

SB0538



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0538

Introduced 2/23/2021, by Sen. Robert Peters

SYNOPSIS AS INTRODUCED:

405 ILCS 5/3-802

from Ch. 91 1/2, par. 3-802

Amends the Mental Health and Developmental Disabilities Code. Provides that when the respondent requests a jury on the question of whether he or she is subject to involuntary admission on an inpatient or outpatient basis, the jury shall consist of 12 persons, unless the respondent requests a jury of 6 persons. Provides that a respondent is also entitled (rather than not entitled) to a jury on the question of whether psychotropic medication or electroconvulsive therapy may be administered under the Code. Effective immediately.

LRB102 15284 RLC 20639 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning health.

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

4 Section 5. The Mental Health and Developmental
5 Disabilities Code is amended by changing Section 3-802 as
6 follows:

7 (405 ILCS 5/3-802) (from Ch. 91 1/2, par. 3-802)

8 Sec. 3-802. The respondent is entitled to a jury on the
9 question of whether he or she is subject to involuntary
10 admission on an inpatient or outpatient basis. The jury shall
11 consist of 12 ~~6~~ persons, unless the respondent requests a jury
12 of 6 persons, to be chosen in the same manner as are jurors in
13 other civil proceedings. A respondent is also ~~not~~ entitled to
14 a jury on the question of whether psychotropic medication or
15 electroconvulsive therapy may be administered under Section
16 2-107.1.

17 (Source: P.A. 95-172, eff. 8-14-07; 96-1399, eff. 7-29-10;
18 96-1453, eff. 8-20-10.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.