

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 Drug Court Treatment Act is amended by
5 changing Section 20 as follows:

6 (730 ILCS 166/20)

7 Sec. 20. Eligibility.

8 (a) A defendant may be admitted into a drug court program
9 before adjudication only upon the agreement of the prosecutor
10 and the defendant and with the approval of the court. A
11 defendant may be admitted into a drug court program
12 post-adjudication only with the approval of the court.

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

15 (1) The crime is a crime of violence as set forth in
16 clause (4) of this subsection (b).

17 (2) The defendant denies his or her use of or addiction
18 to drugs.

19 (3) The defendant does not demonstrate a willingness to
20 participate in a treatment program.

21 (4) The defendant has been convicted of a crime of
22 violence within the past 10 years excluding incarceration
23 time, including but not limited to: first degree murder,

1 second degree murder, predatory criminal sexual assault of
2 a child, aggravated criminal sexual assault, criminal
3 sexual assault, armed robbery, aggravated arson, arson,
4 aggravated kidnaping, kidnaping, aggravated battery
5 resulting in great bodily harm or permanent disability,
6 stalking, aggravated stalking, or any offense involving
7 the discharge of a firearm.

8 (5) (Blank). ~~The defendant has previously completed or~~
9 ~~has been discharged from a drug court program.~~

10 (Source: P.A. 92-58, eff. 1-1-02.)