



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB2612

Introduced 2/26/2007, by Rep. Michael J. Madigan - Barbara Flynn Currie - Daniel J. Burke

SYNOPSIS AS INTRODUCED:

740 ILCS 22/103

Amends the Civil No Contact Order Act. Makes a technical change to a Section concerning definitions.

LRB095 01189 AJO 21191 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 Civil No Contact Order Act is amended by
5 changing Section 103 as follows:

6 (740 ILCS 22/103)

7 Sec. 103. Definitions. As used in this Act:

8 "Civil no contact order" means an emergency order or
9 plenary order granted under this Act, which includes a remedy
10 authorized by Section 213 of this Act.

11 "Non-consensual" means a lack of freely given agreement.

12 "Petitioner" means any named petitioner for the ~~the~~ no
13 contact order or any named victim of non-consensual sexual
14 conduct or non-consensual sexual penetration on whose behalf
15 the petition is brought.

16 "Sexual conduct" means any intentional or knowing touching
17 or fondling by the petitioner or the respondent, either
18 directly or through clothing, of the sex organs, anus, or
19 breast of the petitioner or the respondent, or any part of the
20 body of a child under 13 years of age, or any transfer or
21 transmission of semen by the respondent upon any part of the
22 clothed or unclothed body of the petitioner, for the purpose of
23 sexual gratification or arousal of the petitioner or the

1 respondent.

2 "Sexual penetration" means any contact, however slight,
3 between the sex organ or anus of one person by an object, the
4 sex organ, mouth or anus of another person, or any intrusion,
5 however slight, of any part of the body of one person or of any
6 animal or object into the sex organ or anus of another person,
7 including but not limited to cunnilingus, fellatio or anal
8 penetration. Evidence of emission of semen is not required to
9 prove sexual penetration.

10 "Stay away" means to refrain from both physical presence
11 and nonphysical contact with the petitioner directly,
12 indirectly, or through third parties who may or may not know of
13 the order. "Nonphysical contact" includes, but is not limited
14 to, telephone calls, mail, e-mail, fax, and written notes.

15 (Source: P.A. 93-236, eff. 1-1-04; 93-811, eff. 1-1-05.)