



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB1488

Introduced 02/10/05, by Rep. Jim Sacia - John J. Millner

SYNOPSIS AS INTRODUCED:

405 ILCS 5/3-606

from Ch. 91 1/2, par. 3-606

Amends the Mental Health and Developmental Disabilities Code. Provides that a peace officer may take a person into custody and transport him to a mental health facility when the peace officer has reasonable grounds to believe that the person is subject to involuntary admission and in need of immediate hospitalization (removes a requirement that the "reasonable grounds" be a result of the peace officer's personal observation). Provides that nothing in these provisions shall be interpreted to prevent (i) the filing of a petition for involuntary admission completed by the facility director or any other person or (ii) a decision by the petitioner or his or her counsel or the State's Attorney to proceed with a hearing on a petition for involuntary admission completed by someone other than the peace officer who transported the respondent to the facility. Effective immediately.

LRB094 07549 DRJ 37717 b

FISCAL NOTE ACT
MAY APPLY

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 3-606 as
6 follows:

7 (405 ILCS 5/3-606) (from Ch. 91 1/2, par. 3-606)

8 Sec. 3-606. A peace officer may take a person into custody
9 and transport him to a mental health facility when, ~~as a result~~
10 ~~of his personal observation,~~ the peace officer has reasonable
11 grounds to believe that the person is subject to involuntary
12 admission and in need of immediate hospitalization to protect
13 such person or others from physical harm. Upon arrival at the
14 facility, the peace officer shall complete the petition under
15 Section 3-601. Nothing in this Section shall be interpreted to
16 prevent (i) the filing of a petition under Section 3-601
17 completed by the facility director or any other person or (ii)
18 a decision by the petitioner or his or her counsel or the
19 State's Attorney to proceed with a hearing under Article VIII
20 of this Chapter based on a petition completed by someone other
21 than the peace officer who transported the respondent.

22 (Source: P.A. 91-726, eff. 6-2-00.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.