



Sen. Doris Turner

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10300SB2779sam001

LRB103 36619 AWJ 70692 a

1 AMENDMENT TO SENATE BILL 2779

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2779 by replacing  
3 everything after the enacting clause with the following:

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

6 (55 ILCS 5/5-1003.5 new)

7 Sec. 5-1003.5. Indemnification for autopsies performed by  
8 physicians. A county shall indemnify and hold harmless a  
9 physician who has been appointed or designated by the county  
10 or the coroner's office to perform autopsies for all of the  
11 physician's acts, omissions, decisions, or conduct arising out  
12 of the scope of the physician's duties of performing autopsies  
13 for the county, except those involving willful or wanton  
14 misconduct. A physician who is made a party defendant to an  
15 action arising out of the physician's acts, omissions,  
16 decisions, or conduct arising out of the scope of the

1 physician's duties of performing autopsies for the county  
2 shall, within 10 days after service of process upon the  
3 physician, notify the county of the fact that the action has  
4 been instituted and that the physician has been made a party  
5 defendant to the action. The notice must be in writing and be  
6 filed in the office of the State's Attorney and also in the  
7 office of the county clerk either by the physician or by the  
8 physician's agent or attorney. The notice shall state the name  
9 of the physician, that the physician has been served with  
10 process and made a party defendant to an action wherein it is  
11 claimed that a person has suffered injury to the person's body  
12 or property caused by that physician, the title and number of  
13 the case, the court in which the action is pending, and the  
14 date the physician was served with process in the action and  
15 made a party defendant to the action.

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