



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB4901

Introduced 1/19/2006, by Rep. Jim Sacia

#### SYNOPSIS AS INTRODUCED:

405 ILCS 5/3-101

from Ch. 91 1/2, par. 3-101

Amends the Mental Health and Developmental Disabilities Code. Provides that if a person who is the subject of a petition for involuntary admission to a mental health facility is transferred to the county in which the mental health facility is located from another county, the county from which the person was transferred must pay the cost of the services of the State's Attorney of the county in which the facility is located in representing the people of the State of Illinois in all proceedings on the petition, as determined by the court. Provides that the county from which the person was transferred must pay the cost within 2 months after the conclusion of the involuntary admission proceedings.

LRB094 16635 DRJ 51903 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning health.

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 Code is amended by changing Section 3-101 as  
6 follows:

7 (405 ILCS 5/3-101) (from Ch. 91 1/2, par. 3-101)

8 Sec. 3-101. Representation of parties; cost of State's  
9 Attorney's services.

10 (a) The State's Attorneys of the several counties shall  
11 represent the people of the State of Illinois in court  
12 proceedings under this Chapter and in proceedings under Section  
13 2-107.1 in their respective counties, shall attend such  
14 proceedings either in person or by assistant, and shall ensure  
15 that petitions, reports and orders are properly prepared.  
16 Nothing herein contained shall prevent any party from being  
17 represented by his own counsel.

18 (b) If a person who is the subject of a petition for  
19 involuntary admission to a mental health facility under this  
20 Chapter is transferred to the county in which the mental health  
21 facility is located from another county, the county from which  
22 the person was transferred must pay the cost of the services of  
23 the State's Attorney of the county in which the facility is  
24 located in representing the people of the State of Illinois in  
25 all proceedings on the petition, as determined by the court.  
26 The county from which the person was transferred must pay the  
27 cost within 2 months after the conclusion of the involuntary  
28 admission proceedings.

29 (Source: P.A. 89-439, eff. 6-1-96.)