

1 AN ACT concerning gender violence.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the  
5 Gender Violence Act.

6 Section 5. Purpose. Acts of gender-related violence are  
7 a form of sex discrimination. Existing State and federal laws  
8 do not adequately prevent and remedy gender-related violence,  
9 such as domestic violence, which is disproportionately  
10 visited upon women by men; sexual abuse, which harms many  
11 women and children without being reported or prosecuted; and  
12 violence against men and women for actual or attributed  
13 sexual or gender role nonconformity. Recent national studies  
14 demonstrate that women in the United States continue to be  
15 greatly harmed by gender-related violence. It is documented  
16 that women survivors of domestic violence oftentimes have  
17 found laws against domestic violence used against them by  
18 their batterers and the overwhelming majority of sexual  
19 assaults do not come to the attention of the criminal justice  
20 system. The United States Supreme Court has ruled that the  
21 states alone have the authority to grant civil relief to the  
22 survivors of sexually discriminatory violence.

23 Section 10. Definitions. In this Act:

24 "Gender-related violence" is a form of sex discrimination  
25 and means the following:

26 (1) One or more acts of violence or physical  
27 aggression committed, at least in part, on the basis of a  
28 person's sex, gender, or sexuality, satisfying the  
29 elements of battery under the Criminal Code of 1961,  
30 whether or not the act or acts have resulted in criminal

1 charges, prosecution, or conviction.

2 (2) A physical intrusion or physical invasion of a  
3 sexual nature under coercive conditions, satisfying the  
4 elements of battery under the Criminal Code of 1961,  
5 whether or not the act or acts have resulted in criminal  
6 charges, prosecution, or conviction.

7 (3) A threat of an act described in item (1) or (2)  
8 causing a realistic apprehension that the originator of  
9 the threat will commit the act.

10 "Sex, gender, or sexuality" means, but is not limited to,  
11 actual or attributed sexual orientation, gender identity, or  
12 conformity or nonconformity to traditional social sex or  
13 gender roles.

14 Section 15. Cause of action. Any person who has been  
15 subjected to gender-related violence as defined in this Act  
16 may bring a civil action for damages, injunction, or other  
17 appropriate relief against any responsible party.

18 Section 20. Relief. In an action brought under this  
19 Act, the court may award damages, an injunction, or other  
20 appropriate relief. The court may award actual damages,  
21 including damages for emotional distress, compensatory  
22 damages, or punitive damages. A judgment may include  
23 attorney's fees and costs.

24 Section 25. Limitation. An action under this Act must  
25 be commenced within 10 years after the right to bring the  
26 action first accrued, provided that, for any person who has  
27 been subjected to gender-related violence who is a minor, an  
28 action may commence within 10 years after the person has  
29 reached the age of 18.

30 Section 30. Applicability. This Act applies only to

1 causes of action accruing on or after the effective date of  
2 this Act.