

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 Code of Criminal Procedure of 1963 is  
5 amended by changing Section 124A-10 as follows:

6 (725 ILCS 5/124A-10)

7 Sec. 124A-10. Lien. The property, real and personal, of  
8 a person who is convicted of an offense shall be bound, and a  
9 lien is created on the property, both real and personal, of  
10 every offender, not exempt from the enforcement of a judgment  
11 or attachment, from the time of finding the indictment at  
12 least so far as will be sufficient to pay the fine and costs  
13 of prosecution. The clerk of the court in which the  
14 conviction is had shall upon the expiration of 30 days after  
15 judgment is entered issue a certified copy of the judgment  
16 for any fine that remains unpaid, and all costs of conviction  
17 remaining unpaid. Unless a court ordered payment schedule is  
18 implemented, the clerk of the court may add to any judgment a  
19 delinquency amount equal to 5% of the unpaid fines, costs,  
20 fees, and penalties that remain unpaid after 30 days, 10% of  
21 the unpaid fines, costs, fees, and penalties that remain  
22 unpaid after 60 days, and 15% of the unpaid fines, costs,  
23 fees, and penalties that remain unpaid after 90 days. Notice  
24 to those parties affected may be made by signage posting or  
25 publication. The clerk of the court may also after a period  
26 of 90 days release to credit reporting agencies, information  
27 regarding unpaid amounts. The additional delinquency amounts  
28 collected under this Section shall be used to defray  
29 additional administrative costs incurred by the clerk of the  
30 court in collecting unpaid fines, costs, fees, and penalties.  
31 The certified copy of the judgment shall state the day on

1     which the arrest was made or indictment found, as the case  
2     may be. Enforcement of the judgment may be directed to the  
3     proper officer of any county in this State. The officer to  
4     whom the certified copy of the judgment is delivered shall  
5     levy the judgment upon all the estate, real and personal, of  
6     the defendant (not exempt from enforcement) possessed by him  
7     or her on the day of the arrest or finding the indictment, as  
8     stated in the certified copy of the judgment and any such  
9     property subsequently acquired; and the property so levied  
10    upon shall be advertised and sold in the same manner as in  
11    civil cases, with the like rights to all parties that may be  
12    interested in the property. It is not an objection to the  
13    selling of any property under the judgment that the defendant  
14    is in custody for the fine or costs, or both.

15    (Source: P.A. 89-234, eff. 1-1-96.)