



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5787

Introduced 5/21/2026, by Rep. David Friess

SYNOPSIS AS INTRODUCED:

725 ILCS 5/112A-22
750 ILCS 60/222

from Ch. 38, par. 112A-22
from Ch. 40, par. 2312-22

Amends the Protective Orders Article of the Code of Criminal Procedure of 1963 and the Orders of Protection Article of the Illinois Domestic Violence Act of 1986. Provides that notice and service of a protective order or an order of protection shall be deemed to have been made upon a respondent if the respondent was personally present in open court at the time the presiding judge issued the order, even if the respondent did not remain personally present for the duration of the court hearing to hear all of the conditions set by the presiding judge under the order.

LRB104 21928 RLC 37834 b

1 AN ACT concerning protective orders.

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 112A-22 as follows:

6 (725 ILCS 5/112A-22) (from Ch. 38, par. 112A-22)

7 Sec. 112A-22. Notice of orders.

8 (a) Entry and issuance. Upon issuance of any protective
9 order, the clerk shall immediately, or on the next court day if
10 an ex parte order is issued under subsection (e) of Section
11 112A-17.5 of this Code, (i) enter the order on the record and
12 file it in accordance with the circuit court procedures and
13 (ii) provide a file stamped copy of the order to respondent and
14 to petitioner, if present, and to the State's Attorney. If the
15 victim is not present the State's Attorney shall (i) as soon as
16 practicable notify the petitioner the order has been entered
17 and (ii) provide a file stamped copy of the order to the
18 petitioner within 3 days.

19 (b) Filing with sheriff. The clerk of the issuing judge
20 shall, on the same day that a protective order is issued, file
21 a copy of that order with the sheriff or other law enforcement
22 officials charged with maintaining Illinois State Police
23 records or charged with serving the order upon respondent. If

1 the order was issued under subsection (e) of Section 112A-17.5
2 of this Code, the clerk on the next court day shall file a
3 certified copy of the order with the sheriff or other law
4 enforcement officials charged with maintaining Illinois State
5 Police records.

6 (c) (Blank).

7 (c-1) Service at hearing. Notice and service of a
8 protective order shall be deemed to have been made upon a
9 respondent if the respondent was personally present in open
10 court at the time the presiding judge issued the protective
11 order, even if the respondent did not remain personally
12 present for the duration of the court hearing to hear all of
13 the conditions set by the presiding judge under the protective
14 order.

15 (c-2) Service by sheriff. Unless respondent was present in
16 court when the order was issued, the sheriff, other law
17 enforcement official, or special process server shall promptly
18 serve that order upon respondent and file proof of the
19 service, in the manner provided for service of process in
20 civil proceedings. Instead of serving the order upon the
21 respondent; however, the sheriff, other law enforcement
22 official, special process server, or other persons defined in
23 Section 112A-22.1 of this Code may serve the respondent with a
24 short form notification as provided in Section 112A-22.1 of
25 this Code. If process has not yet been served upon the
26 respondent, process shall be served with the order or short

1 form notification if the service is made by the sheriff, other
2 law enforcement official, or special process server.

3 (c-3) If the person against whom the protective order is
4 issued is arrested and the written order is issued under
5 subsection (e) of Section 112A-17.5 of this Code and received
6 by the custodial law enforcement agency before the respondent
7 or arrestee is released from custody, the custodial law
8 enforcement agency shall promptly serve the order upon the
9 respondent or arrestee before the respondent or arrestee is
10 released from custody. In no event shall detention of the
11 respondent or arrestee be extended for a hearing on the
12 petition for protective order or receipt of the order issued
13 under Section 112A-17 of this Code.

14 (c-4) Extensions, modifications, and revocations. Any
15 order extending, modifying, or revoking any protective order
16 shall be promptly recorded, issued, and served as provided in
17 this Section.

18 (c-5) (Blank).

19 (d) (Blank).

20 (e) Notice to health care facilities and health care
21 practitioners. Upon the request of the petitioner, the clerk
22 of the circuit court shall send a certified copy of the
23 protective order to any specified health care facility or
24 health care practitioner requested by the petitioner at the
25 mailing address provided by the petitioner.

26 (f) Disclosure by health care facilities and health care

1 practitioners. After receiving a certified copy of a
2 protective order that prohibits a respondent's access to
3 records, no health care facility or health care practitioner
4 shall allow a respondent access to the records of any child who
5 is a protected person under the protective order, or release
6 information in those records to the respondent, unless the
7 order has expired or the respondent shows a certified copy of
8 the court order vacating the corresponding protective order
9 that was sent to the health care facility or practitioner.
10 Nothing in this Section shall be construed to require health
11 care facilities or health care practitioners to alter
12 procedures related to billing and payment. The health care
13 facility or health care practitioner may file the copy of the
14 protective order in the records of a child who is a protected
15 person under the protective order, or may employ any other
16 method to identify the records to which a respondent is
17 prohibited access. No health care facility or health care
18 practitioner shall be civilly or professionally liable for
19 reliance on a copy of a protective order, except for willful
20 and wanton misconduct.

21 (g) Notice to schools. Upon the request of the petitioner,
22 within 24 hours of the issuance of a protective order, the
23 clerk of the issuing judge shall send a certified copy of the
24 protective order to the day-care facility, pre-school or
25 pre-kindergarten, or private school or the principal office of
26 the public school district or any college or university in

1 which any child who is a protected person under the protective
2 order or any child of the petitioner is enrolled as requested
3 by the petitioner at the mailing address provided by the
4 petitioner. If the child transfers enrollment to another
5 day-care facility, pre-school, pre-kindergarten, private
6 school, public school, college, or university, the petitioner
7 may, within 24 hours of the transfer, send to the clerk written
8 notice of the transfer, including the name and address of the
9 institution to which the child is transferring. Within 24
10 hours of receipt of notice from the petitioner that a child is
11 transferring to another day-care facility, pre-school,
12 pre-kindergarten, private school, public school, college, or
13 university, the clerk shall send a certified copy of the order
14 to the institution to which the child is transferring.

15 (h) Disclosure by schools. After receiving a certified
16 copy of a protective order that prohibits a respondent's
17 access to records, neither a day-care facility, pre-school,
18 pre-kindergarten, public or private school, college, or
19 university nor its employees shall allow a respondent access
20 to a protected child's records or release information in those
21 records to the respondent. The school shall file the copy of
22 the protective order in the records of a child who is a
23 protected person under the order. When a child who is a
24 protected person under the protective order transfers to
25 another day-care facility, pre-school, pre-kindergarten,
26 public or private school, college, or university, the

1 institution from which the child is transferring may, at the
2 request of the petitioner, provide, within 24 hours of the
3 transfer, written notice of the protective order, along with a
4 certified copy of the order, to the institution to which the
5 child is transferring.

6 (Source: P.A. 102-538, eff. 8-20-21.)

7 Section 10. The Illinois Domestic Violence Act of 1986 is
8 amended by changing Section 222 as follows:

9 (750 ILCS 60/222) (from Ch. 40, par. 2312-22)

10 Sec. 222. Notice of orders.

11 (a) Entry and issuance. Upon issuance of any order of
12 protection, the clerk shall immediately (i) enter the order on
13 the record and file it in accordance with the circuit court
14 procedures and (ii) provide a file stamped copy of the order to
15 respondent, if present, and to petitioner.

16 (b) Filing with sheriff or other law enforcement
17 officials. The clerk of the issuing judge shall, or the
18 petitioner may, on the same day that an order of protection is
19 issued, file a certified copy of that order with the sheriff or
20 other law enforcement officials charged with maintaining
21 Illinois State Police records or charged with serving the
22 order upon respondent or executing any search warrant issued
23 under paragraph (14.5) of subsection (b) of Section 214 of
24 this Act. If a search warrant is issued under paragraph (14.5)

1 of subsection (b) of Section 214 of this Act, the clerk of the
2 issuing judge shall, or the petitioner may, on the same day
3 that the warrant is issued, transmit the warrant to the law
4 enforcement agency to which the warrant is directed. If the
5 respondent, at the time of the issuance of the order, is
6 committed to the custody of the Illinois Department of
7 Corrections or Illinois Department of Juvenile Justice or is
8 on parole, aftercare release, or mandatory supervised release,
9 the sheriff or other law enforcement officials charged with
10 maintaining Illinois State Police records shall notify the
11 Department of Corrections or Department of Juvenile Justice
12 within 48 hours of receipt of a copy of the order of protection
13 from the clerk of the issuing judge or the petitioner. Such
14 notice shall include the name of the respondent, the
15 respondent's IDOC inmate number or IDJJ youth identification
16 number, the respondent's date of birth, and the LEADS Record
17 Index Number.

18 (c) Service by sheriff. Unless respondent was present in
19 court when the order was issued, the sheriff, other law
20 enforcement official or special process server shall promptly
21 serve that order upon respondent and file proof of such
22 service, in the manner provided for service of process in
23 civil proceedings. Instead of serving the order upon the
24 respondent, however, the sheriff, other law enforcement
25 official, special process server, or other persons defined in
26 Section 222.10 may serve the respondent with a short form

1 notification as provided in Section 222.10. If process has not
2 yet been served upon the respondent, it shall be served with
3 the order or short form notification if such service is made by
4 the sheriff, other law enforcement official, or special
5 process server. A single fee may be charged for service of an
6 order obtained in civil court, or for service of such an order
7 together with process, unless waived or deferred under Section
8 210.

9 (c-1) Notice and service of an order of protection shall
10 be deemed to have been made upon a respondent if the respondent
11 was personally present in open court at the time the presiding
12 judge issued the order of protection, even if the respondent
13 did not remain personally present for the duration of the
14 court hearing to hear all of the conditions set by the
15 presiding judge under the order of protection.

16 (c-5) If the person against whom the order of protection
17 is issued is arrested and the written order is issued in
18 accordance with subsection (c) of Section 217 and received by
19 the custodial law enforcement agency before the respondent or
20 arrestee is released from custody, the custodial law
21 enforcement agent shall promptly serve the order upon the
22 respondent or arrestee before the respondent or arrestee is
23 released from custody. In no event shall detention of the
24 respondent or arrestee be extended for hearing on the petition
25 for order of protection or receipt of the order issued under
26 Section 217 of this Act.

1 (d) Extensions, modifications and revocations. Any order
2 extending, modifying or revoking any order of protection shall
3 be promptly recorded, issued and served as provided in this
4 Section.

5 (e) Notice to schools. Upon the request of the petitioner,
6 within 24 hours of the issuance of an order of protection, the
7 clerk of the issuing judge shall send a certified copy of the
8 order of protection to the day-care facility, pre-school or
9 pre-kindergarten, or private school or the principal office of
10 the public school district or any college or university in
11 which any child who is a protected person under the order of
12 protection or any child of the petitioner is enrolled as
13 requested by the petitioner at the mailing address provided by
14 the petitioner. If the child transfers enrollment to another
15 day-care facility, pre-school, pre-kindergarten, private
16 school, public school, college, or university, the petitioner
17 may, within 24 hours of the transfer, send to the clerk written
18 notice of the transfer, including the name and address of the
19 institution to which the child is transferring. Within 24
20 hours of receipt of notice from the petitioner that a child is
21 transferring to another day-care facility, pre-school,
22 pre-kindergarten, private school, public school, college, or
23 university, the clerk shall send a certified copy of the order
24 to the institution to which the child is transferring.

25 (f) Disclosure by schools. After receiving a certified
26 copy of an order of protection that prohibits a respondent's

1 access to records, neither a day-care facility, pre-school,
2 pre-kindergarten, public or private school, college, or
3 university nor its employees shall allow a respondent access
4 to a protected child's records or release information in those
5 records to the respondent. The school shall file the copy of
6 the order of protection in the records of a child who is a
7 protected person under the order of protection. When a child
8 who is a protected person under the order of protection
9 transfers to another day-care facility, pre-school,
10 pre-kindergarten, public or private school, college, or
11 university, the institution from which the child is
12 transferring may, at the request of the petitioner, provide,
13 within 24 hours of the transfer, written notice of the order of
14 protection, along with a certified copy of the order, to the
15 institution to which the child is transferring.

16 (g) Notice to health care facilities and health care
17 practitioners. Upon the request of the petitioner, the clerk
18 of the circuit court shall send a certified copy of the order
19 of protection to any specified health care facility or health
20 care practitioner requested by the petitioner at the mailing
21 address provided by the petitioner.

22 (h) Disclosure by health care facilities and health care
23 practitioners. After receiving a certified copy of an order of
24 protection that prohibits a respondent's access to records, no
25 health care facility or health care practitioner shall allow a
26 respondent access to the records of any child who is a

1 protected person under the order of protection, or release
2 information in those records to the respondent, unless the
3 order has expired or the respondent shows a certified copy of
4 the court order vacating the corresponding order of protection
5 that was sent to the health care facility or practitioner.
6 Nothing in this Section shall be construed to require health
7 care facilities or health care practitioners to alter
8 procedures related to billing and payment. The health care
9 facility or health care practitioner may file the copy of the
10 order of protection in the records of a child who is a
11 protected person under the order of protection, or may employ
12 any other method to identify the records to which a respondent
13 is prohibited access. No health care facility or health care
14 practitioner shall be civilly or professionally liable for
15 reliance on a copy of an order of protection, except for
16 willful and wanton misconduct.

17 (Source: P.A. 102-538, eff. 8-20-21; 103-1065, eff. 5-11-25.)