

# HB1094



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB1094

Introduced 2/17/2021, by Rep. Emanuel Chris Welch

### SYNOPSIS AS INTRODUCED:

720 ILCS 5/2-10.1

from Ch. 38, par. 2-10.1

Amends the Criminal Code of 2012. Makes a technical change in a Section concerning the definition of "person with a severe or profound intellectual disability".

LRB102 03108 RLC 13121 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  
5 changing 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. "Person with a severe or profound  
8 intellectual disability" means a person (i) whose intelligence  
9 quotient does not exceed 40 or (ii) whose intelligence  
10 quotient does not exceed 55 and ~~and~~ who suffers from  
11 significant mental illness to the extent that the person's  
12 ability to exercise rational judgment is impaired. In any  
13 proceeding in which the defendant is charged with committing a  
14 violation of Section 10-2, 10-5, 11-1.30, 11-1.60, 11-14.4,  
15 11-15.1, 11-19.1, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-4.3,  
16 12-14, or 12-16, or subdivision (b)(1) of Section 12-3.05, of  
17 this Code against a victim who is alleged to be a person with a  
18 severe or profound intellectual disability, any findings  
19 concerning the victim's status as a person with a severe or  
20 profound intellectual disability, made by a court after a  
21 judicial admission hearing concerning the victim under  
22 Articles V and VI of Chapter IV of the Mental Health and  
23 Developmental Disabilities Code shall be admissible.

HB1094

- 2 -

LRB102 03108 RLC 13121 b

1 (Source: P.A. 98-756, eff. 7-16-14; 99-143, eff. 7-27-15.)