

1 AN ACT concerning county sheriffs.

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 adding
5 Section 19.5 as follows:

6 (730 ILCS 125/19.5 new)

7 Sec. 19.5. Release of prisoners to law enforcement
8 personnel or State's Attorney. The sheriff must adopt and
9 implement a written policy that provides for the release of a
10 person who is in the custody of the sheriff for any criminal
11 or supposed criminal matter to sworn law enforcement
12 personnel or to the State's Attorney for the purpose of
13 furthering investigations into criminal matters. Upon the
14 release of a person to law enforcement personnel or the
15 State's Attorney under the written policy of the sheriff, the
16 sheriff shall not be liable for any injury of any kind,
17 including but not limited to death, to either the person
18 released or to any third party that occurs during the time
19 period that the person is in the custody of other law
20 enforcement personnel or the State's Attorney unless the
21 sheriff or a deputy sheriff, correctional guard, lockup
22 keeper, or county employee is guilty of willful and wanton
23 conduct that proximately caused the injury.

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