



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3137

Introduced 2/19/2021, by Rep. Suzanne Ness

#### SYNOPSIS AS INTRODUCED:

55 ILCS 5/3-6015.5 new  
55 ILCS 5/5-1186 new

Amends the Counties Code. Provides that a sheriff's department or a department of a county authorized by the county board or board of county commissioners is allowed to conduct independent investigations of abuse, neglect, or infectious disease within the county, even if another law enforcement agency or State agency is investigating, or already has investigated, the same abuse, neglect, or infectious disease. Provides that a county's investigative jurisdiction and authority is concurrent with any other entity investigating such abuse, neglect, or infectious disease, except that investigations of a sheriff's department or county department that are running concurrently with a law enforcement agency or State agency investigation is subordinate to the law enforcement agency or State agency with primary jurisdiction over the abuse, neglect, or infectious disease. Provides for sharing of information and documents between law enforcement agencies, State agencies and county investigators. Defines terms.

LRB102 12545 AWJ 17883 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning local 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 adding Sections  
5 3-6015.5 and 5-1186 as follows:

6 (55 ILCS 5/3-6015.5 new)

7 Sec. 3-6015.5. Investigation of abuse, neglect, or  
8 infectious disease. A sheriff and his or her deputies may  
9 investigate abuse, neglect, or infectious disease as provided  
10 in Section 5-1186.

11 (55 ILCS 5/5-1186 new)

12 Sec. 5-1186. Investigation of abuse, neglect, or  
13 infectious disease.

14 (a) As used in this Section:

15 "Infectious disease" has the meaning given to that  
16 term in Section 2.01c of the Department of Veterans'  
17 Affairs Act.

18 "Law enforcement agency" means a county, municipal, or  
19 State law enforcement agency.

20 (b) A sheriff's department or a department of a county  
21 authorized by the county board or board of county  
22 commissioners is allowed to conduct independent investigations

1 of abuse, neglect, or infectious disease within the county,  
2 even if another law enforcement agency or State agency is  
3 investigating, or already has investigated, the same abuse,  
4 neglect, or infectious disease. A county's investigative  
5 jurisdiction and authority under this Section is concurrent  
6 with any other entity investigating such abuse, neglect, or  
7 infectious disease. However, investigations of a sheriff's  
8 department or county department that are running concurrently  
9 with a law enforcement agency or State agency investigation is  
10 subordinate to the law enforcement agency or State agency with  
11 primary jurisdiction over the abuse, neglect, or infectious  
12 disease.

13 (c) A law enforcement agency or State agency shall, as  
14 soon as is reasonably practicable, provide the sheriff's  
15 department or county department with any information or  
16 documentation requested by the sheriff's department or county  
17 department during an investigation authorized under this  
18 Section. Any information that is confidential, privileged, or  
19 otherwise not disclosable to the public shall be marked as  
20 such and shall not be disclosed outside of the investigation  
21 by the sheriff's department or county department without  
22 authorization from the agency that provided the information or  
23 unless otherwise provided by law.

24 (d) A sheriff's department or county department aware of a  
25 concurrent investigation by a law enforcement agency or State  
26 agency shall, as soon as is reasonably practicable, share its

1 investigative discovery, findings, reports, and any relevant  
2 information obtained through the course of the concurrent  
3 investigation with law enforcement agency or State agency.

4 (e) The investigating agents of a sheriff's department or  
5 county department under this Section have the general power of  
6 subpoena, including the authority to issue a subpoena to a  
7 medical provider, pursuant to Section 8-802 of the Code of  
8 Civil Procedure.

9 (f) The provisions of this Section are notwithstanding any  
10 other provision of law.