



Sen. John G. Mulroe

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09800SB1007sam001

LRB098 05268 RLC 47566 a

1 AMENDMENT TO SENATE BILL 1007

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1007 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Mental Health Court Treatment Act is  
5 amended by changing Section 20 as follows:

6 (730 ILCS 168/20)

7 Sec. 20. Eligibility.

8 (a) A defendant, who is eligible for probation based on the  
9 nature of the crime convicted of and in consideration of his or  
10 her criminal background, if any, may be admitted into a mental  
11 health court program only upon the agreement of the prosecutor  
12 and the defendant and with the approval of the court.

13 (b) A defendant shall be excluded from a mental health  
14 court program if any one of the following applies:

15 (1) The crime is a crime of violence as set forth in  
16 clause (3) of this subsection (b).

1           (2) The defendant does not demonstrate a willingness to  
2 participate in a treatment program.

3           (3) The defendant has been convicted of a crime of  
4 violence within the past 10 years excluding incarceration  
5 time, specifically first degree murder, second degree  
6 murder, predatory criminal sexual assault of a child,  
7 aggravated criminal sexual assault, criminal sexual  
8 assault, armed robbery, aggravated arson, arson,  
9 aggravated kidnapping, kidnapping, stalking, aggravated  
10 stalking, or any offense involving the discharge of a  
11 firearm.

12           (4) (Blank).

13           (5) The crime for which the defendant has been  
14 convicted is non-probationable.

15           (6) The sentence imposed on the defendant, whether the  
16 result of a plea or a finding of guilt, renders the  
17 defendant ineligible for probation.

18           (c) A defendant charged with prostitution under Section  
19 11-14 of the Criminal Code of 2012 may be admitted into a  
20 mental health court program, ~~which may include specialized~~  
21 ~~service programs specifically designed to address the trauma~~  
22 ~~associated with prostitution and human trafficking,~~ if  
23 available in the jurisdiction and provided that the  
24 requirements in subsections (a) and (b) are satisfied. Mental  
25 health court programs may include specialized service programs  
26 specifically designed to address the trauma associated with

1 prostitution and human trafficking, and may offer those  
2 specialized services to defendants admitted to the mental  
3 health court program. Judicial circuits establishing these  
4 specialized programs shall partner with prostitution and human  
5 trafficking advocates, survivors, and service providers in the  
6 development of the programs.

7 (Source: P.A. 97-946, eff. 8-13-12; 98-152, eff. 1-1-14;  
8 98-538, eff. 8-23-13; revised 8-28-13.)

9 Section 95. No acceleration or delay. Where this Act makes  
10 changes in a statute that is represented in this Act by text  
11 that is not yet or no longer in effect (for example, a Section  
12 represented by multiple versions), the use of that text does  
13 not accelerate or delay the taking effect of (i) the changes  
14 made by this Act or (ii) provisions derived from any other  
15 Public Act.

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law."