

1 AN ACT in relation to sexually dangerous persons.

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

4 Section 5. The Sexually Dangerous Persons Act is  
5 amended by changing Sections 8 and 9 as follows:

6 (725 ILCS 205/8) (from Ch. 38, par. 105-8)

7 Sec. 8. If the respondent is found to be a sexually  
8 dangerous person then the court shall appoint the Director of  
9 Corrections guardian of the person found to be sexually  
10 dangerous and such person shall stand committed to the  
11 custody of such guardian. The Director of Corrections as  
12 guardian shall keep safely the person so committed until the  
13 person has recovered and is released as hereinafter provided.  
14 The Director of Corrections as guardian shall provide care  
15 and treatment for the person committed to him designed to  
16 effect recovery. The Director may place that ward in any  
17 facility in the Department of Corrections or portion thereof  
18 set aside for the care and treatment of sexually dangerous  
19 persons. The Department of Corrections may also request  
20 another state Department or Agency to examine such person  
21 patient and upon such request, such Department or Agency  
22 shall make such examination and the Department of Corrections  
23 may, with the consent of the chief executive officer of such  
24 other Department or Agency, thereupon place such person  
25 patient in the care and treatment of such other Department or  
26 Agency.

27 (Source: P.A. 77-2477.)

28 (725 ILCS 205/9) (from Ch. 38, par. 105-9)

29 Sec. 9. An application in writing setting forth facts  
30 showing that such sexually dangerous person or criminal

1 sexual psychopathic person has recovered may be filed before  
2 the committing court. Upon receipt thereof, the clerk of the  
3 court shall cause a copy of the application to be sent to the  
4 Director of the Department of Corrections. The Director shall  
5 then cause to be prepared and sent to the court a  
6 socio-psychiatric report concerning the applicant. The report  
7 shall be prepared by a social worker and psychologist under  
8 the supervision of a licensed the psychiatrist, ~~see~~ ~~ologist~~,  
9 ~~psycheologist-and-warden-of~~, ~~or~~ assigned to, the institution  
10 wherein such applicant is confined. The court shall set a  
11 date for the hearing upon such application and shall consider  
12 the report so prepared under the direction of the Director of  
13 the Department of Corrections and any other relevant  
14 information submitted by or on behalf of such applicant. If  
15 the person patient is found to be no longer dangerous, the  
16 court shall order that he be discharged. If the court finds  
17 that the person patient appears no longer to be dangerous but  
18 that it is impossible to determine with certainty under  
19 conditions of institutional care that such person has fully  
20 recovered, the court shall enter an order permitting such  
21 person to go at large subject to such conditions and such  
22 supervision by the Director as in the opinion of the court  
23 will adequately protect the public. In the event the person  
24 violates any of the conditions of such order, the court shall  
25 revoke such conditional release and recommit the person  
26 pursuant to Section 5-6-4 of the Unified Code of Corrections  
27 under the terms of the original commitment. Upon an order of  
28 discharge every outstanding information and indictment, the  
29 basis of which was the reason for the present detention,  
30 shall be quashed.

31 (Source: P.A. 77-2477.)

32 Section 99. Effective date. This Act takes effect upon  
33 becoming law.