



Rep. Careen M Gordon

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09400HB1658ham001

LRB094 03111 AJO 44016 a

1 AMENDMENT TO HOUSE BILL 1658

2 AMENDMENT NO. _____. Amend House Bill 1658 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Section 3-15016 as follows:

6 (55 ILCS 5/3-15016) (from Ch. 34, par. 3-15016)

7 Sec. 3-15016. Liability for expenses. The County Board may
8 require convicted persons confined in a facility of the
9 Department to reimburse the county for the expenses incurred by
10 their confinement to the extent of their ability to pay for
11 such expenses. The reimbursement that the County Board may
12 require shall be within the range of \$6 to \$56 per day of
13 confinement. The State's attorney of the county in which the
14 facility is located, if authorized by the County Board, may
15 institute civil actions to recover from such convicted confined
16 persons the expenses incurred by their confinement. Such
17 expenses recovered shall be paid into the county treasury.

18 An arresting authority shall be responsible for any
19 incurred medical expenses relating to the arrestee until such
20 time as the arrestee is placed in the custody of the sheriff.
21 However, the arresting authority shall not be so responsible if
22 the arrest was made pursuant to a request by the Sheriff.

23 For the purposes of this Section, "arresting authority"
24 means a unit of local government, other than a county, which

1 employs peace officers and whose peace officers have made the
2 arrest of a person. For the purposes of this Section, "medical
3 expenses relating to the arrestee" means only those expenses
4 incurred for medical care or treatment provided to an arrestee
5 on account of an injury suffered by the arrestee during the
6 course of his arrest; the term does not include any expenses
7 incurred for medical care or treatment provided to an arrestee
8 on account of a health condition of the arrestee which existed
9 prior to the time of his arrest.

10 (Source: P.A. 86-962; 86-1028.)".

11 Section 10. The County Jail Act is amended by changing
12 Section 20 as follows:

13 (730 ILCS 125/20) (from Ch. 75, par. 120)

14 Sec. 20. Cost and expense; commissary fund.

15 (a) The cost and expense of keeping, maintaining and
16 furnishing the jail of each county, and of keeping and
17 maintaining the prisoner thereof, except as otherwise provided
18 by law, shall be paid from the county treasury, the account
19 therefor being first settled and allowed by the county board.

20 The county board may require convicted persons confined in
21 its jail to reimburse the county for the expenses incurred by
22 their incarceration to the extent of their ability to pay for
23 such expenses. The reimbursement that the County Board may
24 require shall be within the range of \$6 to \$56 per day of
25 confinement. The warden of the jail shall establish by
26 regulation criteria for a reasonable deduction from money
27 credited to any account of an inmate to defray the costs to the
28 county for an inmate's medical care. The State's Attorney of
29 the county in which such jail is located may, if requested by
30 the County Board, institute civil actions in the circuit court
31 of the county in which the jail is located to recover from such
32 convicted confined persons the expenses incurred by their

1 confinement. The funds recovered shall be paid into the county
2 treasury.

3 (b) When a prisoner is released from the county jail after
4 the completion of his or her sentence and has money credited to
5 his or her account in the commissary fund, the sheriff or a
6 person acting on the authority of the sheriff must mail a check
7 in the amount credited to the prisoner's account to the
8 prisoner's last known address. If after 30 days from the date
9 of mailing of the check, the check is returned undelivered, the
10 sheriff must transmit the amount of the check to the county
11 treasurer for deposit into the commissary fund. Nothing in this
12 subsection (b) constitutes a forfeiture of the prisoner's right
13 to claim the money accredited to his or her account after the
14 30-day period.

15 (Source: P.A. 91-288, eff. 1-1-00.)".