

# HB5391



## 97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5391

Introduced 2/15/2012, by Rep. Sara Feigenholtz

### 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.

LRB097 19559 RLC 64813 b

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 in  
10 court proceedings under this Chapter and in proceedings under  
11 Section 2-107.1 in their respective counties, shall attend such  
12 proceedings either in person or by assistant, and shall ensure  
13 that petitions, reports and orders are properly prepared.  
14 Nothing herein contained shall prevent any party, including any  
15 petitioner, from being represented by his own counsel.

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

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