



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2604

Introduced 10/18/2023, by Sen. Natalie Toro

SYNOPSIS AS INTRODUCED:

740 ILCS 21/115

740 ILCS 21/117

740 ILCS 22/218

740 ILCS 22/218.1

750 ILCS 60/222

from Ch. 40, par. 2312-22

750 ILCS 60/222.10

Amends the Stalking No Contact Order Act, the Civil No Contact Order Act, and the Illinois Domestic Violence Act of 1986. Requires, upon the request of a petitioner, the clerk of the circuit court to send a certified copy of a stalking no contact order, civil no contact order, or order of protection to the petitioner's workplace. Requires, after receipt of the notification, the manager of the workplace to immediately notify the appropriate law enforcement agency if the respondent is present at the workplace and is looking for the petitioner or if the respondent is present at the workplace during the petitioner's hours of employment. Provides that a sheriff, other law enforcement official, special process servicer, or personnel assigned by the Department of Corrections or Department of Juvenile Justice shall (rather than may) serve a respondent with a short form notification.

LRB103 34271 LNS 64097 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 changing Sections 115 and 117 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.

22 (d) If the person against whom the stalking no contact
23 order is issued is arrested and the written order is issued in
24 accordance with subsection (c) of Section 95 and received by
25 the custodial law enforcement agency before the respondent or
26 arrestee is released from custody, the custodial law

1 enforcement agent shall promptly serve the order upon the
2 respondent or arrestee before the respondent or arrestee is
3 released from custody. In no event shall detention of the
4 respondent or arrestee be extended for hearing on the petition
5 for stalking no contact order or receipt of the order issued
6 under Section 95 of this Act.

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

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

15 (g) Upon the request of the petitioner, the clerk of the
16 circuit court shall send a certified copy of the stalking no
17 contact order to the petitioner's current workplace. If the
18 petitioner's workplace changes, the petitioner may send to the
19 clerk written notice of the change in workplace, including the
20 name and address of the new workplace. Within 24 hours of
21 receipt of notice from the petitioner that the petitioner's
22 workplace has changed, the clerk shall send a certified copy
23 of the stalking no contact order to the petitioner's new
24 workplace.

25 (h) After receiving notice of a stalking no contact order
26 either by the petitioner or the clerk of the circuit court, the

1 manager of the workplace shall immediately notify the
2 appropriate law enforcement agency if the respondent is
3 present at the workplace and is looking for the petitioner or
4 if the respondent is present at the workplace during the
5 petitioner's hours of employment.

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

7 (740 ILCS 21/117)

8 Sec. 117. Short form notification.

9 (a) Instead of personal service of a stalking no contact
10 order under Section 115, a sheriff, other law enforcement
11 official, special process server, or personnel assigned by the
12 Department of Corrections or Department of Juvenile Justice to
13 investigate the alleged misconduct of committed persons or
14 alleged violations of a parolee's or releasee's conditions of
15 parole, aftercare release, or mandatory supervised release
16 shall ~~may~~ serve a respondent with a short form notification.

17 The short form notification must include the following items:

18 (1) The respondent's name.

19 (2) The respondent's date of birth, if known.

20 (3) The petitioner's name.

21 (4) The names of other protected parties.

22 (5) The date and county in which the stalking no
23 contact order was filed.

24 (6) The court file number.

25 (7) The hearing date and time, if known.

1 (8) The conditions that apply to the respondent,
2 either in checklist form or handwritten.

3 (b) The short form notification must contain the following
4 notice in bold print:

5 "The order is now enforceable. You must report to the
6 office of the sheriff or the office of the circuit court in
7 (name of county) County to obtain a copy of the order. You are
8 subject to arrest and may be charged with a misdemeanor or
9 felony if you violate any of the terms of the order."

10 (c) Upon verification of the identity of the respondent
11 and the existence of an unserved order against the respondent,
12 a sheriff or other law enforcement official may detain the
13 respondent for a reasonable time necessary to complete and
14 serve the short form notification.

15 (d) When service is made by short form notification under
16 this Section, it may be proved by the affidavit of the person
17 making the service.

18 (e) The Attorney General shall make the short form
19 notification form available to law enforcement agencies in
20 this State.

21 (f) A single short form notification form may be used for
22 orders of protection under the Illinois Domestic Violence Act
23 of 1986, stalking no contact orders under this Act, and civil
24 no contact orders under the Civil No Contact Order Act.

25 (Source: P.A. 97-1017, eff. 1-1-13; 98-558, eff. 1-1-14.)

1 Section 10. The Civil No Contact Order Act is amended by
2 changing Sections 218 and 218.1 as follows:

3 (740 ILCS 22/218)

4 Sec. 218. Notice of orders.

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

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

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

11 (b) The clerk of the issuing judge shall, or the
12 petitioner may, on the same day that a civil no contact order
13 is issued, file a certified copy of that order with the sheriff
14 or other law enforcement officials charged with maintaining
15 Illinois State Police records or charged with serving the
16 order upon the respondent. If the respondent, at the time of
17 the issuance of the order, is committed to the custody of the
18 Illinois Department of Corrections or Illinois Department of
19 Juvenile Justice, or is on parole, aftercare release, or
20 mandatory supervised release, the sheriff or other law
21 enforcement officials charged with maintaining Illinois State
22 Police records shall notify the Department of Corrections or
23 Department of Juvenile Justice within 48 hours of receipt of a
24 copy of the civil no contact order from the clerk of the
25 issuing judge or the petitioner. Such notice shall include the

1 name of the respondent, the respondent's IDOC inmate number or
2 IDJJ youth identification number, the respondent's date of
3 birth, and the LEADS Record Index Number.

4 (c) Unless the respondent was present in court when the
5 order was issued, the sheriff, other law enforcement official,
6 or special process server shall promptly serve that order upon
7 the respondent and file proof of such service in the manner
8 provided for service of process in civil proceedings. Instead
9 of serving the order upon the respondent, however, the
10 sheriff, other law enforcement official, special process
11 server, or other persons defined in Section 218.1 may serve
12 the respondent with a short form notification as provided in
13 Section 218.1. If process has not yet been served upon the
14 respondent, it shall be served with the order or short form
15 notification if such service is made by the sheriff, other law
16 enforcement official, or special process server.

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

1 Section 214 of this Act.

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

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

10 (g) Upon the request of the petitioner, the clerk of the
11 circuit court shall send a certified copy of the civil no
12 contact order to the petitioner's current workplace. If the
13 petitioner's workplace changes, the petitioner may send to the
14 clerk written notice of the change in workplace, including the
15 name and address of the new workplace. Within 24 hours of
16 receipt of notice from the petitioner that the petitioner's
17 workplace has changed, the clerk shall send a certified copy
18 of the civil no contact order to the petitioner's new
19 workplace.

20 (h) After receiving notice of a civil no contact order
21 either by the petitioner or the clerk of the circuit court, the
22 manager of the workplace shall immediately notify the
23 appropriate law enforcement agency if the respondent is
24 present at the workplace and is looking for the petitioner or
25 if the respondent is present at the workplace during the
26 petitioner's hours of employment.

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

2 (740 ILCS 22/218.1)

3 Sec. 218.1. Short form notification.

4 (a) Instead of personal service of a civil no contact
5 order under Section 218, a sheriff, other law enforcement
6 official, special process server, or personnel assigned by the
7 Department of Corrections or Department of Juvenile Justice to
8 investigate the alleged misconduct of committed persons or
9 alleged violations of a parolee's or releasee's conditions of
10 parole, aftercare release, or mandatory supervised release
11 shall ~~may~~ serve a respondent with a short form notification.

12 The short form notification must include the following items:

13 (1) The respondent's name.

14 (2) The respondent's date of birth, if known.

15 (3) The petitioner's name.

16 (4) The names of other protected parties.

17 (5) The date and county in which the civil no contact
18 order was filed.

19 (6) The court file number.

20 (7) The hearing date and time, if known.

21 (8) The conditions that apply to the respondent,
22 either in checklist form or handwritten.

23 (b) The short form notification must contain the following
24 notice in bold print:

25 "The order is now enforceable. You must report to the

1 office of the sheriff or the office of the circuit court in
2 (name of county) County to obtain a copy of the order. You are
3 subject to arrest and may be charged with a misdemeanor or
4 felony if you violate any of the terms of the order."

5 (c) Upon verification of the identity of the respondent
6 and the existence of an unserved order against the respondent,
7 a sheriff or other law enforcement official may detain the
8 respondent for a reasonable time necessary to complete and
9 serve the short form notification.

10 (d) When service is made by short form notification under
11 this Section, it may be proved by the affidavit of the person
12 making the service.

13 (e) The Attorney General shall make the short form
14 notification form available to law enforcement agencies in
15 this State.

16 (f) A single short form notification form may be used for
17 orders of protection under the Illinois Domestic Violence Act
18 of 1986, stalking no contact orders under the Stalking No
19 Contact Order Act, and civil no contact orders under this Act.

20 (Source: P.A. 97-1017, eff. 1-1-13; 98-558, eff. 1-1-14.)

21 Section 15. The Illinois Domestic Violence Act of 1986 is
22 amended by changing Sections 222 and 222.10 as follows:

23 (750 ILCS 60/222) (from Ch. 40, par. 2312-22)

24 Sec. 222. Notice of orders.

1 (a) Entry and issuance. Upon issuance of any order of
2 protection, the clerk shall immediately (i) enter the order on
3 the record and file it in accordance with the circuit court
4 procedures and (ii) provide a file stamped copy of the order to
5 respondent, if present, and to petitioner.

6 (b) Filing with sheriff. The clerk of the issuing judge
7 shall, or the petitioner may, on the same day that an order of
8 protection is issued, file a certified copy of that order with
9 the sheriff or other law enforcement officials charged with
10 maintaining Illinois State Police records or charged with
11 serving the order upon respondent. If the respondent, at the
12 time of the issuance of the order, is committed to the custody
13 of the Illinois Department of Corrections or Illinois
14 Department of Juvenile Justice or is on parole, aftercare
15 release, or mandatory supervised release, the sheriff or other
16 law enforcement officials charged with maintaining Illinois
17 State Police records shall notify the Department of
18 Corrections or Department of Juvenile Justice within 48 hours
19 of receipt of a copy of the order of protection from the clerk
20 of the issuing judge or the petitioner. Such notice shall
21 include the name of the respondent, the respondent's IDOC
22 inmate number or IDJJ youth identification number, the
23 respondent's date of birth, and the LEADS Record Index Number.

24 (c) Service by sheriff. Unless respondent was present in
25 court when the order was issued, the sheriff, other law
26 enforcement official or special process server shall promptly

1 serve that order upon respondent and file proof of such
2 service, in the manner provided for service of process in
3 civil proceedings. Instead of serving the order upon the
4 respondent, however, the sheriff, other law enforcement
5 official, special process server, or other persons defined in
6 Section 222.10 may serve the respondent with a short form
7 notification as provided in Section 222.10. If process has not
8 yet been served upon the respondent, it shall be served with
9 the order or short form notification if such service is made by
10 the sheriff, other law enforcement official, or special
11 process server. A single fee may be charged for service of an
12 order obtained in civil court, or for service of such an order
13 together with process, unless waived or deferred under Section
14 210.

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

26 (d) Extensions, modifications and revocations. Any order

1 extending, modifying or revoking any order of protection shall
2 be promptly recorded, issued and served as provided in this
3 Section.

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

24 (f) Disclosure by schools. After receiving a certified
25 copy of an order of protection that prohibits a respondent's
26 access to records, neither a day-care facility, pre-school,

1 pre-kindergarten, public or private school, college, or
2 university nor its employees shall allow a respondent access
3 to a protected child's records or release information in those
4 records to the respondent. The school shall file the copy of
5 the order of protection in the records of a child who is a
6 protected person under the order of protection. When a child
7 who is a protected person under the order of protection
8 transfers to another day-care facility, pre-school,
9 pre-kindergarten, public or private school, college, or
10 university, the institution from which the child is
11 transferring may, at the request of the petitioner, provide,
12 within 24 hours of the transfer, written notice of the order of
13 protection, along with a certified copy of the order, to the
14 institution to which the child is transferring.

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

21 (h) Disclosure by health care facilities and health care
22 practitioners. After receiving a certified copy of an order of
23 protection that prohibits a respondent's access to records, no
24 health care facility or health care practitioner shall allow a
25 respondent access to the records of any child who is a
26 protected person under the order of protection, or release

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

16 (i) Notice to workplace. Upon the request of the
17 petitioner, the clerk of the circuit court shall send a
18 certified copy of the order of protection to the petitioner's
19 current workplace. If the petitioner's workplace changes, the
20 petitioner may send to the clerk written notice of the change
21 in workplace, including the name and address of the new
22 workplace. Within 24 hours of receipt of notice from the
23 petitioner that the petitioner's workplace has changed, the
24 clerk shall send a certified copy of the order of protection to
25 the petitioner's new workplace.

26 (j) Notification by workplace. After receiving notice of

1 an order of protection either by the petitioner or the clerk of
2 the circuit court, the manager of the workplace shall
3 immediately notify the appropriate law enforcement agency if
4 the respondent is present at the workplace and is looking for
5 the petitioner or if the respondent is present at the
6 workplace during the petitioner's hours of employment.

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

8 (750 ILCS 60/222.10)

9 Sec. 222.10. Short form notification.

10 (a) Instead of personal service of an order of protection
11 under Section 222, a sheriff, other law enforcement official,
12 special process server, or personnel assigned by the
13 Department of Corrections or Department of Juvenile Justice to
14 investigate the alleged misconduct of committed persons or
15 alleged violations of a parolee's or releasee's conditions of
16 parole, aftercare release, or mandatory supervised release
17 shall ~~may~~ serve a respondent with a short form notification.

18 The short form notification must include the following items:

19 (1) The respondent's name.

20 (2) The respondent's date of birth, if known.

21 (3) The petitioner's name.

22 (4) The names of other protected parties.

23 (5) The date and county in which the order of
24 protection was filed.

25 (6) The court file number.

1 (7) The hearing date and time, if known.

2 (8) The conditions that apply to the respondent,
3 either in checklist form or handwritten.

4 (b) The short form notification must contain the following
5 notice in bold print:

6 "The order is now enforceable. You must report to the
7 office of the sheriff or the office of the circuit court in
8 (name of county) County to obtain a copy of the order. You
9 are subject to arrest and may be charged with a
10 misdemeanor or felony if you violate any of the terms of
11 the order."

12 (c) Upon verification of the identity of the respondent
13 and the existence of an unserved order against the respondent,
14 a sheriff or other law enforcement official may detain the
15 respondent for a reasonable time necessary to complete and
16 serve the short form notification.

17 (d) When service is made by short form notification under
18 this Section, it may be proved by the affidavit of the person
19 making the service.

20 (e) The Attorney General shall make the short form
21 notification form available to law enforcement agencies in
22 this State.

23 (f) A single short form notification form may be used for
24 orders of protection under this Act, stalking no contact
25 orders under the Stalking No Contact Order Act, and civil no
26 contact orders under the Civil No Contact Order Act.

1 (Source: P.A. 97-50, eff. 6-28-11; 97-1017, eff. 1-1-13;
2 98-558, eff. 1-1-14.)