

HB0971



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB0971

Introduced 01/31/11, by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

740 ILCS 22/103

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

LRB097 03791 AJO 43828 b

A BILL FOR

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 "Family or household members" include spouses, parents,
12 children, stepchildren, and ~~and~~ persons who share a common
13 dwelling.

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

15 "Petitioner" may mean not only any named petitioner for the
16 civil no contact order and any named victim of non-consensual
17 sexual conduct or non-consensual sexual penetration on whose
18 behalf the petition is brought, but also any other person
19 sought to be protected by this Act.

20 "Respondent" in a petition for a civil no contact order may
21 mean not only the person alleged to have committed an act of
22 non-consensual sexual conduct or non-consensual sexual
23 penetration against the petitioner, but also any other named

1 person alleged to have aided and abetted such an act of
2 non-consensual sexual conduct or non-consensual sexual
3 penetration.

4 "Sexual conduct" means any intentional or knowing touching
5 or fondling by the petitioner or the respondent, either
6 directly or through clothing, of the sex organs, anus, or
7 breast of the petitioner or the respondent, or any part of the
8 body of a child under 13 years of age, or any transfer or
9 transmission of semen by the respondent upon any part of the
10 clothed or unclothed body of the petitioner, for the purpose of
11 sexual gratification or arousal of the petitioner or the
12 respondent.

13 "Sexual penetration" means any contact, however slight,
14 between the sex organ or anus of one person by an object, the
15 sex organ, mouth or anus of another person, or any intrusion,
16 however slight, of any part of the body of one person or of any
17 animal or object into the sex organ or anus of another person,
18 including but not limited to cunnilingus, fellatio or anal
19 penetration. Evidence of emission of semen is not required to
20 prove sexual penetration.

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

26 (Source: P.A. 96-311, eff. 1-1-10.)