

**SB2095**



**96TH GENERAL ASSEMBLY**

**State of Illinois**

**2009 and 2010**

**SB2095**

Introduced 2/20/2009, by Sen. Tim Bivins

**SYNOPSIS AS INTRODUCED:**

730 ILCS 125/20

from Ch. 75, par. 120

Amends the County Jail Act. Provides that upon notification from the Clerk of the Circuit Court of the amount outstanding on a fine, restitution, or costs imposed by the court on a prisoner, the sheriff may prior to release of the prisoner deduct up to that amount from the prisoner's account and forward it to the Clerk of the Circuit Court. Provides that the sheriff shall provide the prisoner with written notice of the amount deducted. Effective immediately.

LRB096 11440 RLC 21915 b

FISCAL NOTE ACT  
MAY APPLY

**A BILL FOR**

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 (b) When a prisoner is released from the county jail after  
4 the completion of his or her sentence and has money credited to  
5 his or her account in the commissary fund, the sheriff or a  
6 person acting on the authority of the sheriff must mail a check  
7 in the amount credited to the prisoner's account to the  
8 prisoner's last known address. If after 30 days from the date  
9 of mailing of the check, the check is returned undelivered, the  
10 sheriff must transmit the amount of the check to the county  
11 treasurer for deposit into the commissary fund. Nothing in this  
12 subsection (b) constitutes a forfeiture of the prisoner's right  
13 to claim the money accredited to his or her account after the  
14 30-day period.

15 Upon notification from the Clerk of the Circuit Court of  
16 the amount outstanding on a fine, restitution, or costs imposed  
17 by the court on a prisoner, the sheriff may prior to release of  
18 the prisoner deduct up to that amount from the prisoner's  
19 account and forward it to the Clerk of the Circuit Court. The  
20 sheriff shall provide the prisoner with written notice of the  
21 amount deducted.

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

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.