

~~3. THE DEFENDANT WAS ADVISED OF THE RIGHT TO APPEAL THE AGENCY'S DECISION OR ORDER TO THE APPROPRIATE CIRCUIT COURT;~~

~~4. THE DEFENDANT HAS NOT OBTAINED A STAY OF THE DECISION OR ORDER PENDING ANY APPEAL OF THE AGENCY'S DECISION OR ORDER; AND~~

~~5. THE DEFENDANT HAS NOT COMPLIED WITH THE AGENCY'S DECISION OR ORDER.~~

~~(H) THE DEFENDANT MAY NOT CHALLENGE THE FACTUAL DETERMINATIONS OF THE AGENCY OR THE APPROPRIATENESS OF THE AGENCY'S DECISION OR ORDER IN A MUNICIPAL INFRACTION PROCEEDING.~~

[(12)] (14) (13) The Court costs in a municipal infraction [case] PROCEEDING in which costs are imposed are ~~[\$5]~~ \$15. A defendant [shall] MAY not be liable for payment to the Criminal Injuries Compensation Fund.

[(13)] When a defendant has been found guilty of a municipal infraction and a fine has been imposed by the Court, the Court may, at its discretion, direct that the payment of said fine be suspended or deferred under such conditions as the Court may establish. Whenever any defendant has been found guilty of a municipal infraction and willfully fails to pay the fine imposed by the Court, that willful failure may be treated as a criminal contempt of Court, for which the defendant may be punished by the Court as is provided by law in such cases.

(14) A defendant who has been found guilty of a municipal infraction shall have the same rights to file a motion for a new trial or a motion for a revision of a judgment as are now provided by law or rule in the trial of a criminal case. The said motions shall be made in the same manner as is now provided in the trial of criminal cases, and the Court, in ruling on said motions, shall have the same authority as is now provided in the trial of criminal cases.]

~~(15) ANY APPEAL FROM A DECISION OF THE DISTRICT COURT IN A MUNICIPAL INFRACTION PROCEEDING SHALL BE ON THE RECORD MADE BEFORE THE DISTRICT COURT.~~

[(15)] (16) (14) The State's Attorney of any county is authorized to prosecute a municipal infraction [in the same manner as he is now permitted by law to prosecute a violation of the criminal laws of this State. The State's Attorney] AND is authorized to enter a nolle prosequi in such cases or to place such cases on the stet docket[, and he shall exercise that authority in the same manner as is now prescribed by law or rule for violation of the criminal laws of this State].

[(16)] (17) (15) Notwithstanding the provisions of paragraph [(15)] (16) (14) of this subsection, a municipality may designate an attorney to prosecute any municipal infraction in the same manner as the State's Attorney of any county.

Article — Courts and Judicial Proceedings