



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB0793**

Introduced 2/2/2005, by Rep. Harry Osterman

**SYNOPSIS AS INTRODUCED:**

725 ILCS 5/111-8

from Ch. 38, par. 111-8

Amends the Code of Criminal Procedure of 1963. Provides that an order of protection may also be issued when the alleged offender and victim are family or household members and the alleged violation is unlawful restraint, aggravated unlawful restraint, child pornography, domestic battery, aggravated battery of a senior citizen, interfering with reporting of domestic violence, stalking, aggravated stalking, cyberstalking, criminal trespass to a residence, criminal damage to property, criminal trespass to a vehicle, criminal trespass to real property, disorderly conduct, or harassment by telephone.

LRB094 06704 RLC 36801 b

1 AN ACT concerning criminal law.

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

4 Section 5. The Code of Criminal Procedure of 1963 is  
5 amended by changing Section 111-8 as follows:

6 (725 ILCS 5/111-8) (from Ch. 38, par. 111-8)

7 Sec. 111-8. Orders of protection to prohibit domestic  
8 violence.

9 (a) Whenever a violation of Section 9-1, 9-2, 9-3, 10-3,  
10 10-3.1, 10-4, 10-5, 11-15, 11-15.1, 11-20.1, 11-20a, 12-1,  
11 12-2, 12-3, 12-3.2, 12-3.3, 12-4, 12-4.1, 12-4.3, 12-3.2,  
12 12-4.6, 12-5, 12-6, 12-6.3, 12-7.3, 12-7.4, 12-7.5, 12-11,  
13 12-13, 12-14, 12-14.1, 12-15, ~~or~~ 12-16, 19-4, 21-1, 21-2, 21-3,  
14 or 26-1 of the Criminal Code of 1961 or Section 1-1 of the  
15 Harassing and Obscene Communications Act, ~~as now or hereafter~~  
16 ~~amended,~~ is alleged in an information, complaint or indictment  
17 on file, and the alleged offender and victim are family or  
18 household members, as defined in the Illinois Domestic Violence  
19 Act, as now or hereafter amended, the People through the  
20 respective State's Attorneys may by separate petition and upon  
21 notice to the defendant, except as provided in subsection (c)  
22 herein, request the court to issue an order of protection.

23 (b) In addition to any other remedies specified in Section  
24 208 of the Illinois Domestic Violence Act, as now or hereafter  
25 amended, the order may direct the defendant to initiate no  
26 contact with the alleged victim or victims who are family or  
27 household members and to refrain from entering the residence,  
28 school or place of business of the alleged victim or victims.

29 (c) The court may grant emergency relief without notice  
30 upon a showing of immediate and present danger of abuse to the  
31 victim or minor children of the victim and may enter a  
32 temporary order pending notice and full hearing on the matter.

1 (Source: P.A. 91-445, eff. 1-1-00.)