

# HB1324



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB1324

Introduced 2/17/2021, by Rep. Emanuel Chris Welch

### SYNOPSIS AS INTRODUCED:

405 ILCS 5/3-101

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

Amends the Mental Health and Developmental Disabilities Code. Makes a technical change in a Section concerning State's Attorneys' representation of the State in court proceedings.

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FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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

17 (b) Any community mental health provider or inpatient  
18 mental health facility, including hospitals operated by the  
19 Department, may be represented by counsel in court proceedings  
20 under this Chapter if they are providing services or funding  
21 for services to the respondent, or if an order by the court  
22 directing said entity to provide services or funding for  
23 services to the respondent is being sought by any party.

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1 (Source: P.A. 97-375, eff. 8-15-11.)