

AN ACT concerning local government.

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

Section 5. The Counties Code is amended by adding Section 5-1003.5 as follows:

(55 ILCS 5/5-1003.5 new)

Sec. 5-1003.5. Indemnification for autopsies performed by physicians. A county shall indemnify and hold harmless a physician who has been appointed or designated by the county or the coroner's office to perform autopsies for all of the physician's acts, omissions, decisions, or conduct arising out of the scope of the physician's duties of performing autopsies for the county, except those involving willful or wanton misconduct. A physician who is made a party defendant to an action arising out of the physician's acts, omissions, decisions, or conduct arising out of the scope of the physician's duties of performing autopsies for the county shall, within 10 days after service of process upon the physician, notify the county of the fact that the action has been instituted and that the physician has been made a party defendant to the action. The notice must be in writing and be filed in the office of the State's Attorney and also in the office of the county clerk either by the physician or by the

physician's agent or attorney. The notice shall state the name of the physician, that the physician has been served with process and made a party defendant to an action wherein it is claimed that a person has suffered injury to the person's body or property caused by that physician, the title and number of the case, the court in which the action is pending, and the date the physician was served with process in the action and made a party defendant to the action.

The county that is or may be liable to indemnify the physician may intervene in the action against the physician and shall be permitted to appear and defend. The duty of the county to indemnify any physician for any judgment recovered against the physician is conditioned upon receiving notice of the filing of any such action in the manner and form described in this Section.