

# SB0656



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB0656

Introduced 1/25/2017, by Sen. Jil Tracy

### SYNOPSIS AS INTRODUCED:

740 ILCS 110/9.12 new

Amends the Mental Health and Developmental Disabilities Confidentiality Act. Provides that records and communications may be disclosed without consent by any treatment provider to a public defender or other attorney appointed by the court or retained by a criminal defendant for the purpose of preparing for and conducting a hearing to determine whether to release the defendant on her or his own recognizance or to determine the amount of bail or the conditions of the bail bond. Provides that the records and communications may be used only for the purpose of the hearing and shall not be further disclosed without the consent of the defendant.

LRB100 04290 HEP 14296 b

A BILL FOR

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Mental Health and Developmental  
5 Disabilities Confidentiality Act is amended by adding Section  
6 9.12 as follows:

7 (740 ILCS 110/9.12 new)

8 Sec. 9.12. Disclosure for purpose of bail bond hearing.  
9 Records and communications may be disclosed without consent by  
10 any treatment provider to a public defender or other attorney  
11 appointed by the court or retained by a criminal defendant for  
12 the purpose of preparing for and conducting a hearing under  
13 Article 110 of Title III of the Code of Criminal Procedure of  
14 1963 to determine whether to release the defendant on her or  
15 his own recognizance or to determine the amount of bail or the  
16 conditions of the bail bond. The records and communications may  
17 be used only for the purpose of the hearing and shall not be  
18 further disclosed without the consent of the defendant.