

HB4370



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4370

Introduced 1/14/2026, by Rep. Anne Stava

SYNOPSIS AS INTRODUCED:

735 ILCS 5/21-107 new

Amends the Code of Civil Procedure. Creates a process for a petition for change of name on the basis of gender identity. Makes all of the proceedings and records confidential unless the petitioner waives otherwise. Makes limited exceptions to the confidentiality requirement. Creates a cause of action for knowingly violating the confidentiality provisions. Defines terms. Makes other changes.

LRB104 16897 JRC 30308 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 Code of Civil Procedure is amended by
5 adding Section 21-107 as follows:

6 (735 ILCS 5/21-107 new)

7 Sec. 21-107. Gender-related identity.

8 (a) Transgender people are experiencing a growing epidemic
9 of discrimination, harassment, and violence across the
10 country. Whether a transgender person's gender identity
11 conforms with the person's assigned sex at birth is intimate
12 personal information entitled to protection under the right to
13 privacy. A transgender person has a privacy interest in
14 concealing the person's transgender identity.

15 (b) As used in this Act:

16 "Transgender" means a person whose gender identity is
17 different from the gender assigned at birth.

18 "Gender identity" means a person's deeply felt, inherent
19 sense of who the person is as a particular gender, such as
20 female.

21 (c) If a petition is filed alleging that the requested
22 name change is on the basis of gender identity, all court
23 records filed under this Section are confidential and may not

1 be accessed by anyone other than the petitioner, an attorney
2 representing the petitioner, and any agents acting under
3 written authorization from those individuals or their
4 attorneys. For a petition brought on behalf of a minor, the
5 court shall limit access to the minor who is the subject of the
6 petition, the minor's parents, guardians, and guardians ad
7 litem, an attorney representing those individuals, and any
8 agents acting under a written authorization from those
9 individuals or their attorneys.

10 (d) The court must order that the records in the
11 proceeding be kept confidential unless the petitioner waives
12 that right. If the petitioner in a proceeding for a name change
13 on the basis of gender identity was filed before the effective
14 date of this amendatory Act of the 104th General Assembly
15 seeks confidentiality under this Section, the court shall
16 enter such an order. The petitioner may make this request ex
17 parte and without paying a filing fee. The court shall make the
18 request and all associated records confidential.

19 (e) If the petitioner discovers that court records in
20 these proceedings are not being kept confidential as required
21 under this Section, the petitioner may apply ex parte for that
22 order without paying a filing fee, and the court shall enter an
23 order making the records confidential. The court shall make
24 the request and all associated records confidential.

25 (f) Other than the petitioner, a person or private entity
26 may not publicly post a confidential record under this Section

1 on the Internet or otherwise.

2 (g) Any violation of this Section is deemed to cause
3 injury to the petitioner, including, but not limited to,
4 emotional distress. A petitioner who has been harmed by a
5 disclosure or continuing disclosure of records by a person or
6 private entity with actual knowledge that those records were
7 confidential or sealed by the court may bring a civil action
8 against a person or private entity that caused the harm. A
9 civil action under this Section may be brought by a petitioner
10 or, if the petitioner is a minor, on behalf of a petitioner by
11 the petitioner's parent, guardian, or guardian ad litem.

12 (h) If a person or private entity is found liable in an
13 action brought under this Section, that person or private
14 entity is liable to the petitioner for all of the following:

15 (1) actual damages that may not be less than \$5,000;

16 (2) punitive damages; and

17 (3) reasonable attorney's fees and costs.

18 (i) The Supreme Court may issue rules to implement this
19 Section. The petition to be used under this Section shall be a
20 statewide standardized form approved by the Supreme Court and
21 set forth the name then held, the name sought to be assumed,
22 the residence of the petitioner, the length of time the
23 petitioner has resided in this State, and the state or country
24 of the petitioner's birth.

25 (j) If the petition is filed under this Section on behalf
26 of a minor, the notice provisions of Section 21-103.5 apply,

1 but the notice must contain a disclosure that proceedings
2 under this Section are confidential in a form approved by the
3 Supreme Court.

4 (k) Nothing in this Section precludes a court from
5 granting a motion to seal all court records under this Section
6 of a person's change of name on the basis of gender identity.