

1 AN ACT in relation to county government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Counties Code is amended by changing Section  
5 3-3013 as follows:

6 (55 ILCS 5/3-3013) (from Ch. 34, par. 3-3013)

7 Sec. 3-3013. Preliminary investigations; blood and urine  
8 analysis; summoning jury. Every coroner, whenever, as soon as  
9 he knows or is informed that the dead body of any person is  
10 found, or lying within his county, whose death is suspected of  
11 being:

12 (a) A sudden or violent death, whether apparently suicidal,  
13 homicidal or accidental, including but not limited to deaths  
14 apparently caused or contributed to by thermal, traumatic,  
15 chemical, electrical or radiational injury, or a complication  
16 of any of them, or by drowning or suffocation, or as a result  
17 of domestic violence as defined in the Illinois Domestic  
18 Violence Act of 1986;

19 (b) A maternal or fetal death due to abortion, or any death  
20 due to a sex crime or a crime against nature;

21 (c) A death where the circumstances are suspicious,  
22 obscure, mysterious or otherwise unexplained or where, in the  
23 written opinion of the attending physician, the cause of death  
24 is not determined;

25 (d) A death where addiction to alcohol or to any drug may  
26 have been a contributory cause; or

27 (e) A death where the decedent was not attended by a  
28 licensed physician;

29 shall go to the place where the dead body is, and take charge  
30 of the same and shall make a preliminary investigation into the  
31 circumstances of the death. In the case of death without  
32 attendance by a licensed physician the body may be moved with

1 the coroner's consent from the place of death to a mortuary in  
2 the same county. Coroners in their discretion shall notify such  
3 physician as is designated in accordance with Section 3-3014 to  
4 attempt to ascertain the cause of death, either by autopsy or  
5 otherwise.

6 In cases of accidental death involving a motor vehicle in  
7 which the decedent was (1) the operator or a suspected operator  
8 of a motor vehicle, or (2) a pedestrian 16 years of age or  
9 older, the coroner shall require that a blood specimen of at  
10 least 30 cc., and if medically possible a urine specimen of at  
11 least 30 cc. or as much as possible up to 30 cc., be withdrawn  
12 from the body of the decedent in a timely fashion after ~~within~~  
13 ~~6 hours of~~ the accident causing his death, by such physician as  
14 has been designated in accordance with Section 3-3014, or by  
15 the coroner or deputy coroner or a qualified person designated  
16 by at the direction of such physician, coroner, or deputy  
17 coroner. If the county does not maintain laboratory facilities  
18 for making such analysis, the blood and urine so drawn shall be  
19 sent to the Department of State Police or any other accredited  
20 or State-certified laboratory for analysis, ~~when necessary,~~ of  
21 the alcohol, carbon monoxide, and dangerous or narcotic drug  
22 content of such blood and urine specimens. Each specimen  
23 submitted shall be accompanied by pertinent information  
24 concerning the decedent upon a form prescribed by such  
25 laboratory. ~~Department. If the analysis is performed in county~~  
26 ~~laboratory facilities, the coroner shall forward the results of~~  
27 ~~each analysis and pertinent information concerning the~~  
28 ~~decedent to the Department of Public Health upon a form~~  
29 ~~prescribed by such Department. The coroner causing the blood~~  
30 ~~and urine to be withdrawn shall be notified of the results of~~  
31 ~~any analysis made by the Department of State Police and the~~  
32 ~~Department of Public Health shall keep a record of the results~~  
33 ~~of all such examinations to be used for statistical purposes.~~  
34 ~~The cumulative results of the examinations, without~~  
35 ~~identifying the individuals involved, shall be disseminated~~  
36 ~~and made public by the Department of Public Health. Any person~~

1 drawing blood and urine and any person making any examination  
2 of the blood and urine under the terms of this Division shall  
3 be immune from all liability, civil or criminal, that might  
4 otherwise be incurred or imposed. ~~The coroner shall be paid a~~  
5 ~~fee of \$10 by the Department of Public Health for each~~  
6 ~~acceptable set of blood and urine specimens sent to the~~  
7 ~~Department of State Police forensic science laboratory~~  
8 ~~accompanied by the required form or for each report of analysis~~  
9 ~~performed by a county laboratory furnished upon the required~~  
10 ~~form. Upon collection, the coroner shall pay the fee over to~~  
11 ~~the county treasurer for deposit in the general fund of the~~  
12 ~~county.~~

13 In all other cases coming within the jurisdiction of the  
14 coroner and referred to in subparagraphs (a) through (e) above,  
15 blood, and whenever possible, urine samples shall be analyzed  
16 for the presence of alcohol and other drugs. When the coroner  
17 suspects that drugs may have been involved in the death, either  
18 directly or indirectly, a toxicological examination shall be  
19 performed which may include analyses of blood, urine, bile,  
20 gastric contents and other tissues. When the coroner suspects a  
21 death is due to toxic substances, other than drugs, the coroner  
22 shall consult with the toxicologist prior to collection of  
23 samples. Information submitted to the toxicologist shall  
24 include information as to height, weight, age, sex and race of  
25 the decedent as well as medical history, medications used by  
26 and the manner of death of decedent.

27 Except in counties that have a jury commission, in cases of  
28 apparent suicide, homicide, or accidental death or in other  
29 cases, within the discretion of the coroner, the coroner shall  
30 summon 8 persons of lawful age from those persons drawn for  
31 petit jurors in the county. The summons shall command these  
32 persons to present themselves personally at such a place and  
33 time as the coroner shall determine, and may be in any form  
34 which the coroner shall determine and may incorporate any  
35 reasonable form of request for acknowledgement which the  
36 coroner deems practical and provides a reliable proof of

1 service. The summons may be served by first class mail. From  
2 the 8 persons so summoned, the coroner shall select 6 to serve  
3 as the jury for the inquest. Inquests may be continued from  
4 time to time, as the coroner may deem necessary. The 6 jurors  
5 selected in a given case may view the body of the deceased. If  
6 at any continuation of an inquest one or more of the original  
7 jurors shall be unable to continue to serve, the coroner shall  
8 fill the vacancy or vacancies. A juror serving pursuant to this  
9 paragraph shall receive compensation from the county at the  
10 same rate as the rate of compensation that is paid to petit or  
11 grand jurors in the county. The coroner shall furnish to each  
12 juror without fee at the time of his discharge a certificate of  
13 the number of days in attendance at an inquest, and, upon being  
14 presented with such certificate, the county treasurer shall pay  
15 to the juror the sum provided for his services.

16 In counties which have a jury commission, in cases of  
17 apparent suicide or homicide or of accidental death, the  
18 coroner shall, and in other cases in his discretion may,  
19 conduct an inquest. The jury commission shall provide at least  
20 8 jurors to the coroner, from whom the coroner shall select any  
21 6 to serve as the jury for the inquest. Inquests may be  
22 continued from time to time as the coroner may deem necessary.  
23 The 6 jurors originally chosen in a given case may view the  
24 body of the deceased. If at any continuation of an inquest one  
25 or more of the 6 jurors originally chosen shall be unable to  
26 continue to serve, the coroner shall fill the vacancy or  
27 vacancies. At the coroner's discretion, additional jurors to  
28 fill such vacancies shall be supplied by the jury commission. A  
29 juror serving pursuant to this paragraph in such county shall  
30 receive compensation from the county at the same rate as the  
31 rate of compensation that is paid to petit or grand jurors in  
32 the county.

33 In addition, in every case in which domestic violence is  
34 determined to be a contributing factor in a death, the coroner  
35 shall report the death to the Department of State Police.

36 All deaths in State institutions and all deaths of wards of

1 the State in private care facilities or in programs funded by  
2 the Department of Human Services under its powers relating to  
3 mental health and developmental disabilities or alcoholism and  
4 substance abuse or funded by the Department of Children and  
5 Family Services shall be reported to the coroner of the county  
6 in which the facility is located. If the coroner has reason to  
7 believe that an investigation is needed to determine whether  
8 the death was caused by maltreatment or negligent care of the  
9 ward of the State, the coroner may conduct a preliminary  
10 investigation of the circumstances of such death as in cases of  
11 death under circumstances set forth in paragraphs (a) through  
12 (e) of this Section.

13 (Source: P.A. 91-521, eff. 1-1-00.)