

HB2818



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2818

by Rep. Terra Costa Howard

SYNOPSIS AS INTRODUCED:

750 ILCS 61/15

Amends the Address Confidentiality for Victims of Domestic Violence Act. Provides that a person who is a victim of, among other things, sexual assault or stalking may apply for the address confidentiality program under the Act.

LRB101 07051 LNS 52087 b

A BILL FOR

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 Address Confidentiality for Victims of
5 Domestic Violence Act is amended by changing Section 15 as
6 follows:

7 (750 ILCS 61/15)

8 Sec. 15. Address confidentiality program; application;
9 certification.

10 (a) An adult person, a parent or guardian acting on behalf
11 of a minor, or a guardian acting on behalf of a person with a
12 disability, as defined in Article 11a of the Probate Act of
13 1975, may apply to the Attorney General to have an address
14 designated by the Attorney General serve as the person's
15 address or the address of the minor or person with a
16 disability. The Attorney General shall approve an application
17 if it is filed in the manner and on the form prescribed by him
18 or her and if it contains:

19 (1) a sworn statement by the applicant that the
20 applicant has good reason to believe (i) that the
21 applicant, or the minor or person with a disability on
22 whose behalf the application is made, is a victim of
23 domestic violence, sexual assault, or stalking; and (ii)

1 that the applicant fears for his or her safety or his or
2 her children's safety, or the safety of the minor or person
3 with a disability on whose behalf the application is made;

4 (2) a designation of the Attorney General as agent for
5 purposes of service of process and receipt of mail;

6 (3) the mailing address where the applicant can be
7 contacted by the Attorney General, and the phone number or
8 numbers where the applicant can be called by the Attorney
9 General;

10 (4) the new address or addresses that the applicant
11 requests not be disclosed for the reason that disclosure
12 will increase the risk of domestic violence; and

13 (5) the signature of the applicant and of any
14 individual or representative of any office designated in
15 writing under Section 40 of this Act who assisted in the
16 preparation of the application, and the date on which the
17 applicant signed the application.

18 (b) Applications shall be filed with the office of the
19 Attorney General.

20 (c) Upon filing a properly completed application, the
21 Attorney General shall certify the applicant as a program
22 participant. Applicants shall be certified for 4 years
23 following the date of filing unless the certification is
24 withdrawn or invalidated before that date. The Attorney General
25 shall by rule establish a renewal procedure.

26 (d) A person who falsely attests in an application that

1 disclosure of the applicant's address would endanger the
2 applicant's safety or the safety of the applicant's children or
3 the minor or incapacitated person on whose behalf the
4 application is made, or who knowingly provides false or
5 incorrect information upon making an application, is guilty of
6 a Class 3 felony.

7 (Source: P.A. 99-143, eff. 7-27-15.)