

1 AMENDMENT TO SENATE BILL 401

2 AMENDMENT NO. _____. Amend Senate Bill 401 as follows:

3 on page 24, line 22, by adding "and by adding Section 102-23"
4 after "115-10"; and

5 on page 24, by inserting between lines 22 and 23 the
6 following:

7 "(725 ILCS 5/102-23 new)

8 Sec. 102-23. Moderately mentally retarded person means
9 a person whose intelligence quotient is between 41 and 55 and
10 who does not suffer from significant mental illness to the
11 extent that the person's ability to exercise rational
12 judgment is impaired."; and

13 on page 24, by replacing line 25 with the following:

14 "moderately, severely, or profoundly mentally retarded person
15 victim."; and

16 on page 24, by replacing line 31 with the following:

17 "the age of 18 years or a moderately, severely, or profoundly
18 mentally"; and

19 on page 25, by replacing line 5 with the following:

20 "child victim or the moderately, severely, or profoundly
21 mentally"; and

1 on page 25, by replacing line 7 with the following:

2 "or moderately, severely, or profoundly mentally retarded
3 person"; and

4 on page 25, by replacing lines 9 and 10 with the following:

5 "or moderately, severely, or profoundly mentally retarded
6 person cannot reasonably communicate or that the child or
7 moderately, severely, or"; and

8 on page 25, by replacing line 13 with the following:

9 "moderately, severely, or profoundly mentally retarded person
10 to suffer"; and

11 on page 25, by replacing line 16 with the following:

12 "defendant, and the judge may question the child or
13 moderately, severely,"; and

14 on page 25, by replacing lines 21 and 22 with the following:

15 "the child or moderately, severely, or profoundly mentally
16 retarded person when the child or moderately, severely, or
17 profoundly mentally retarded"; and

18 on page 25, by replacing line 31 with the following:

19 "the child or moderately, severely, or profoundly mentally
20 retarded"; and

21 on page 25, by replacing line 34 with the following:

22 "or guardian of the child or moderately, severely, or
23 profoundly"; and

24 on page 26, by replacing line 2 with the following:

25 "(e) During the child's or moderately, severely, or
26 profoundly"; and

27 on page 26, by replacing line 8 with the following:

28 "the persons in the room where the child or moderately,
29 severely, or"; and

30 on page 26, by replacing lines 26 and 27 with the following:

1 "person who was a moderately, an-institutionalized severely,
2 or profoundly mentally retarded person as defined in this
3 Code and in Section 2-10.1 of the"; and

4 on page 27, by replacing line 19 with the following:

5 "(2) The child or moderately, institutionalized
6 severely, or"; and

7 on page 28, by replacing line 3 with the following:

8 "intellectual capabilities of the moderately,
9 institutionalized severely,".