



Adopted in House Comm. on Feb 22, 2006

09400HB5342ham001

LRB094 17436 RLC 56134 a

1 AMENDMENT TO HOUSE BILL 5342

2 AMENDMENT NO. _____. Amend House Bill 5342 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The County Jail Act is amended by changing
5 Section 5 as follows:

6 (730 ILCS 125/5) (from Ch. 75, par. 105)

7 Sec. 5. Costs of maintaining prisoners.

8 (a) Except as provided in subsection (b), all costs of
9 maintaining persons committed for violations of Illinois law,
10 shall be the responsibility of the county. Except as provided
11 in subsection (b), all costs of maintaining persons committed
12 under any ordinance or resolution of a unit of local
13 government, including medical costs, is the responsibility of
14 the unit of local government enacting the ordinance or
15 resolution, and arresting the person.

16 (b) If a person who is serving a term of mandatory
17 supervised release for ~~has been convicted of a felony and has~~
18 ~~violated mandatory supervised release for that felony~~ is
19 incarcerated in a county jail ~~pending the resolution of the~~
20 ~~violation of mandatory supervised release,~~ the Illinois
21 Department of Corrections shall pay the county in which that
22 jail is located one-half of the cost of incarceration, as
23 calculated by the Governor's Office of Management and Budget
24 and the county's chief financial officer, for each day that the

1 person remains in the county jail after notice of the
2 incarceration is given to the Illinois Department of
3 Corrections by the county, provided that (i) the Illinois
4 Department of Corrections has issued a warrant for an alleged
5 violation of mandatory supervised release by the person; (ii)
6 if the person is incarcerated on a new charge, unrelated to the
7 offense for which he or she is on mandatory supervised release,
8 there has been a court hearing at which bail has been set on
9 the new charge; (iii) the county has notified the Illinois
10 Department of Corrections that the person is incarcerated in
11 the county jail, which notice shall not be given until the bail
12 hearing has concluded, if the person is incarcerated on a new
13 charge; and (iv) the person remains incarcerated in the county
14 jail for more than 48 hours after the notice has been given to
15 the Department of Corrections by the county. Calculation of the
16 per diem cost shall be agreed upon prior to the passage of the
17 annual State budget.

18 (Source: P.A. 94-678, eff. 1-1-06.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law."