



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3602

Introduced 2/9/2024, by Sen. Mary Edly-Allen

SYNOPSIS AS INTRODUCED:

740 ILCS 82/5

Amends the Gender Violence Act. Adds to the definition of gender violence to include (1) contact between a sexual organ from which a sexually protective device has been removed and the intimate part of another person who did not verbally consent to the sexually protective device being removed; and (2) contact between an intimate part of the person and a sexual organ of another person from which the person removed a sexually protective device without verbal consent of the other person. Defines sexually protective device to mean any of the following that is intended to prevent pregnancy or sexually transmitted infection: male or female condom; spermicide; diaphragm; cervical cap; contraceptive sponge; dental dam; or another physical device intended to prevent pregnancy or sexually transmitted infection.

LRB103 37539 JRC 67663 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 Gender Violence Act is amended by changing
5 Section 5 as follows:

6 (740 ILCS 82/5)

7 Sec. 5. Definitions. In this Act:

8 "Employee" has the meaning provided in Section 2-101 of
9 the Illinois Human Rights Act.

10 "Employer" has the meaning provided in Section 2-101 of
11 the Illinois Human Rights Act.

12 "Gender-related violence", which is a form of sex
13 discrimination, means the following:

14 (1) One or more acts of violence or physical
15 aggression satisfying the elements of battery under the
16 laws of Illinois that are committed, at least in part, on
17 the basis of a person's sex, whether or not those acts have
18 resulted in criminal charges, prosecution, or conviction.

19 (2) A physical intrusion or physical invasion of a
20 sexual nature under coercive conditions satisfying the
21 elements of battery under the laws of Illinois, whether or
22 not the act or acts resulted in criminal charges,
23 prosecution, or conviction.

1 (2.1) Contact between a sexual organ of one person
2 from which a sexually protective device has been removed
3 and the intimate part of another person who did not
4 verbally consent to the sexually protective device being
5 removed.

6 (2.2) Contact between an intimate part of a person and
7 a sexual organ of another person from which the person
8 removed a sexually protective device without verbal
9 consent of the other person.

10 (2.5) Domestic violence, as defined in the Victims'
11 Economic Security and Safety Act.

12 (3) A threat of an act described in item (1), (2), or
13 (2.5) causing a realistic apprehension that the originator
14 of the threat will commit the act.

15 "Sexually protective device" means any of the following
16 intended to prevent pregnancy or sexually transmitted
17 infection: male or female condom; spermicide; diaphragm;
18 cervical cap; contraceptive sponge; dental dam; or another
19 physical device intended to prevent pregnancy or sexually
20 transmitted infection.

21 "Workplace" means the employer's premises, including any
22 building, real property, and parking area under the control of
23 the employer, or any location used by an employee while in the
24 performance of the employee's job duties. "Workplace" includes
25 activities occurring off-premises at employer-sponsored events
26 where an employee is not performing the employee's job duties.

1 (Source: P.A. 103-282, eff. 1-1-24.)