



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5635

by Rep. Mike Fortner

SYNOPSIS AS INTRODUCED:

405 ILCS 5/2-107.4 new

Amends the Mental Health and Developmental Disabilities Code. Provides that the Illinois Supreme Court or any circuit court of this State may adopt rules permitting the use of video conferencing equipment in any hearing concerning the administration of psychotropic medication or electroconvulsive therapy subject to the following conditions: (1) if the parties, including the respondent, and their attorneys, including the State's Attorney, are at a mental health facility, or some other location to which the respondent may be safely and conveniently transported, and the judge and any court personnel are in another location; or (2) if the respondent and his or her attorney are at a mental health facility or some other location to which the respondent may be safely and conveniently transported, and all of the other participants including the judge are in another location, if, and only if, agreed to by the respondent and the respondent's attorney. Provides that in a hearing concerning the administration of psychotropic medication or electroconvulsive therapy, any court may permit any witness, including a psychiatrist, to testify by video conferencing equipment from any location in the absence of a court rule specifically prohibiting that testimony.

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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 adding Section 2-107.4 as
6 follows:

7 (405 ILCS 5/2-107.4 new)

8 Sec. 2-107.4. Video conferencing.

9 (a) The Illinois Supreme Court or any circuit court of this
10 State may adopt rules permitting the use of video conferencing
11 equipment in any hearing under Section 2-107.1 subject to the
12 following conditions:

13 (1) if the parties, including the respondent, and their
14 attorneys, including the State's Attorney, are at a mental
15 health facility, or some other location to which the
16 respondent may be safely and conveniently transported, and
17 the judge and any court personnel are in another location;
18 or

19 (2) if the respondent and his or her attorney are at a
20 mental health facility or some other location to which the
21 respondent may be safely and conveniently transported, and
22 all of the other participants including the judge are in
23 another location, if, and only if, agreed to by the

1 respondent and the respondent's attorney.

2 (b) In any hearing under Section 2-107.1, any court may
3 permit any witness, including a psychiatrist, to testify by
4 video conferencing equipment from any location in the absence
5 of a court rule specifically prohibiting that testimony.