



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4659

Introduced 2/3/2026, by Rep. Nicole La Ha

SYNOPSIS AS INTRODUCED:

| | |
|-------------------|--------------------------|
| 720 ILCS 5/12-3.2 | from Ch. 38, par. 12-3.2 |
| 725 ILCS 5/112A-3 | from Ch. 38, par. 112A-3 |
| 750 ILCS 60/103 | from Ch. 40, par. 2311-3 |

Amends the Criminal Code of 2012. Provides that a person commits domestic battery if he or she knowingly without legal justification by any means engages in coercive control over a family or household member. Defines "coercive control". Amends the Protective Orders Article of the Code of Criminal Procedure of 1963 and the Illinois Domestic Violence Act of 1986. Includes coercive control in the definition of "abuse". Defines "coercive control".

LRB104 17719 RLC 31150 b

1 AN ACT concerning domestic violence.

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

4 Section 5. The Criminal Code of 2012 is amended by
5 changing Section 12-3.2 as follows:

6 (720 ILCS 5/12-3.2) (from Ch. 38, par. 12-3.2)
7 Sec. 12-3.2. Domestic battery.

8 (a) In this Section, "coercive control" means a pattern of
9 behavior that in purpose or effect unreasonably interferes
10 with a person's free will and personal liberty. "Coercive
11 control" includes a pattern of behavior that seeks to destroy
12 the mental and emotional state of the other person and strip
13 away the person's sense of self, including bodily integrity
14 and human rights. "Coercive control" may be committed directly
15 or indirectly, including through the use of a third party and
16 by any method or through any means, including, but not limited
17 to, telephone, online accounts, text messages,
18 Internet-connected devices, or other electronic technologies.
19 "Coercive control" does not include actions taken pursuant to
20 a court order, pursuant to a court-approved legal agreement,
21 at the direction of law enforcement, or to protect the safety
22 of a child. Coercive control is designed to make an person
23 dependent by isolating the person from support, exploiting the

1 person, depriving the person of independence and regulating
2 the person's everyday behavior, including:

3 (1) isolating the person from friends, relatives, or
4 other sources of support;

5 (2) depriving the other person of basic necessities;

6 (3) monitoring the person's communications, movements,
7 daily activities and behavior, finances, economic
8 resources, or access to services;

9 (4) frequent name-calling, degrading and demeaning of
10 the other person;

11 (5) threatening to harm or kill the person or a child
12 or relative;

13 (6) threatening to publish private information or make
14 reports of defamatory or false claims to police or
15 authorities;

16 (7) compelling the other person by force, threat of
17 force, or intimidation to engage in conduct from which the
18 other person has a right to abstain or to abstain from
19 conduct in which the other party has a right to engage; or

20 (8) engaging in reproductive coercion, which consists
21 of control over the reproductive autonomy of a person
22 through force, threat of force, or intimidation.

23 (a-5) ~~(a)~~ A person commits domestic battery if he or she
24 knowingly without legal justification by any means:

25 (1) causes bodily harm to any family or household
26 member;

1 (2) makes physical contact of an insulting or
2 provoking nature with any family or household member; ~~or~~

3 (3) engages in coercive control over a family or
4 household member.

5 (b) Sentence. Domestic battery is a Class A misdemeanor.
6 Domestic battery is a Class 4 felony if the defendant has any
7 prior conviction under this Code for violation of an order of
8 protection (Section 12-3.4 or 12-30), or any prior conviction
9 under the law of another jurisdiction for an offense which is
10 substantially similar. Domestic battery is a Class 4 felony if
11 the defendant has any prior conviction under this Code for
12 first degree murder (Section 9-1), attempt to commit first
13 degree murder (Section 8-4), aggravated domestic battery
14 (Section 12-3.3), aggravated battery (Section 12-3.05 or
15 12-4), heinous battery (Section 12-4.1), aggravated battery
16 with a firearm (Section 12-4.2), aggravated battery with a
17 machine gun or a firearm equipped with a silencer (Section
18 12-4.2-5), aggravated battery of a child (Section 12-4.3),
19 aggravated battery of an unborn child (subsection (a-5) of
20 Section 12-3.1, or Section 12-4.4), aggravated battery of a
21 senior citizen (Section 12-4.6), stalking (Section 12-7.3),
22 aggravated stalking (Section 12-7.4), criminal sexual assault
23 (Section 11-1.20 or 12-13), aggravated criminal sexual assault
24 (Section 11-1.30 or 12-14), kidnapping (Section 10-1),
25 aggravated kidnapping (Section 10-2), predatory criminal
26 sexual assault of a child (Section 11-1.40 or 12-14.1),

1 aggravated criminal sexual abuse (Section 11-1.60 or 12-16),
2 unlawful restraint (Section 10-3), aggravated unlawful
3 restraint (Section 10-3.1), aggravated arson (Section 20-1.1),
4 or aggravated discharge of a firearm (Section 24-1.2), or any
5 prior conviction under the law of another jurisdiction for any
6 offense that is substantially similar to the offenses listed
7 in this Section, when any of these offenses have been
8 committed against a family or household member. Domestic
9 battery is a Class 4 felony if the defendant has one or 2 prior
10 convictions under this Code for domestic battery (Section
11 12-3.2), or one or 2 prior convictions under the law of another
12 jurisdiction for any offense which is substantially similar.
13 Domestic battery is a Class 3 felony if the defendant had 3
14 prior convictions under this Code for domestic battery
15 (Section 12-3.2), or 3 prior convictions under the law of
16 another jurisdiction for any offense which is substantially
17 similar. Domestic battery is a Class 2 felony if the defendant
18 had 4 or more prior convictions under this Code for domestic
19 battery (Section 12-3.2), or 4 or more prior convictions under
20 the law of another jurisdiction for any offense which is
21 substantially similar. In addition to any other sentencing
22 alternatives, for any second or subsequent conviction of
23 violating this Section, the offender shall be mandatorily
24 sentenced to a minimum of 72 consecutive hours of
25 imprisonment. The imprisonment shall not be subject to
26 suspension, nor shall the person be eligible for probation in

1 order to reduce the sentence.

2 (c) Domestic battery committed in the presence of a child.
3 In addition to any other sentencing alternatives, a defendant
4 who commits, in the presence of a child, a felony domestic
5 battery (enhanced under subsection (b)), aggravated domestic
6 battery (Section 12-3.3), aggravated battery (Section 12-3.05
7 or 12-4), unlawful restraint (Section 10-3), or aggravated
8 unlawful restraint (Section 10-3.1) against a family or
9 household member shall be required to serve a mandatory
10 minimum imprisonment of 10 days or perform 300 hours of
11 community service, or both. The defendant shall further be
12 liable for the cost of any counseling required for the child at
13 the discretion of the court in accordance with subsection (b)
14 of Section 5-5-6 of the Unified Code of Corrections. For
15 purposes of this Section, "child" means a person under 18
16 years of age who is the defendant's or victim's child or
17 step-child or who is a minor child residing within or visiting
18 the household of the defendant or victim.

19 (d) Upon conviction of domestic battery, the court shall
20 advise the defendant orally or in writing, substantially as
21 follows: "An individual convicted of domestic battery may be
22 subject to federal criminal penalties for possessing,
23 transporting, shipping, or receiving any firearm or ammunition
24 in violation of the federal Gun Control Act of 1968 (18 U.S.C.
25 922(g)(8) and (9))." A notation shall be made in the court file
26 that the admonition was given.

1 (Source: P.A. 97-1109, eff. 1-1-13; 98-187, eff. 1-1-14;
2 98-994, eff. 1-1-15.)

3 Section 10. The Code of Criminal Procedure of 1963 is
4 amended by changing Section 112A-3 as follows:

5 (725 ILCS 5/112A-3) (from Ch. 38, par. 112A-3)

6 Sec. 112A-3. Definitions.

7 (a) In this Article:

8 "Advocate" means a person whose communications with the
9 victim are privileged under Section 8-802.1 or 8-802.2 of the
10 Code of Civil Procedure or Section 227 of the Illinois
11 Domestic Violence Act of 1986.

12 "Named victim" means the person named as the victim in the
13 delinquency petition or criminal prosecution.

14 "Protective order" means a domestic violence order of
15 protection, a civil no contact order, or a stalking no contact
16 order.

17 (b) For the purposes of domestic violence cases, the
18 following terms shall have the following meanings in this
19 Article:

20 (1) "Abuse" means physical abuse, harassment,
21 intimidation of a dependent, coercive control,
22 interference with personal liberty, or willful deprivation
23 but does not include reasonable direction of a minor child
24 by a parent or person in loco parentis.

1 (1.5) "Coercive control" has the meaning given to that
2 term in Section 12-3.2 of the Criminal Code of 2012.

3 (2) "Domestic violence" means abuse as described in
4 paragraph (1) of this subsection (b).

5 (3) "Family or household members" include spouses,
6 former spouses, parents, children, stepchildren, and other
7 persons related by blood or by present or prior marriage,
8 persons who share or formerly shared a common dwelling,
9 persons who have or allegedly have a child in common,
10 persons who share or allegedly share a blood relationship
11 through a child, persons who have or have had a dating or
12 engagement relationship, persons with disabilities and
13 their personal assistants, and caregivers as defined in
14 subsection (e) of Section 12-4.4a of the Criminal Code of
15 2012. For purposes of this paragraph (3), neither a casual
16 acquaintanceship nor ordinary fraternization between 2
17 individuals in business or social contexts shall be deemed
18 to constitute a dating relationship.

19 (4) "Harassment" means knowing conduct which is not
20 necessary to accomplish a purpose which is reasonable
21 under the circumstances; would cause a reasonable person
22 emotional distress; and does cause emotional distress to
23 the petitioner. Unless the presumption is rebutted by a
24 preponderance of the evidence, the following types of
25 conduct shall be presumed to cause emotional distress:

26 (i) creating a disturbance at petitioner's place

1 of employment or school;

2 (ii) repeatedly telephoning petitioner's place of
3 employment, home or residence;

4 (iii) repeatedly following petitioner about in a
5 public place or places;

6 (iv) repeatedly keeping petitioner under
7 surveillance by remaining present outside his or her
8 home, school, place of employment, vehicle or other
9 place occupied by petitioner or by peering in
10 petitioner's windows;

11 (v) improperly concealing a minor child from
12 petitioner, repeatedly threatening to improperly
13 remove a minor child of petitioner's from the
14 jurisdiction or from the physical care of petitioner,
15 repeatedly threatening to conceal a minor child from
16 petitioner, or making a single such threat following
17 an actual or attempted improper removal or
18 concealment, unless respondent was fleeing from an
19 incident or pattern of domestic violence; or

20 (vi) threatening physical force, confinement or
21 restraint on one or more occasions.

22 (5) "Interference with personal liberty" means
23 committing or threatening physical abuse, harassment,
24 intimidation or willful deprivation so as to compel
25 another to engage in conduct from which she or he has a
26 right to abstain or to refrain from conduct in which she or

1 he has a right to engage.

2 (6) "Intimidation of a dependent" means subjecting a
3 person who is dependent because of age, health, or
4 disability to participation in or the witnessing of:
5 physical force against another or physical confinement or
6 restraint of another which constitutes physical abuse as
7 defined in this Article, regardless of whether the abused
8 person is a family or household member.

9 (7) "Order of protection" or "domestic violence order
10 of protection" means an ex parte or final order, granted
11 pursuant to this Article, which includes any or all of the
12 remedies authorized by Section 112A-14 of this Code.

13 (8) "Petitioner" may mean not only any named
14 petitioner for the domestic violence order of protection
15 and any named victim of abuse on whose behalf the petition
16 is brought, but also any other person protected by this
17 Article.

18 (9) "Physical abuse" includes sexual abuse and means
19 any of the following:

20 (i) knowing or reckless use of physical force,
21 confinement or restraint;

22 (ii) knowing, repeated and unnecessary sleep
23 deprivation; or

24 (iii) knowing or reckless conduct which creates an
25 immediate risk of physical harm.

26 (9.3) "Respondent" in a petition for a domestic

1 violence order of protection means the defendant.

2 (9.5) "Stay away" means for the respondent to refrain
3 from both physical presence and nonphysical contact with
4 the petitioner whether direct, indirect (including, but
5 not limited to, telephone calls, mail, email, faxes, and
6 written notes), or through third parties who may or may
7 not know about the domestic violence order of protection.

8 (10) "Willful deprivation" means wilfully denying a
9 person who because of age, health or disability requires
10 medication, medical care, shelter, accessible shelter or
11 services, food, therapeutic device, or other physical
12 assistance, and thereby exposing that person to the risk
13 of physical, mental or emotional harm, except with regard
14 to medical care and treatment when such dependent person
15 has expressed the intent to forgo such medical care or
16 treatment. This paragraph (10) does not create any new
17 affirmative duty to provide support to dependent persons.

18 (c) For the purposes of cases involving sexual offenses,
19 the following terms shall have the following meanings in this
20 Article:

21 (1) "Civil no contact order" means an ex parte or
22 final order granted under this Article, which includes a
23 remedy authorized by Section 112A-14.5 of this Code.

24 (2) "Family or household members" include spouses,
25 parents, children, stepchildren, and persons who share a
26 common dwelling.

1 (3) "Non-consensual" means a lack of freely given
2 agreement.

3 (4) "Petitioner" means not only any named petitioner
4 for the civil no contact order and any named victim of
5 non-consensual sexual conduct or non-consensual sexual
6 penetration on whose behalf the petition is brought, but
7 includes any other person sought to be protected under
8 this Article.

9 (5) "Respondent" in a petition for a civil no contact
10 order means the defendant.

11 (6) "Sexual conduct" means any intentional or knowing
12 touching or fondling by the petitioner or the respondent,
13 either directly or through clothing, of the sex organs,
14 anus, or breast of the petitioner or the respondent, or
15 any part of the body of a child under 13 years of age, or
16 any transfer or transmission of semen by the respondent
17 upon any part of the clothed or unclothed body of the
18 petitioner, for the purpose of sexual gratification or
19 arousal of the petitioner or the respondent.

20 (7) "Sexual penetration" means any contact, however
21 slight, between the sex organ or anus of one person by an
22 object, the sex organ, mouth or anus of another person, or
23 any intrusion, however slight, of any part of the body of
24 one person or of any animal or object into the sex organ or
25 anus of another person, including, but not limited to,
26 cunnilingus, fellatio, or anal penetration. Evidence of

1 emission of semen is not required to prove sexual
2 penetration.

3 (8) "Stay away" means to refrain from both physical
4 presence and nonphysical contact with the petitioner
5 directly, indirectly, or through third parties who may or
6 may not know of the order. "Nonphysical contact" includes,
7 but is not limited to, telephone calls, mail, e-mail, fax,
8 and written notes.

9 (d) For the purposes of cases involving stalking offenses,
10 the following terms shall have the following meanings in this
11 Article:

12 (1) "Course of conduct" means 2 or more acts,
13 including, but not limited to, acts in which a respondent
14 directly, indirectly, or through third parties, by any
15 action, method, device, or means follows, monitors,
16 observes, surveils, threatens, or communicates to or
17 about, a person, engages in other contact, or interferes
18 with or damages a person's property or pet. A course of
19 conduct may include contact via electronic communications.
20 The incarceration of a person in a penal institution who
21 commits the course of conduct is not a bar to prosecution.

22 (2) "Emotional distress" means significant mental
23 suffering, anxiety, or alarm.

24 (3) "Contact" includes any contact with the victim,
25 that is initiated or continued without the victim's
26 consent, or that is in disregard of the victim's expressed

1 desire that the contact be avoided or discontinued,
2 including, but not limited to, being in the physical
3 presence of the victim; appearing within the sight of the
4 victim; approaching or confronting the victim in a public
5 place or on private property; appearing at the workplace
6 or residence of the victim; entering onto or remaining on
7 property owned, leased, or occupied by the victim; or
8 placing an object on, or delivering an object to, property
9 owned, leased, or occupied by the victim.

10 (4) "Petitioner" means any named petitioner for the
11 stalking no contact order or any named victim of stalking
12 on whose behalf the petition is brought.

13 (5) "Reasonable person" means a person in the
14 petitioner's circumstances with the petitioner's knowledge
15 of the respondent and the respondent's prior acts.

16 (6) "Respondent" in a petition for a civil no contact
17 order means the defendant.

18 (7) "Stalking" means engaging in a course of conduct
19 directed at a specific person, and he or she knows or
20 should know that this course of conduct would cause a
21 reasonable person to fear for his or her safety or the
22 safety of a third person or suffer emotional distress.
23 "Stalking" does not include an exercise of the right to
24 free speech or assembly that is otherwise lawful or
25 picketing occurring at the workplace that is otherwise
26 lawful and arises out of a bona fide labor dispute,

1 including any controversy concerning wages, salaries,
2 hours, working conditions or benefits, including health
3 and welfare, sick leave, insurance, and pension or
4 retirement provisions, the making or maintaining of
5 collective bargaining agreements, and the terms to be
6 included in those agreements.

7 (8) "Stalking no contact order" means an ex parte or
8 final order granted under this Article, which includes a
9 remedy authorized by Section 112A-14.7 of this Code.

10 (Source: P.A. 100-199, eff. 1-1-18; 100-597, eff. 6-29-18.)

11 Section 15. The Illinois Domestic Violence Act of 1986 is
12 amended by changing Section 103 as follows:

13 (750 ILCS 60/103) (from Ch. 40, par. 2311-3)

14 Sec. 103. Definitions. For the purposes of this Act, the
15 following terms shall have the following meanings:

16 (1) "Abuse" means physical abuse, harassment, intimidation
17 of a dependent, coercive control, interference with personal
18 liberty, or willful deprivation but does not include
19 reasonable direction of a minor child by a parent or person in
20 loco parentis.

21 (2) "Adult with disabilities" means an elder adult with
22 disabilities or a high-risk adult with disabilities. A person
23 may be an adult with disabilities for purposes of this Act even
24 though he or she has never been adjudicated an incompetent

1 adult. However, no court proceeding may be initiated or
2 continued on behalf of an adult with disabilities over that
3 adult's objection, unless such proceeding is approved by his
4 or her legal guardian, if any.

5 (2.5) "Coercive control" has the meaning given to that
6 term in Section 12-3.2 of the Criminal Code of 2012.

7 (3) "Domestic violence" means abuse as defined in
8 paragraph (1).

9 (4) "Elder adult with disabilities" means an adult
10 prevented by advanced age from taking appropriate action to
11 protect himself or herself from abuse by a family or household
12 member.

13 (5) "Exploitation" means the illegal, including tortious,
14 use of a high-risk adult with disabilities or of the assets or
15 resources of a high-risk adult with disabilities. Exploitation
16 includes, but is not limited to, the misappropriation of
17 assets or resources of a high-risk adult with disabilities by
18 undue influence, by breach of a fiduciary relationship, by
19 fraud, deception, or extortion, or the use of such assets or
20 resources in a manner contrary to law.

21 (6) "Family or household members" include spouses, former
22 spouses, parents, children, stepchildren and other persons
23 related by blood or by present or prior marriage, persons who
24 share or formerly shared a common dwelling, persons who have
25 or allegedly have a child in common, persons who share or
26 allegedly share a blood relationship through a child, persons

1 who have or have had a dating or engagement relationship,
2 persons with disabilities and their personal assistants, and
3 caregivers as defined in Section 12-4.4a of the Criminal Code
4 of 2012. For purposes of this paragraph, neither a casual
5 acquaintanceship nor ordinary fraternization between 2
6 individuals in business or social contexts shall be deemed to
7 constitute a dating relationship. In the case of a high-risk
8 adult with disabilities, "family or household members"
9 includes any person who has the responsibility for a high-risk
10 adult as a result of a family relationship or who has assumed
11 responsibility for all or a portion of the care of a high-risk
12 adult with disabilities voluntarily, or by express or implied
13 contract, or by court order.

14 (7) "Harassment" means knowing conduct which is not
15 necessary to accomplish a purpose that is reasonable under the
16 circumstances; would cause a reasonable person emotional
17 distress; and does cause emotional distress to the petitioner.
18 Unless the presumption is rebutted by a preponderance of the
19 evidence, the following types of conduct shall be presumed to
20 cause emotional distress:

21 (i) creating a disturbance at petitioner's place of
22 employment or school;

23 (ii) repeatedly telephoning petitioner's place of
24 employment, home or residence;

25 (iii) repeatedly following petitioner about in a
26 public place or places;

1 (iv) repeatedly keeping petitioner under surveillance
2 by remaining present outside his or her home, school,
3 place of employment, vehicle or other place occupied by
4 petitioner or by peering in petitioner's windows;

5 (v) improperly concealing a minor child from
6 petitioner, repeatedly threatening to improperly remove a
7 minor child of petitioner's from the jurisdiction or from
8 the physical care of petitioner, repeatedly threatening to
9 conceal a minor child from petitioner, or making a single
10 such threat following an actual or attempted improper
11 removal or concealment, unless respondent was fleeing an
12 incident or pattern of domestic violence; or

13 (vi) threatening physical force, confinement or
14 restraint on one or more occasions.

15 (8) "High-risk adult with disabilities" means a person
16 aged 18 or over whose physical or mental disability impairs
17 his or her ability to seek or obtain protection from abuse,
18 neglect, or exploitation.

19 (9) "Interference with personal liberty" means committing
20 or threatening physical abuse, harassment, intimidation or
21 willful deprivation so as to compel another to engage in
22 conduct from which she or he has a right to abstain or to
23 refrain from conduct in which she or he has a right to engage.

24 (10) "Intimidation of a dependent" means subjecting a
25 person who is dependent because of age, health or disability
26 to participation in or the witnessing of: physical force

1 against another or physical confinement or restraint of
2 another which constitutes physical abuse as defined in this
3 Act, regardless of whether the abused person is a family or
4 household member.

5 (11) (A) "Neglect" means the failure to exercise that
6 degree of care toward a high-risk adult with disabilities
7 which a reasonable person would exercise under the
8 circumstances and includes but is not limited to:

9 (i) the failure to take reasonable steps to protect a
10 high-risk adult with disabilities from acts of abuse;

11 (ii) the repeated, careless imposition of unreasonable
12 confinement;

13 (iii) the failure to provide food, shelter, clothing,
14 and personal hygiene to a high-risk adult with
15 disabilities who requires such assistance;

16 (iv) the failure to provide medical and rehabilitative
17 care for the physical and mental health needs of a
18 high-risk adult with disabilities; or

19 (v) the failure to protect a high-risk adult with
20 disabilities from health and safety hazards.

21 (B) Nothing in this subsection (10) shall be construed to
22 impose a requirement that assistance be provided to a
23 high-risk adult with disabilities over his or her objection in
24 the absence of a court order, nor to create any new affirmative
25 duty to provide support to a high-risk adult with
26 disabilities.

1 (12) "Order of protection" means an emergency order,
2 interim order or plenary order, granted pursuant to this Act,
3 which includes any or all of the remedies authorized by
4 Section 214 of this Act.

5 (13) "Petitioner" may mean not only any named petitioner
6 for the order of protection and any named victim of abuse on
7 whose behalf the petition is brought, but also any other
8 person protected by this Act.

9 (14) "Physical abuse" includes sexual abuse and means any
10 of the following:

11 (i) knowing or reckless use of physical force,
12 confinement or restraint;

13 (ii) knowing, repeated and unnecessary sleep
14 deprivation; or

15 (iii) knowing or reckless conduct which creates an
16 immediate risk of physical harm.

17 (14.5) "Stay away" means for the respondent to refrain
18 from both physical presence and nonphysical contact with the
19 petitioner whether direct, indirect (including, but not
20 limited to, telephone calls, mail, email, faxes, and written
21 notes), or through third parties who may or may not know about
22 the order of protection.

23 (15) "Willful deprivation" means wilfully denying a person
24 who because of age, health or disability requires medication,
25 medical care, shelter, accessible shelter or services, food,
26 therapeutic device, or other physical assistance, and thereby

1 exposing that person to the risk of physical, mental or
2 emotional harm, except with regard to medical care or
3 treatment when the dependent person has expressed an intent to
4 forgo such medical care or treatment. This paragraph does not
5 create any new affirmative duty to provide support to
6 dependent persons.

7 (Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)