



Rep. Michael J. Zalewski

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09800SB1872ham001

LRB098 08541 RLC 46228 a

1 AMENDMENT TO SENATE BILL 1872

2 AMENDMENT NO. _____. Amend Senate Bill 1872 on page 5, by
3 inserting immediately below line 15 the following:

4 "Section 10. The Mental Health Court Treatment Act is
5 amended by changing Section 20 as follows:

6 (730 ILCS 168/20)

7 Sec. 20. Eligibility.

8 (a) A defendant may be admitted into a mental health court
9 program only upon the agreement of the prosecutor and the
10 defendant and with the approval of the court.

11 (b) A defendant shall be excluded from a mental health
12 court program if any one of the following applies:

13 (1) The crime is a crime of violence as set forth in
14 clause (3) of this subsection (b).

15 (2) The defendant does not demonstrate a willingness to
16 participate in a treatment program.

1 (3) The defendant has been convicted of a crime of
2 violence within the past 10 years excluding incarceration
3 time, specifically first degree murder, second degree
4 murder, predatory criminal sexual assault of a child,
5 aggravated criminal sexual assault, criminal sexual
6 assault, armed robbery, aggravated arson, arson,
7 aggravated kidnapping, kidnapping, stalking, aggravated
8 stalking, or any offense involving the discharge of a
9 firearm.

10 (4) (Blank).

11 (c) A defendant charged with prostitution under Section
12 11-14 of the Criminal Code of 2012 may be admitted into a
13 mental health court program, which may include specialized
14 service programs specifically designed to address the trauma
15 associated with prostitution and human trafficking, if
16 available in the jurisdiction and provided that the
17 requirements in subsections (a) and (b) are satisfied. Judicial
18 circuits establishing these specialized programs shall partner
19 with prostitution and human trafficking advocates, survivors,
20 and service providers in the development of the programs.

21 (Source: P.A. 97-946, eff. 8-13-12.)".