



Sen. Natalie Toro

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10300SB2604sam001

LRB103 34271 JRC 71950 a

1 AMENDMENT TO SENATE BILL 2604

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2604 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Stalking No Contact Order Act is amended  
5 by 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

1 sheriff or other law enforcement officials charged with  
2 maintaining Illinois State Police records or charged with  
3 serving the order upon the respondent. If the respondent, at  
4 the time of the issuance of the order, is committed to the  
5 custody of the Illinois Department of Corrections or Illinois  
6 Department of Juvenile Justice or is on parole, aftercare  
7 release, or mandatory supervised release, the sheriff or other  
8 law enforcement officials charged with maintaining Illinois  
9 State Police records shall notify the Department of  
10 Corrections or Department of Juvenile Justice within 48 hours  
11 of receipt of a copy of the stalking no contact order from the  
12 clerk of the issuing judge or the petitioner. Such notice  
13 shall include the name of the respondent, the respondent's  
14 IDOC inmate number or IDJJ youth identification number, the  
15 respondent's date of birth, and the LEADS Record Index Number.

16 (c) Unless the respondent was present in court when the  
17 order was issued, the sheriff, other law enforcement official,  
18 or special process server shall promptly serve that order upon  
19 the respondent and file proof of such service in the manner  
20 provided for service of process in civil proceedings. Instead  
21 of serving the order upon the respondent, however, the  
22 sheriff, other law enforcement official, special process  
23 server, or other persons defined in Section 117 may serve the  
24 respondent with a short form notification as provided in  
25 Section 117. If process has not yet been served upon the  
26 respondent, it shall be served with the order or short form

1 notification if such service is made by the sheriff, other law  
2 enforcement official, or special process server.

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

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

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

22 (g) Upon the request of the petitioner, the clerk of the  
23 circuit court shall send a certified copy of the stalking no  
24 contact order to the petitioner's current workplace. If the  
25 petitioner's workplace changes, the petitioner may send to the  
26 clerk written notice of the change in workplace, including the

1 name and address of the new workplace. Within 24 hours of  
2 receipt of notice from the petitioner that the petitioner's  
3 workplace has changed, the clerk shall send a certified copy  
4 of the stalking no contact order to the petitioner's new  
5 workplace.

6 (h) After receiving notice of a stalking no contact order  
7 either by the petitioner or the clerk of the circuit court, the  
8 manager of the workplace shall immediately notify the  
9 appropriate law enforcement agency if the respondent is  
10 present at the workplace and is looking for the petitioner  
11 when the petitioner is not present at the workplace. If the  
12 respondent is at the workplace when the petitioner is present,  
13 the employer shall consult with the petitioner and if the  
14 petitioner requests, the employer shall contact law  
15 enforcement.

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

17 (740 ILCS 21/117)

18 Sec. 117. Short form notification.

19 (a) Instead of personal service of a stalking no contact  
20 order under Section 115, a sheriff, other law enforcement  
21 official, special process server, or personnel assigned by the  
22 Department of Corrections or Department of Juvenile Justice to  
23 investigate the alleged misconduct of committed persons or  
24 alleged violations of a parolee's or releasee's conditions of  
25 parole, aftercare release, or mandatory supervised release

1 shall ~~may~~ serve a respondent with a short form notification.

2 The short form notification must include the following items:

3 (1) The respondent's name.

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

5 (3) The petitioner's name.

6 (4) The names of other protected parties.

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

9 (6) The court file number.

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

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

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

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

20 (c) Upon verification of the identity of the respondent  
21 and the existence of an unserved order against the respondent,  
22 a sheriff or other law enforcement official may detain the  
23 respondent for a reasonable time necessary to complete and  
24 serve the short form notification.

25 (d) When service is made by short form notification under  
26 this Section, it may be proved by the affidavit of the person

1 making the service.

2 (e) The Attorney General shall make the short form  
3 notification form available to law enforcement agencies in  
4 this State.

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

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

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

12 (740 ILCS 22/218)

13 Sec. 218. Notice of orders.

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

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

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

20 (b) The clerk of the issuing judge shall, or the  
21 petitioner may, on the same day that a civil no contact order  
22 is issued, file a certified copy of that order with the sheriff  
23 or other law enforcement officials charged with maintaining  
24 Illinois State Police records or charged with serving the

1 order upon the respondent. If the respondent, at the time of  
2 the issuance of the order, is committed to the custody of the  
3 Illinois Department of Corrections or Illinois Department of  
4 Juvenile Justice, or is on parole, aftercare release, or  
5 mandatory supervised release, the sheriff or other law  
6 enforcement officials charged with maintaining Illinois State  
7 Police records shall notify the Department of Corrections or  
8 Department of Juvenile Justice within 48 hours of receipt of a  
9 copy of the civil no contact order from the clerk of the  
10 issuing judge or the petitioner. Such notice shall include the  
11 name of the respondent, the respondent's IDOC inmate number or  
12 IDJJ youth identification number, the respondent's date of  
13 birth, and the LEADS Record Index Number.

14 (c) Unless the respondent was present in court when the  
15 order was issued, the sheriff, other law enforcement official,  
16 or special process server shall promptly serve that order upon  
17 the respondent and file proof of such service in the manner  
18 provided for service of process in civil proceedings. Instead  
19 of serving the order upon the respondent, however, the  
20 sheriff, other law enforcement official, special process  
21 server, or other persons defined in Section 218.1 may serve  
22 the respondent with a short form notification as provided in  
23 Section 218.1. If process has not yet been served upon the  
24 respondent, it shall be served with the order or short form  
25 notification if such service is made by the sheriff, other law  
26 enforcement official, or special process server.

1 (d) If the person against whom the civil no contact order  
2 is issued is arrested and the written order is issued in  
3 accordance with subsection (c) of Section 214 and received by  
4 the custodial law enforcement agency before the respondent or  
5 arrestee is released from custody, the custodial law  
6 enforcement agent shall promptly serve the order upon the  
7 respondent or arrestee before the respondent or arrestee is  
8 released from custody. In no event shall detention of the  
9 respondent or arrestee be extended for hearing on the petition  
10 for civil no contact order or receipt of the order issued under  
11 Section 214 of this Act.

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

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

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



1 workplace has changed, the clerk shall send a certified copy  
2 of the civil no contact order to the petitioner's new  
3 workplace.

4 (h) After receiving notice of a civil no contact order  
5 either by the petitioner or the clerk of the circuit court, the  
6 manager of the workplace shall immediately notify the  
7 appropriate law enforcement agency if the respondent is  
8 present at the workplace and is looking for the petitioner  
9 when the petitioner is not present at the workplace. If the  
10 respondent is at the workplace when the petitioner is present,  
11 the employer shall consult with the petitioner and if the  
12 petitioner requests, the employer shall contact law  
13 enforcement.

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

15 (740 ILCS 22/218.1)

16 Sec. 218.1. Short form notification.

17 (a) Instead of personal service of a civil no contact  
18 order under Section 218, a sheriff, other law enforcement  
19 official, special process server, or personnel assigned by the  
20 Department of Corrections or Department of Juvenile Justice to  
21 investigate the alleged misconduct of committed persons or  
22 alleged violations of a parolee's or releasee's conditions of  
23 parole, aftercare release, or mandatory supervised release  
24 shall ~~may~~ serve a respondent with a short form notification.

25 The short form notification must include the following items:

- 1 (1) The respondent's name.
- 2 (2) The respondent's date of birth, if known.
- 3 (3) The petitioner's name.
- 4 (4) The names of other protected parties.
- 5 (5) The date and county in which the civil no contact
- 6 order was filed.
- 7 (6) The court file number.
- 8 (7) The hearing date and time, if known.
- 9 (8) The conditions that apply to the respondent,
- 10 either in checklist form or handwritten.

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

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

18 (c) Upon verification of the identity of the respondent  
19 and the existence of an unserved order against the respondent,  
20 a sheriff or other law enforcement official may detain the  
21 respondent for a reasonable time necessary to complete and  
22 serve the short form notification.

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

26 (e) The Attorney General shall make the short form

1 notification form available to law enforcement agencies in  
2 this State.

3 (f) A single short form notification form may be used for  
4 orders of protection under the Illinois Domestic Violence Act  
5 of 1986, stalking no contact orders under the Stalking No  
6 Contact Order Act, and civil no contact orders under this Act.  
7 (Source: P.A. 97-1017, eff. 1-1-13; 98-558, eff. 1-1-14.)

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

10 (750 ILCS 60/222) (from Ch. 40, par. 2312-22)

11 Sec. 222. Notice of orders.

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

17 (b) Filing with sheriff. The clerk of the issuing judge  
18 shall, or the petitioner may, on the same day that an order of  
19 protection is issued, file a certified copy of that order with  
20 the sheriff or other law enforcement officials charged with  
21 maintaining Illinois State Police records or charged with  
22 serving the order upon respondent. If the respondent, at the  
23 time of the issuance of the order, is committed to the custody  
24 of the Illinois Department of Corrections or Illinois

1 Department of Juvenile Justice or is on parole, aftercare  
2 release, or mandatory supervised release, the sheriff or other  
3 law enforcement officials charged with maintaining Illinois  
4 State Police records shall notify the Department of  
5 Corrections or Department of Juvenile Justice within 48 hours  
6 of receipt of a copy of the order of protection from the clerk  
7 of the issuing judge or the petitioner. Such notice shall  
8 include the name of the respondent, the respondent's IDOC  
9 inmate number or IDJJ youth identification number, the  
10 respondent's date of birth, and the LEADS Record Index Number.

11 (c) Service by sheriff. Unless respondent was present in  
12 court when the order was issued, the sheriff, other law  
13 enforcement official or special process server shall promptly  
14 serve that order upon respondent and file proof of such  
15 service, in the manner provided for service of process in  
16 civil proceedings. Instead of serving the order upon the  
17 respondent, however, the sheriff, other law enforcement  
18 official, special process server, or other persons defined in  
19 Section 222.10 may serve the respondent with a short form  
20 notification as provided in Section 222.10. If process has not  
21 yet been served upon the respondent, it shall be served with  
22 the order or short form notification if such service is made by  
23 the sheriff, other law enforcement official, or special  
24 process server. A single fee may be charged for service of an  
25 order obtained in civil court, or for service of such an order  
26 together with process, unless waived or deferred under Section

1 210.

2 (c-5) If the person against whom the order of protection  
3 is issued is arrested and the written order is issued in  
4 accordance with subsection (c) of Section 217 and received by  
5 the custodial law enforcement agency before the respondent or  
6 arrestee is released from custody, the custodial law  
7 enforcement agent shall promptly serve the order upon the  
8 respondent or arrestee before the respondent or arrestee is  
9 released from custody. In no event shall detention of the  
10 respondent or arrestee be extended for hearing on the petition  
11 for order of protection or receipt of the order issued under  
12 Section 217 of this Act.

13 (d) Extensions, modifications and revocations. Any order  
14 extending, modifying or revoking any order of protection shall  
15 be promptly recorded, issued and served as provided in this  
16 Section.

17 (e) Notice to schools. Upon the request of the petitioner,  
18 within 24 hours of the issuance of an order of protection, the  
19 clerk of the issuing judge shall send a certified copy of the  
20 order of protection to the day-care facility, pre-school or  
21 pre-kindergarten, or private school or the principal office of  
22 the public school district or any college or university in  
23 which any child who is a protected person under the order of  
24 protection or any child of the petitioner is enrolled as  
25 requested by the petitioner at the mailing address provided by  
26 the petitioner. If the child transfers enrollment to another

1 day-care facility, pre-school, pre-kindergarten, private  
2 school, public school, college, or university, the petitioner  
3 may, within 24 hours of the transfer, send to the clerk written  
4 notice of the transfer, including the name and address of the  
5 institution to which the child is transferring. Within 24  
6 hours of receipt of notice from the petitioner that a child is  
7 transferring to another day-care facility, pre-school,  
8 pre-kindergarten, private school, public school, college, or  
9 university, the clerk shall send a certified copy of the order  
10 to the institution to which the child is transferring.

11 (f) Disclosure by schools. After receiving a certified  
12 copy of an order of protection that prohibits a respondent's  
13 access to records, neither a day-care facility, pre-school,  
14 pre-kindergarten, public or private school, college, or  
15 university nor its employees shall allow a respondent access  
16 to a protected child's records or release information in those  
17 records to the respondent. The school shall file the copy of  
18 the order of protection in the records of a child who is a  
19 protected person under the order of protection. When a child  
20 who is a protected person under the order of protection  
21 transfers to another day-care facility, pre-school,  
22 pre-kindergarten, public or private school, college, or  
23 university, the institution from which the child is  
24 transferring may, at the request of the petitioner, provide,  
25 within 24 hours of the transfer, written notice of the order of  
26 protection, along with a certified copy of the order, to the

1 institution to which the child is transferring.

2 (g) Notice to health care facilities and health care  
3 practitioners. Upon the request of the petitioner, the clerk  
4 of the circuit court shall send a certified copy of the order  
5 of protection to any specified health care facility or health  
6 care practitioner requested by the petitioner at the mailing  
7 address provided by the petitioner.

8 (h) Disclosure by health care facilities and health care  
9 practitioners. After receiving a certified copy of an order of  
10 protection that prohibits a respondent's access to records, no  
11 health care facility or health care practitioner shall allow a  
12 respondent access to the records of any child who is a  
13 protected person under the order of protection, or release  
14 information in those records to the respondent, unless the  
15 order has expired or the respondent shows a certified copy of  
16 the court order vacating the corresponding order of protection  
17 that was sent to the health care facility or practitioner.  
18 Nothing in this Section shall be construed to require health  
19 care facilities or health care practitioners to alter  
20 procedures related to billing and payment. The health care  
21 facility or health care practitioner may file the copy of the  
22 order of protection in the records of a child who is a  
23 protected person under the order of protection, or may employ  
24 any other method to identify the records to which a respondent  
25 is prohibited access. No health care facility or health care  
26 practitioner shall be civilly or professionally liable for

1 reliance on a copy of an order of protection, except for  
2 willful and wanton misconduct.

3 (i) Notice to workplace. Upon the request of the  
4 petitioner, the clerk of the circuit court shall send a  
5 certified copy of the order of protection to the petitioner's  
6 current workplace. If the petitioner's workplace changes, the  
7 petitioner may send to the clerk written notice of the change  
8 in workplace, including the name and address of the new  
9 workplace. Within 24 hours of receipt of notice from the  
10 petitioner that the petitioner's workplace has changed, the  
11 clerk shall send a certified copy of the order of protection to  
12 the petitioner's new workplace.

13 (j) Notification by workplace. After receiving notice of  
14 an order of protection either by the petitioner or the clerk of  
15 the circuit court, the manager of the workplace shall  
16 immediately notify the appropriate law enforcement agency if  
17 the respondent is present at the workplace and is looking for  
18 the petitioner when the petitioner is not present at the  
19 workplace. If the respondent is at the workplace when the  
20 petitioner is present, the employer shall consult with the  
21 petitioner and if the petitioner requests, the employer shall  
22 contact law enforcement.

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

24 (750 ILCS 60/222.10)

25 Sec. 222.10. Short form notification.



1 (a) Instead of personal service of an order of protection  
2 under Section 222, a sheriff, other law enforcement official,  
3 special process server, or personnel assigned by the  
4 Department of Corrections or Department of Juvenile Justice to  
5 investigate the alleged misconduct of committed persons or  
6 alleged violations of a parolee's or releasee's conditions of  
7 parole, aftercare release, or mandatory supervised release  
8 shall ~~may~~ serve a respondent with a short form notification.  
9 The short form notification must include the following items:

10 (1) The respondent's name.

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

12 (3) The petitioner's name.

13 (4) The names of other protected parties.

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

16 (6) The court file number.

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

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

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

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

1 the order."

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

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

10 (e) The Attorney General shall make the short form  
11 notification form available to law enforcement agencies in  
12 this State.

13 (f) A single short form notification form may be used for  
14 orders of protection under this Act, stalking no contact  
15 orders under the Stalking No Contact Order Act, and civil no  
16 contact orders under the Civil No Contact Order Act.

17 (Source: P.A. 97-50, eff. 6-28-11; 97-1017, eff. 1-1-13;  
18 98-558, eff. 1-1-14.)".