

HB4090



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4090

by Rep. Arthur Turner

SYNOPSIS AS INTRODUCED:

720 ILCS 5/2-10.1

from Ch. 38, par. 2-10.1

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning the definition of "severely or profoundly intellectually disabled person".

LRB097 17807 RLC 63024 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 1961 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 4 of the Mental
22 Health and Developmental Disabilities Code shall be
23 admissible.

1 (Source: P.A. 96-1551, Article 1, Section 960, eff. 7-1-11;
2 96-1551, Article 2, Section 1035, eff. 7-1-11; 97-227, eff.
3 1-1-12; revised 9-12-11.)