

1 AN ACT concerning 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 17 as follows:

6 (730 ILCS 125/17) (from Ch. 75, par. 117)

7 Sec. 17. Bedding, clothing, fuel, and medical aid;  
8 reimbursement for medical or hospital expenses. The Warden of  
9 the jail shall furnish necessary bedding, clothing, fuel and  
10 medical aid for all prisoners under his charge, and keep an  
11 accurate account of the same. When medical or hospital services  
12 are required by any person held in custody, the county, private  
13 hospital, physician or any public agency which provides such  
14 services shall be entitled to obtain reimbursement from the  
15 county or from the Arrestee's Medical Costs Fund to the extent  
16 that moneys in the Fund are available for the cost of such  
17 services. The county board of a county may adopt an ordinance  
18 or resolution providing for reimbursement for the cost of those  
19 services at the Department of Public Aid's rates for medical  
20 assistance. To the extent that such person is reasonably able  
21 to pay for such care, including reimbursement from any  
22 insurance program or from other medical benefit programs  
23 available to such person, he or she shall reimburse the county  
24 or arresting authority. If such person has already been  
25 determined eligible for medical assistance under The Illinois  
26 Public Aid Code at the time the person is initially detained  
27 pending trial, the cost of such services, to the extent such  
28 cost exceeds \$500 ~~\$2,500~~, shall be reimbursed by the Department  
29 of Public Aid under that Code. A reimbursement under any public  
30 or private program authorized by this Section shall be paid to  
31 the county or arresting authority to the same extent as would  
32 have been obtained had the services been rendered in a

1 non-custodial environment.

2 An arresting authority shall be responsible for any  
3 incurred medical expenses relating to the arrestee until such  
4 time as the arrestee is placed in the custody of the sheriff.  
5 However, the arresting authority shall not be so responsible if  
6 the arrest was made pursuant to a request by the sheriff. When  
7 medical or hospital services are required by any person held in  
8 custody, the county or arresting authority shall be entitled to  
9 obtain reimbursement from the Arrestee's Medical Costs Fund to  
10 the extent moneys are available from the Fund. To the extent  
11 that the person is reasonably able to pay for that care,  
12 including reimbursement from any insurance program or from  
13 other medical benefit programs available to the person, he or  
14 she shall reimburse the county.

15 The county shall be entitled to a \$10 fee for each  
16 conviction or order of supervision for a criminal violation,  
17 other than a petty offense or business offense. The fee shall  
18 be taxed as costs to be collected from the defendant, if  
19 possible, upon conviction or entry of an order of supervision.  
20 The fee shall not be considered a part of the fine for purposes  
21 of any reduction in the fine.

22 All such fees collected shall be deposited by the county in  
23 a fund to be established and known as the Arrestee's Medical  
24 Costs Fund. Moneys in the Fund shall be used solely for  
25 reimbursement of costs for medical expenses relating to the  
26 arrestee while he or she is in the custody of the sheriff and  
27 administration of the Fund.

28 For the purposes of this Section, "arresting authority"  
29 means a unit of local government, other than a county, which  
30 employs peace officers and whose peace officers have made the  
31 arrest of a person. For the purposes of this Section, "medical  
32 expenses relating to the arrestee" means only those expenses  
33 incurred for medical care or treatment provided to an arrestee  
34 on account of an injury suffered by the arrestee during the  
35 course of his arrest; the term does not include any expenses  
36 incurred for medical care or treatment provided to an arrestee

1 on account of a health condition of the arrestee which existed  
2 prior to the time of his arrest.

3 (Source: P.A. 89-654, eff. 8-14-96; 89-676, 8-14-96; 90-14,  
4 eff. 7-1-97.)

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.