

The Criminal and Traffic Assessment Act

HB 4594 (Reps. Andersson and Durkin, Sens. Mulroe and Brady, et al.)

This Act implements key recommendations of the bipartisan and multi-cameral Statutory Fee Task Force created by the General Assembly to study the current system of fees, fines, and other court costs in Illinois. The Task Force found that:

- Court fees and fines increasingly pass the cost of court administration and other often tangentially related programs onto court patrons.
- Court fees and fines impose severe and disproportionate impacts on low- and moderate-income Illinois residents.
- Court fees and fines are constantly increasing and are outpacing inflation.
- There is excessive variation across the state in the amount of fees and fines for the same type of proceedings.

This comprehensive Act reforms a byzantine system of court costs by streamlining, standardizing, and reducing court fees and fines in Illinois.

- This legislation streamlines decades of patchwork add-ons and fees throughout the state's statutory scheme into one Act.
- The Act standardizes court fees and fines into 13 schedules of potential assessments for criminal and traffic offenses, and four schedules for civil court cases, which are divided by the type of offense or case.
- The Act also caps the maximum amount of money that can be assessed under each schedule and for various services or filings within the court process.
- The money collectable under these assessment schedules would then be distributed at the state, county, and local levels for officials to decide how to best allocate their portion for maintaining the courts.

The Act reduces barriers for Illinoisans who cannot afford to pay the standard fees and fines and helps ensure the court system is fair and accessible for all people regardless of income.

- People who come in contact with the justice system today are often held back from living stable and productive lives by court fees and fines they will never be able to pay.
- For the first time, this legislation provides a procedure for people to request a full or partial waiver of criminal fees and fines based on their inability to pay that is similar to the process that already exists in the civil legal system.
- With a waiver of costs now available, people will no longer be trapped in cycle of continuous court appearances related to fees and fines they cannot pay, which will also help diminish court backlogs.

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