



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 66

An Act to reinforce the supervision of persons in respect of whom has been rendered a verdict of not criminally responsible by reason of mental disorder or of unfit to stand trial

Introduction

**Introduced by
Mr. François Bonnardel
Minister of Public Security**

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EXPLANATORY NOTES

This bill enables a health and social services body to communicate to a police force information that is necessary for its interventions in relation to persons in respect of whom has been rendered a verdict of not criminally responsible by reason of mental disorder or of unfit to stand trial.

The bill also specifies the mandate of the correctional services of the Ministère de la Sécurité publique regarding such persons entrusted to them.

LEGISLATION AMENDED BY THIS BILL:

- Act respecting health and social services information (chapter R-22.1);
- Act respecting the Québec correctional system (chapter S-40.1).

Bill 66

AN ACT TO REINFORCE THE SUPERVISION OF PERSONS IN RESPECT OF WHOM HAS BEEN RENDERED A VERDICT OF NOT CRIMINALLY RESPONSIBLE BY REASON OF MENTAL DISORDER OR OF UNFIT TO STAND TRIAL

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING HEALTH AND SOCIAL SERVICES INFORMATION

1. Section 76 of the Act respecting health and social services information (chapter R-22.1) is amended

(1) by replacing “either of the” in the introductory clause of the first paragraph by “the”;

(2) by adding the following paragraph at the end of the first paragraph:

“(3) the police force intervenes in the case of a person in respect of whom has been rendered a verdict of not criminally responsible by reason of mental disorder or of unfit to stand trial and who is under the body’s responsibility following a disposition made under Part XX.1 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) by a court or a Review Board.”

ACT RESPECTING THE QUÉBEC CORRECTIONAL SYSTEM

2. Section 3 of the Act respecting the Québec correctional system (chapter S-40.1) is amended

(1) by replacing “the persons committed to their custody and facilitate the reintegration of offenders into the community” in the first paragraph by “the persons entrusted to them and facilitate their reintegration into the community”;

(2) by replacing “committed to their custody” in subparagraphs 2 and 3 of the second paragraph by “entrusted to them”.

3. The Act is amended by inserting the following section after section 3:

“3.1. Where a person in respect of whom has been rendered a verdict of not criminally responsible by reason of mental disorder or of unfit to stand trial is entrusted to the correctional services, the provisions of this chapter concerning persons entrusted to the correctional services apply for the purposes of carrying

out the correctional services' mandate in respect of that person, with the necessary modifications to take the person's status into account."

4. Section 4 of the Act is amended by replacing "the supervision of offenders in the community and for the custody of inmates, they shall take part in the assessment of offenders and facilitate their reintegration into the community" in the first paragraph by "the custody of inmates and for the supervision in the community of persons entrusted to the correctional services, take part in their assessment and facilitate their reintegration into the community".

5. Section 7 of the Act is amended by replacing "offenders" in the second paragraph by "persons entrusted to the correctional services".

6. Section 16 of the Act is amended by replacing "committed to their custody" by "entrusted to them".

7. Section 18 of the Act is amended by replacing "committed to their custody as is necessary for the provision of custody and" in the first paragraph by "entrusted to them as is necessary for the provision of".

8. Section 25 of the Act is amended

(1) by replacing "offenders" in the first paragraph by "persons entrusted to the correctional services";

(2) by replacing "offenders" in the second paragraph by "those persons".

9. Section 26 of the Act is amended by replacing "that the person" and "person's" in the first paragraph by "that an offender" and "offender's", respectively.

10. Section 32 of the Act is amended by replacing "committed to its custody" in subparagraphs 11 and 12 of the first paragraph by "entrusted to it".

11. Section 174 of the Act is amended by replacing "in whose custody or care the person is placed" in the second paragraph by "to whom the care or support of the person is entrusted".

12. The Act is amended

(1) by striking out "custody and" in the following provisions:

(a) the first paragraph of section 12;

(b) section 14;

(2) by replacing “committed to the custody of” by “entrusted to” in the following provisions:

- (a) the heading of Division III of Chapter II;
- (b) section 18.1, wherever it appears;
- (c) section 20.

FINAL PROVISION

13. This Act comes into force on *(insert the date of assent to this Act)*.

