

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.)