

SB3044



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3044

Introduced 1/28/2026, by Sen. Steve Stadelman

SYNOPSIS AS INTRODUCED:

740 ILCS 21/115
740 ILCS 22/218
750 ILCS 60/222

from Ch. 40, par. 2312-22

Amends the Stalking No Contact Order Act, the Civil No Contact Order Act, and the Illinois Domestic Violence Act of 1986. Provides that on issuance of a plenary order, the emergency order remains in effect until the plenary order or short form notification is served on the respondent.

LRB104 17940 JRC 31377 b

A BILL FOR

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 Stalking No Contact Order Act is amended by
5 changing Section 115 as follows:

6 (740 ILCS 21/115)

7 Sec. 115. Notice of orders.

8 (a) Upon issuance of any stalking no contact order, the
9 clerk shall immediately:

10 (1) enter the order on the record and file it in
11 accordance with the circuit court procedures; and

12 (2) provide a file stamped copy of the order to the
13 respondent, if present, and to the petitioner.

14 (b) The clerk of the issuing judge shall, or the
15 petitioner may, on the same day that a stalking no contact
16 order is issued, file a certified copy of that order with the
17 sheriff or other law enforcement officials charged with
18 maintaining Illinois State Police records or charged with
19 serving the order upon the respondent. If the respondent, at
20 the time of the issuance of the order, is committed to the
21 custody of the Illinois Department of Corrections or Illinois
22 Department of Juvenile Justice or is on parole, aftercare
23 release, or mandatory supervised release, the sheriff or other

1 law enforcement officials charged with maintaining Illinois
2 State Police records shall notify the Department of
3 Corrections or Department of Juvenile Justice within 48 hours
4 of receipt of a copy of the stalking no contact order from the
5 clerk of the issuing judge or the petitioner. Such notice
6 shall include the name of the respondent, the respondent's
7 IDOC inmate number or IDJJ youth identification number, the
8 respondent's date of birth, and the LEADS Record Index Number.

9 (c) Unless the respondent was present in court when the
10 order was issued, the sheriff, other law enforcement official,
11 or special process server shall promptly serve that order upon
12 the respondent and file proof of such service in the manner
13 provided for service of process in civil proceedings. Instead
14 of serving the order upon the respondent, however, the
15 sheriff, other law enforcement official, special process
16 server, or other persons defined in Section 117 may serve the
17 respondent with a short form notification as provided in
18 Section 117. If process has not yet been served upon the
19 respondent, it shall be served with the order or short form
20 notification if such service is made by the sheriff, other law
21 enforcement official, or special process server. Upon issuance
22 of a plenary order, the emergency order remains in effect
23 until the plenary order or short form notification is served
24 on the respondent.

25 (d) If the person against whom the stalking no contact
26 order is issued is arrested and the written order is issued in

1 accordance with subsection (c) of Section 95 and received by
2 the custodial law enforcement agency before the respondent or
3 arrestee is released from custody, the custodial law
4 enforcement agent shall promptly serve the order upon the
5 respondent or arrestee before the respondent or arrestee is
6 released from custody. In no event shall detention of the
7 respondent or arrestee be extended for hearing on the petition
8 for stalking no contact order or receipt of the order issued
9 under Section 95 of this Act.

10 (e) Any order extending, modifying, or revoking any
11 stalking no contact order shall be promptly recorded, issued,
12 and served as provided in this Section.

13 (f) Upon the request of the petitioner, within 24 hours of
14 the issuance of a stalking no contact order, the clerk of the
15 issuing judge shall send written notice of the order along
16 with a certified copy of the order to any school, daycare,
17 college, or university at which the petitioner is enrolled.

18 (Source: P.A. 101-508, eff. 1-1-20; 102-538, eff. 8-20-21.)

19 Section 10. The Civil No Contact Order Act is amended by
20 changing Section 218 as follows:

21 (740 ILCS 22/218)

22 Sec. 218. Notice of orders.

23 (a) Upon issuance of any civil no contact order, the clerk
24 shall immediately:

1 (1) enter the order on the record and file it in
2 accordance with the circuit court procedures; and

3 (2) provide a file stamped copy of the order to the
4 respondent, if present, and to the petitioner.

5 (b) The clerk of the issuing judge shall, or the
6 petitioner may, on the same day that a civil no contact order
7 is issued, file a certified copy of that order with the sheriff
8 or other law enforcement officials charged with maintaining
9 Illinois State Police records or charged with serving the
10 order upon the respondent. If the respondent, at the time of
11 the issuance of the order, is committed to the custody of the
12 Illinois Department of Corrections or Illinois Department of
13 Juvenile Justice, or is on parole, aftercare release, or
14 mandatory supervised release, the sheriff or other law
15 enforcement officials charged with maintaining Illinois State
16 Police records shall notify the Department of Corrections or
17 Department of Juvenile Justice within 48 hours of receipt of a
18 copy of the civil no contact order from the clerk of the
19 issuing judge or the petitioner. Such notice shall include the
20 name of the respondent, the respondent's IDOC inmate number or
21 IDJJ youth identification number, the respondent's date of
22 birth, and the LEADS Record Index Number.

23 (c) Unless the respondent was present in court when the
24 order was issued, the sheriff, other law enforcement official,
25 or special process server shall promptly serve that order upon
26 the respondent and file proof of such service in the manner

1 provided for service of process in civil proceedings. Instead
2 of serving the order upon the respondent, however, the
3 sheriff, other law enforcement official, special process
4 server, or other persons defined in Section 218.1 may serve
5 the respondent with a short form notification as provided in
6 Section 218.1. If process has not yet been served upon the
7 respondent, it shall be served with the order or short form
8 notification if such service is made by the sheriff, other law
9 enforcement official, or special process server. Upon issuance
10 of a plenary order, the emergency order remains in effect
11 until the plenary order or short form notification is served
12 on the respondent.

13 (d) If the person against whom the civil no contact order
14 is issued is arrested and the written order is issued in
15 accordance with subsection (c) of Section 214 and received by
16 the custodial law enforcement agency before the respondent or
17 arrestee is released from custody, the custodial law
18 enforcement agent shall promptly serve the order upon the
19 respondent or arrestee before the respondent or arrestee is
20 released from custody. In no event shall detention of the
21 respondent or arrestee be extended for hearing on the petition
22 for civil no contact order or receipt of the order issued under
23 Section 214 of this Act.

24 (e) Any order extending, modifying, or revoking any civil
25 no contact order shall be promptly recorded, issued, and
26 served as provided in this Section.

1 (f) Upon the request of the petitioner, within 24 hours of
2 the issuance of a civil no contact order, the clerk of the
3 issuing judge shall send written notice of the order along
4 with a certified copy of the order to any school, college, or
5 university at which the petitioner is enrolled.

6 (Source: P.A. 101-508, eff. 1-1-20; 102-538, eff. 8-20-21.)

7 Section 15. The Illinois Domestic Violence Act of 1986 is
8 amended by changing Section 222 as follows:

9 (750 ILCS 60/222) (from Ch. 40, par. 2312-22)

10 Sec. 222. Notice of orders.

11 (a) Entry and issuance. Upon issuance of any order of
12 protection, the clerk shall immediately (i) enter the order on
13 the record and file it in accordance with the circuit court
14 procedures and (ii) provide a file stamped copy of the order to
15 respondent, if present, and to petitioner.

16 (b) Filing with sheriff or other law enforcement
17 officials. The clerk of the issuing judge shall, or the
18 petitioner may, on the same day that an order of protection is
19 issued, file a certified copy of that order with the sheriff or
20 other law enforcement officials charged with maintaining
21 Illinois State Police records or charged with serving the
22 order upon respondent or executing any search warrant issued
23 under paragraph (14.5) of subsection (b) of Section 214 of
24 this Act. If a search warrant is issued under paragraph (14.5)

1 of subsection (b) of Section 214 of this Act, the clerk of the
2 issuing judge shall, or the petitioner may, on the same day
3 that the warrant is issued, transmit the warrant to the law
4 enforcement agency to which the warrant is directed. If the
5 respondent, at the time of the issuance of the order, is
6 committed to the custody of the Illinois Department of
7 Corrections or Illinois Department of Juvenile Justice or is
8 on parole, aftercare release, or mandatory supervised release,
9 the sheriff or other law enforcement officials charged with
10 maintaining Illinois State Police records shall notify the
11 Department of Corrections or Department of Juvenile Justice
12 within 48 hours of receipt of a copy of the order of protection
13 from the clerk of the issuing judge or the petitioner. Such
14 notice shall include the name of the respondent, the
15 respondent's IDOC inmate number or IDJJ youth identification
16 number, the respondent's date of birth, and the LEADS Record
17 Index Number.

18 (c) Service by sheriff. Unless respondent was present in
19 court when the order was issued, the sheriff, other law
20 enforcement official or special process server shall promptly
21 serve that order upon respondent and file proof of such
22 service, in the manner provided for service of process in
23 civil proceedings. Instead of serving the order upon the
24 respondent, however, the sheriff, other law enforcement
25 official, special process server, or other persons defined in
26 Section 222.10 may serve the respondent with a short form

1 notification as provided in Section 222.10. If process has not
2 yet been served upon the respondent, it shall be served with
3 the order or short form notification if such service is made by
4 the sheriff, other law enforcement official, or special
5 process server. A single fee may be charged for service of an
6 order obtained in civil court, or for service of such an order
7 together with process, unless waived or deferred under Section
8 210. Upon issuance of a plenary order, the emergency order
9 remains in effect until the plenary order or short form
10 notification is served on the respondent.

11 (c-5) If the person against whom the order of protection
12 is issued is arrested and the written order is issued in
13 accordance with subsection (c) of Section 217 and received by
14 the custodial law enforcement agency before the respondent or
15 arrestee is released from custody, the custodial law
16 enforcement agent shall promptly serve the order upon the
17 respondent or arrestee before the respondent or arrestee is
18 released from custody. In no event shall detention of the
19 respondent or arrestee be extended for hearing on the petition
20 for order of protection or receipt of the order issued under
21 Section 217 of this Act.

22 (d) Extensions, modifications and revocations. Any order
23 extending, modifying or revoking any order of protection shall
24 be promptly recorded, issued and served as provided in this
25 Section.

26 (e) Notice to schools. Upon the request of the petitioner,

1 within 24 hours of the issuance of an order of protection, the
2 clerk of the issuing judge shall send a certified copy of the
3 order of protection to the day-care facility, pre-school or
4 pre-kindergarten, or private school or the principal office of
5 the public school district or any college or university in
6 which any child who is a protected person under the order of
7 protection or any child of the petitioner is enrolled as
8 requested by the petitioner at the mailing address provided by
9 the petitioner. If the child transfers enrollment to another
10 day-care facility, pre-school, pre-kindergarten, private
11 school, public school, college, or university, the petitioner
12 may, within 24 hours of the transfer, send to the clerk written
13 notice of the transfer, including the name and address of the
14 institution to which the child is transferring. Within 24
15 hours of receipt of notice from the petitioner that a child is
16 transferring to another day-care facility, pre-school,
17 pre-kindergarten, private school, public school, college, or
18 university, the clerk shall send a certified copy of the order
19 to the institution to which the child is transferring.

20 (f) Disclosure by schools. After receiving a certified
21 copy of an order of protection that prohibits a respondent's
22 access to records, neither a day-care facility, pre-school,
23 pre-kindergarten, public or private school, college, or
24 university nor its employees shall allow a respondent access
25 to a protected child's records or release information in those
26 records to the respondent. The school shall file the copy of

1 the order of protection in the records of a child who is a
2 protected person under the order of protection. When a child
3 who is a protected person under the order of protection
4 transfers to another day-care facility, pre-school,
5 pre-kindergarten, public or private school, college, or
6 university, the institution from which the child is
7 transferring may, at the request of the petitioner, provide,
8 within 24 hours of the transfer, written notice of the order of
9 protection, along with a certified copy of the order, to the
10 institution to which the child is transferring.

11 (g) Notice to health care facilities and health care
12 practitioners. Upon the request of the petitioner, the clerk
13 of the circuit court shall send a certified copy of the order
14 of protection to any specified health care facility or health
15 care practitioner requested by the petitioner at the mailing
16 address provided by the petitioner.

17 (h) Disclosure by health care facilities and health care
18 practitioners. After receiving a certified copy of an order of
19 protection that prohibits a respondent's access to records, no
20 health care facility or health care practitioner shall allow a
21 respondent access to the records of any child who is a
22 protected person under the order of protection, or release
23 information in those records to the respondent, unless the
24 order has expired or the respondent shows a certified copy of
25 the court order vacating the corresponding order of protection
26 that was sent to the health care facility or practitioner.

1 Nothing in this Section shall be construed to require health
2 care facilities or health care practitioners to alter
3 procedures related to billing and payment. The health care
4 facility or health care practitioner may file the copy of the
5 order of protection in the records of a child who is a
6 protected person under the order of protection, or may employ
7 any other method to identify the records to which a respondent
8 is prohibited access. No health care facility or health care
9 practitioner shall be civilly or professionally liable for
10 reliance on a copy of an order of protection, except for
11 willful and wanton misconduct.

12 (Source: P.A. 102-538, eff. 8-20-21; 103-1065, eff. 5-11-25.)