

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 20 as follows:

6 (730 ILCS 125/20) (from Ch. 75, par. 120)

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

8 (a) The cost and expense of keeping, maintaining and
9 furnishing the jail of each county, and of keeping and
10 maintaining the prisoner thereof, except as otherwise provided
11 by law, shall be paid from the county treasury, the account
12 therefor being first settled and allowed by the county board.

13 The county board may require convicted persons confined in
14 its jail to reimburse the county for the expenses incurred by
15 their incarceration to the extent of their ability to pay for
16 such expenses. The warden of the jail shall establish by
17 regulation criteria for a reasonable deduction from money
18 credited to any account of an inmate to defray the costs to the
19 county for an inmate's medical care. The State's Attorney of
20 the county in which such jail is located may, if requested by
21 the County Board, institute civil actions in the circuit court
22 of the county in which the jail is located to recover from such
23 convicted confined persons the expenses incurred by their

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

3 (a-5) Upon notification from the Clerk of the Circuit Court
4 of an outstanding fine, restitution, or costs imposed by the
5 court on a jail inmate, the warden of the jail may, at any time
6 prior to release of the inmate, deduct from money credited to
7 any account of the inmate an amount to pay or reduce the
8 outstanding balance. The warden of the jail shall establish by
9 regulation criteria for deduction from money credited to any
10 account of an inmate to pay or reduce the amount outstanding on
11 a fine, restitution, or costs imposed by the court on the
12 inmate. The regulation shall comply with any withholding
13 restrictions otherwise provided by law. The inmate shall be
14 provided with written notice of the amount of any deduction.
15 There shall also be prominent notice by signage at any location
16 where the warden of the jail or jail employees receive funds
17 for deposit into an inmate's account, that funds in an inmate's
18 account may be used to pay fines, restitution, or costs imposed
19 on the inmate by a court. Any person providing funds for an
20 inmate's account shall be notified in writing when the funds
21 are provided, that funds in an inmate's account may be used to
22 pay fines, restitution, or costs imposed on the inmate by a
23 court.

24 (b) When a prisoner is released from the county jail after
25 the completion of his or her sentence and has money credited to
26 his or her account in the commissary fund, the sheriff or a

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

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

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.