



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2092

Introduced 2/6/2025, by Sen. Erica Harriss

#### SYNOPSIS AS INTRODUCED:

740 ILCS 21/140 new

Amends the Stalking No Contact Order. Provides that an order issued under the Act may be expunged if the petitioner who sought the emergency or plenary order agrees that the order was issued in error as a mistake in fact and that the court makes a similar finding. Requires that the clerk of the court to immediately file a certified copy of the expungement order with the Illinois State Police and that all records related to an emergency order required to be expunged no later than 3 business days after the court issues the expungement order.

LRB104 08527 JRC 18579 b

1 AN ACT concerning civil law.

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

4 Section 5. The Stalking No Contact Order Act is amended by  
5 adding Section 140 as follows:

6 (740 ILCS 21/140 new)

7 Sec. 140. Expungement for mistake of fact.

8 (a) Upon the petition of a respondent subject to an order  
9 issued under this Act, the court shall order that all records  
10 related to the emergency or plenary order be expunged from the  
11 court's records and from the Law Enforcement Agencies Data  
12 System maintained by the Illinois State Police if the  
13 petitioner who sought the emergency or plenary order agrees  
14 that the order was issued in error as a mistake in fact and  
15 that the court makes a similar finding.

16 (b) The clerk of the court shall immediately file a  
17 certified copy of the expungement order with the Illinois  
18 State Police.

19 (c) All records related to an emergency order required to  
20 be expunged under this Section shall be expunged no later than  
21 3 business days after the court issues the expungement order.