

SB1568



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1568

Introduced 2/4/2025, by Sen. Sally J. Turner

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1003.5

Amends the Counties Code. Provides that a county that is or may be liable to indemnify a physician who has been appointed or designated by the county or the coroner's office to perform autopsies shall (rather than may) intervene in the action against the physician and shall be permitted to appear and defend.

LRB104 08876 RTM 18931 b

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 changing
5 Section 5-1003.5 as follows:

6 (55 ILCS 5/5-1003.5)

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
17 physician's duties of performing autopsies for the county
18 shall, within 10 days after service of process upon the
19 physician, notify the county of the fact that the action has
20 been instituted and that the physician has been made a party
21 defendant to the action. The notice must be in writing and be
22 filed in the office of the State's Attorney and also in the
23 office of the county clerk either by the physician or by the

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

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

16 (Source: P.A. 103-922, eff. 1-1-25.)