-01.)

30 Section 15. The Unified Code of Corrections is amended
31 by changing Section 5-6-3 as follows:

32 (730 ILCS 5/5-6-3) (from Ch. 38, par. 1005-6-3)

1 Sec. 5-6-3. Conditions of Probation and of Conditional
2 Discharge.

3 (a) The conditions of probation and of conditional
4 discharge shall be that the person:

5 (1) not violate any criminal statute of any
6 jurisdiction;

7 (2) report to or appear in person before such
8 person or agency as directed by the court;

9 (3) refrain from possessing a firearm or other
10 dangerous weapon;

11 (4) not leave the State without the consent of the
12 court or, in circumstances in which the reason for the
13 absence is of such an emergency nature that prior consent
14 by the court is not possible, without the prior
15 notification and approval of the person's probation
16 officer;

17 (5) permit the probation officer to visit him at
18 his home or elsewhere to the extent necessary to
19 discharge his duties;

20 (6) perform no less than 30 hours of community
21 service and not more than 120 hours of community service,
22 if community service is available in the jurisdiction and
23 is funded and approved by the county board where the
24 offense was committed, where the offense was related to
25 or in furtherance of the criminal activities of an
26 organized gang and was motivated by the offender's
27 membership in or allegiance to an organized gang. The
28 community service shall include, but not be limited to,
29 the cleanup and repair of any damage caused by a
30 violation of Section 21-1.3 of the Criminal Code of 1961
31 and similar damage to property located within the
32 municipality or county in which the violation occurred.
33 When possible and reasonable, the community service
34 should be performed in the offender's neighborhood. For

1 purposes of this Section, "organized gang" has the
2 meaning ascribed to it in Section 10 of the Illinois
3 Streetgang Terrorism Omnibus Prevention Act;

4 (7) if he or she is at least 17 years of age and
5 has been sentenced to probation or conditional discharge
6 for a misdemeanor or felony in a county of 3,000,000 or
7 more inhabitants and has not been previously convicted of
8 a misdemeanor or felony, may be required by the
9 sentencing court to attend educational courses designed
10 to prepare the defendant for a high school diploma and to
11 work toward a high school diploma or to work toward
12 passing the high school level Test of General Educational
13 Development (GED) or to work toward completing a
14 vocational training program approved by the court. The
15 person on probation or conditional discharge must attend
16 a public institution of education to obtain the
17 educational or vocational training required by this
18 clause (7). The court shall revoke the probation or
19 conditional discharge of a person who wilfully fails to
20 comply with this clause (7). The person on probation or
21 conditional discharge shall be required to pay for the
22 cost of the educational courses or GED test, if a fee is
23 charged for those courses or test. The court shall
24 resentence the offender whose probation or conditional
25 discharge has been revoked as provided in Section 5-6-4.
26 This clause (7) does not apply to a person who has a high
27 school diploma or has successfully passed the GED test.
28 This clause (7) does not apply to a person who is
29 determined by the court to be developmentally disabled or
30 otherwise mentally incapable of completing the
31 educational or vocational program; and

32 (8) if convicted of possession of a substance
33 prohibited by the Cannabis Control Act or Illinois
34 Controlled Substances Act after a previous conviction or

1 disposition of supervision for possession of a substance
2 prohibited by the Cannabis Control Act or Illinois
3 Controlled Substances Act or after a sentence of
4 probation under Section 10 of the Cannabis Control Act or
5 Section 410 of the Illinois Controlled Substances Act and
6 upon a finding by the court that the person is addicted,
7 undergo treatment at a substance abuse program approved
8 by the court; and-

9 (9) if convicted of a felony, physically surrender
10 his or her Firearm Owner's Identification Card and
11 physically surrender any and all firearms in his or her
12 possession.

13 (b) The Court may in addition to other reasonable
14 conditions relating to the nature of the offense or the
15 rehabilitation of the defendant as determined for each
16 defendant in the proper discretion of the Court require that
17 the person:

18 (1) serve a term of periodic imprisonment under
19 Article 7 for a period not to exceed that specified in
20 paragraph (d) of Section 5-7-1;

21 (2) pay a fine and costs;

22 (3) work or pursue a course of study or vocational
23 training;

24 (4) undergo medical, psychological or psychiatric
25 treatment; or treatment for drug addiction or alcoholism;

26 (5) attend or reside in a facility established for
27 the instruction or residence of defendants on probation;

28 (6) support his dependents;

29 (7) and in addition, if a minor:

30 (i) reside with his parents or in a foster
31 home;

32 (ii) attend school;

33 (iii) attend a non-residential program for
34 youth;

1 (iv) contribute to his own support at home or
2 in a foster home;

3 (8) make restitution as provided in Section 5-5-6
4 of this Code;

5 (9) perform some reasonable public or community
6 service;

7 (10) serve a term of home confinement. In addition
8 to any other applicable condition of probation or
9 conditional discharge, the conditions of home confinement
10 shall be that the offender:

11 (i) remain within the interior premises of the
12 place designated for his confinement during the
13 hours designated by the court;

14 (ii) admit any person or agent designated by
15 the court into the offender's place of confinement
16 at any time for purposes of verifying the offender's
17 compliance with the conditions of his confinement;
18 and

19 (iii) if further deemed necessary by the court
20 or the Probation or Court Services Department, be
21 placed on an approved electronic monitoring device,
22 subject to Article 8A of Chapter V;

23 (iv) for persons convicted of any alcohol,
24 cannabis or controlled substance violation who are
25 placed on an approved monitoring device as a
26 condition of probation or conditional discharge, the
27 court shall impose a reasonable fee for each day of
28 the use of the device, as established by the county
29 board in subsection (g) of this Section, unless
30 after determining the inability of the offender to
31 pay the fee, the court assesses a lesser fee or no
32 fee as the case may be. This fee shall be imposed in
33 addition to the fees imposed under subsections (g)
34 and (i) of this Section. The fee shall be collected

1 by the clerk of the circuit court. The clerk of the
2 circuit court shall pay all monies collected from
3 this fee to the county treasurer for deposit in the
4 substance abuse services fund under Section 5-1086.1
5 of the Counties Code; and

6 (v) for persons convicted of offenses other
7 than those referenced in clause (iv) above and who
8 are placed on an approved monitoring device as a
9 condition of probation or conditional discharge, the
10 court shall impose a reasonable fee for each day of
11 the use of the device, as established by the county
12 board in subsection (g) of this Section, unless
13 after determining the inability of the defendant to
14 pay the fee, the court assesses a lesser fee or no
15 fee as the case may be. This fee shall be imposed
16 in addition to the fees imposed under subsections
17 (g) and (i) of this Section. The fee shall be
18 collected by the clerk of the circuit court. The
19 clerk of the circuit court shall pay all monies
20 collected from this fee to the county treasurer who
21 shall use the monies collected to defray the costs
22 of corrections. The county treasurer shall deposit
23 the fee collected in the county working cash fund
24 under Section 6-27001 or Section 6-29002 of the
25 Counties Code, as the case may be.

26 (11) comply with the terms and conditions of an
27 order of protection issued by the court pursuant to the
28 Illinois Domestic Violence Act of 1986, as now or
29 hereafter amended, or an order of protection issued by
30 the court of another state, tribe, or United States
31 territory. A copy of the order of protection shall be
32 transmitted to the probation officer or agency having
33 responsibility for the case;

34 (12) reimburse any "local anti-crime program" as

1 defined in Section 7 of the Anti-Crime Advisory Council
2 Act for any reasonable expenses incurred by the program
3 on the offender's case, not to exceed the maximum amount
4 of the fine authorized for the offense for which the
5 defendant was sentenced;

6 (13) contribute a reasonable sum of money, not to
7 exceed the maximum amount of the fine authorized for the
8 offense for which the defendant was sentenced, to a
9 "local anti-crime program", as defined in Section 7 of
10 the Anti-Crime Advisory Council Act;

11 (14) refrain from entering into a designated
12 geographic area except upon such terms as the court finds
13 appropriate. Such terms may include consideration of the
14 purpose of the entry, the time of day, other persons
15 accompanying the defendant, and advance approval by a
16 probation officer, if the defendant has been placed on
17 probation or advance approval by the court, if the
18 defendant was placed on conditional discharge;

19 (15) refrain from having any contact, directly or
20 indirectly, with certain specified persons or particular
21 types of persons, including but not limited to members of
22 street gangs and drug users or dealers;

23 (16) refrain from having in his or her body the
24 presence of any illicit drug prohibited by the Cannabis
25 Control Act or the Illinois Controlled Substances Act,
26 unless prescribed by a physician, and submit samples of
27 his or her blood or urine or both for tests to determine
28 the presence of any illicit drug.

29 (c) The court may as a condition of probation or of
30 conditional discharge require that a person under 18 years of
31 age found guilty of any alcohol, cannabis or controlled
32 substance violation, refrain from acquiring a driver's
33 license during the period of probation or conditional
34 discharge. If such person is in possession of a permit or

1 license, the court may require that the minor refrain from
2 driving or operating any motor vehicle during the period of
3 probation or conditional discharge, except as may be
4 necessary in the course of the minor's lawful employment.

5 (d) An offender sentenced to probation or to conditional
6 discharge shall be given a certificate setting forth the
7 conditions thereof.

8 (e) The court shall not require as a condition of the
9 sentence of probation or conditional discharge that the
10 offender be committed to a period of imprisonment in excess
11 of 6 months. This 6 month limit shall not include periods of
12 confinement given pursuant to a sentence of county impact
13 incarceration under Section 5-8-1.2.

14 Persons committed to imprisonment as a condition of
15 probation or conditional discharge shall not be committed to
16 the Department of Corrections.

17 (f) The court may combine a sentence of periodic
18 imprisonment under Article 7 or a sentence to a county impact
19 incarceration program under Article 8 with a sentence of
20 probation or conditional discharge.

21 (g) An offender sentenced to probation or to conditional
22 discharge and who during the term of either undergoes
23 mandatory drug or alcohol testing, or both, or is assigned to
24 be placed on an approved electronic monitoring device, shall
25 be ordered to pay all costs incidental to such mandatory drug
26 or alcohol testing, or both, and all costs incidental to such
27 approved electronic monitoring in accordance with the
28 defendant's ability to pay those costs. The county board
29 with the concurrence of the Chief Judge of the judicial
30 circuit in which the county is located shall establish
31 reasonable fees for the cost of maintenance, testing, and
32 incidental expenses related to the mandatory drug or alcohol
33 testing, or both, and all costs incidental to approved
34 electronic monitoring, involved in a successful probation

1 program for the county. The concurrence of the Chief Judge
2 shall be in the form of an administrative order. The fees
3 shall be collected by the clerk of the circuit court. The
4 clerk of the circuit court shall pay all moneys collected
5 from these fees to the county treasurer who shall use the
6 moneys collected to defray the costs of drug testing, alcohol
7 testing, and electronic monitoring. The county treasurer
8 shall deposit the fees collected in the county working cash
9 fund under Section 6-27001 or Section 6-29002 of the Counties
10 Code, as the case may be.

11 (h) Jurisdiction over an offender may be transferred
12 from the sentencing court to the court of another circuit
13 with the concurrence of both courts, or to another state
14 under an Interstate Probation Reciprocal Agreement as
15 provided in Section 3-3-11. Further transfers or retransfers
16 of jurisdiction are also authorized in the same manner. The
17 court to which jurisdiction has been transferred shall have
18 the same powers as the sentencing court.

19 (i) The court shall impose upon an offender sentenced to
20 probation after January 1, 1989 or to conditional discharge
21 after January 1, 1992, as a condition of such probation or
22 conditional discharge, a fee of \$25 for each month of
23 probation or conditional discharge supervision ordered by the
24 court, unless after determining the inability of the person
25 sentenced to probation or conditional discharge to pay the
26 fee, the court assesses a lesser fee. The court may not
27 impose the fee on a minor who is made a ward of the State
28 under the Juvenile Court Act of 1987 while the minor is in
29 placement. The fee shall be imposed only upon an offender who
30 is actively supervised by the probation and court services
31 department. The fee shall be collected by the clerk of the
32 circuit court. The clerk of the circuit court shall pay all
33 monies collected from this fee to the county treasurer for
34 deposit in the probation and court services fund under

1 Section 15.1 of the Probation and Probation Officers Act.

2 (j) All fines and costs imposed under this Section for
3 any violation of Chapters 3, 4, 6, and 11 of the Illinois
4 Vehicle Code, or a similar provision of a local ordinance,
5 and any violation of the Child Passenger Protection Act, or a
6 similar provision of a local ordinance, shall be collected
7 and disbursed by the circuit clerk as provided under Section
8 27.5 of the Clerks of Courts Act.

9 (Source: P.A. 90-14, eff. 7-1-97; 90-399, eff. 1-1-98;
10 90-504, eff. 1-1-98; 90-655, eff. 7-30-98; 91-325, eff.
11 7-29-99; 91-696, eff. 4-13-00; 91-903, eff. 1-1-01.)".