



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/09/04, by Jim Sacia

SYNOPSIS AS INTRODUCED:

730 ILCS 125/14

from Ch. 75, par. 114

Amends the County Jail Act. Provides that if in the opinion of the Warden, a prisoner appears to be mentally ill or developmentally disabled and may be a danger to himself or herself, to other prisoners, or to jail personnel or appears to be in need of immediate mental health services, the Warden shall, within 72 hours of the admittance of the prisoner to the county jail, obtain an evaluation of the prisoner's condition from a physician, psychiatrist, or qualified examiner as defined in the Mental Health and Developmental Disabilities Code. Provides that if the physician, psychiatrist, or qualified examiner determines that the prisoner is in need of mental health or developmental disability services, the Warden shall transfer the prisoner to such other facility for the appropriate treatment.

LRB093 17624 RLC 43294 b

FISCAL NOTE ACT
MAY APPLY

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 County Jail Act is amended by changing
5 Section 14 as follows:

6 (730 ILCS 125/14) (from Ch. 75, par. 114)

7 Sec. 14. Endangered; mentally ill prisoners.

8 (a) At any time, in the opinion of the Warden, the lives or
9 health of the prisoners are endangered, to such a degree as to
10 render their removal necessary, the Warden may cause the
11 prisoners to be removed to some suitable place within the
12 county, or to the jail of some convenient county, where they
13 may be confined until they can be safely returned to the place
14 whence they were removed. No prisoner charged with a felony
15 shall be removed by the warden to a Mental Health or
16 Developmental Disabilities facility as defined in the Mental
17 Health and Developmental Disabilities Code, except as
18 specifically authorized by Article 104 of the Code of Criminal
19 Procedure of 1963, or the Mental Health and Developmental
20 Disabilities Code. Any place to which the prisoners are so
21 removed shall, during their imprisonment there, be deemed, as
22 to such prisoners, a prison of the county in which they were
23 originally confined; but, they shall be under the care,
24 government and direction of the Warden of the jail of the
25 county in which they are confined.

26 (b) If, in the opinion of the Warden, a prisoner appears to
27 be mentally ill or developmentally disabled and may be a danger
28 to himself or herself, to other prisoners, or to jail personnel
29 or appears to be in need of immediate mental health services,
30 the Warden shall, within 72 hours of the admittance of the
31 prisoner to the county jail, obtain an evaluation of the
32 prisoner's condition from a physician, psychiatrist, or

1 qualified examiner as defined in the Mental Health and
2 Developmental Disabilities Code. If the physician,
3 psychiatrist, or qualified examiner determines that the
4 prisoner is in need of mental health or developmental
5 disability services, the Warden shall transfer the prisoner to
6 such other facility for the appropriate treatment.

7 (Source: P.A. 83-1073.)