

HB1139



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB1139

by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

720 ILCS 5/2-10.1

from Ch. 38, par. 2-10.1

Amends the Criminal Code of 2012. Makes technical changes in a Section concerning the definition of "severely or profoundly intellectually disabled person".

LRB099 04958 RLC 24987 b

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 2012 is amended by changing
5 Section 2-10.1 as follows:

6 (720 ILCS 5/2-10.1) (from Ch. 38, par. 2-10.1)

7 Sec. 2-10.1. "Severely or profoundly intellectually
8 disabled person" means a person (i) whose intelligence quotient
9 does not exceed 40 or (ii) whose intelligence quotient does not
10 exceed 55 and ~~and~~ who suffers from significant mental illness
11 to the extent that the person's ability to exercise rational
12 judgment is impaired. In any proceeding in which the defendant
13 is charged with committing a violation of Section 10-2, 10-5,
14 11-1.30, 11-1.60, 11-14.4, 11-15.1, 11-19.1, 11-19.2, 11-20.1,
15 11-20.1B, 11-20.3, 12-4.3, 12-14, or 12-16, or subdivision
16 (b) (1) of Section 12-3.05, of this Code against a victim who is
17 alleged to be a severely or profoundly intellectually disabled
18 person, any findings concerning the victim's status as a
19 severely or profoundly intellectually disabled person, made by
20 a court after a judicial admission hearing concerning the
21 victim under Articles V and VI of Chapter IV of the Mental
22 Health and Developmental Disabilities Code shall be
23 admissible.

1 (Source: P.A. 97-227, eff. 1-1-12; 97-1109, eff. 1-1-13;
2 98-756, eff. 7-16-14.)