

# SB2031



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2031

Introduced 2/6/2025, by Sen. Celina Villanueva

### SYNOPSIS AS INTRODUCED:

750 ILCS 5/602.7

Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that, in determining an allocation of parenting time, a court is prohibited from viewing a completion of a treatment program by a parent or nonparent who is a convicted sex offender as evidence supporting the child's physical, mental, moral, or emotional health if the conviction involved any minor who lived in the sex offender's home.

LRB104 09778 JRC 19844 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 Illinois Marriage and Dissolution of  
5 Marriage Act is amended by changing Section 602.7 as follows:

6 (750 ILCS 5/602.7)

7 Sec. 602.7. Allocation of parental responsibilities:  
8 parenting time.

9 (a) Best interests. The court shall allocate parenting  
10 time according to the child's best interests.

11 (b) Allocation of parenting time. Unless the parents  
12 present a mutually agreed written parenting plan and that plan  
13 is approved by the court, the court shall allocate parenting  
14 time. It is presumed both parents are fit and the court shall  
15 not place any restrictions on parenting time as defined in  
16 Section 600 and described in Section 603.10, unless it finds  
17 by a preponderance of the evidence that a parent's exercise of  
18 parenting time would seriously endanger the child's physical,  
19 mental, moral, or emotional health.

20 In determining the child's best interests for purposes of  
21 allocating parenting time, the court shall consider all  
22 relevant factors, including, without limitation, the  
23 following:

- 1 (1) the wishes of each parent seeking parenting time;
- 2 (2) the wishes of the child, taking into account the  
3 child's maturity and ability to express reasoned and  
4 independent preferences as to parenting time;
- 5 (3) the amount of time each parent spent performing  
6 caretaking functions with respect to the child in the 24  
7 months preceding the filing of any petition for allocation  
8 of parental responsibilities or, if the child is under 2  
9 years of age, since the child's birth;
- 10 (4) any prior agreement or course of conduct between  
11 the parents relating to caretaking functions with respect  
12 to the child;
- 13 (5) the interaction and interrelationship of the child  
14 with his or her parents and siblings and with any other  
15 person who may significantly affect the child's best  
16 interests;
- 17 (6) the child's adjustment to his or her home, school,  
18 and community;
- 19 (7) the mental and physical health of all individuals  
20 involved;
- 21 (8) the child's needs;
- 22 (9) the distance between the parents' residences, the  
23 cost and difficulty of transporting the child, each  
24 parent's and the child's daily schedules, and the ability  
25 of the parents to cooperate in the arrangement;
- 26 (10) whether a restriction on parenting time is

1 appropriate;

2 (11) the physical violence or threat of physical  
3 violence by the child's parent directed against the child  
4 or other member of the child's household;

5 (12) the willingness and ability of each parent to  
6 place the needs of the child ahead of his or her own needs;

7 (13) the willingness and ability of each parent to  
8 facilitate and encourage a close and continuing  
9 relationship between the other parent and the child;

10 (14) the occurrence of abuse against the child or  
11 other member of the child's household;

12 (15) whether one of the parents is a convicted sex  
13 offender or lives with a convicted sex offender and, if  
14 so, the exact nature of the offense and what if any  
15 treatment the offender has successfully participated in;  
16 except that, if the conviction involved any minor who  
17 lived in the offender's home, the court may not view  
18 completion of a treatment program as evidence supporting  
19 the child's physical, mental, moral, or emotional health;  
20 the parties are entitled to a hearing on the issues raised  
21 in this paragraph (15);

22 (16) the terms of a parent's military family-care plan  
23 that a parent must complete before deployment if a parent  
24 is a member of the United States Armed Forces who is being  
25 deployed; and

26 (17) any other factor that the court expressly finds

1 to be relevant.

2 (c) In allocating parenting time, the court shall not  
3 consider conduct of a parent that does not affect that  
4 parent's relationship to the child.

5 (d) Upon motion, the court may allow a parent who is  
6 deployed or who has orders to be deployed as a member of the  
7 United States Armed Forces to designate a person known to the  
8 child to exercise reasonable substitute visitation on behalf  
9 of the deployed parent, if the court determines that  
10 substitute visitation is in the best interests of the child.  
11 In determining whether substitute visitation is in the best  
12 interests of the child, the court shall consider all of the  
13 relevant factors listed in subsection (b) of this Section and  
14 apply those factors to the person designated as a substitute  
15 for the deployed parent for visitation purposes. Visitation  
16 orders entered under this subsection are subject to  
17 subsections (e) and (f) of Section 602.9 and subsections (c)  
18 and (d) of Section 603.10.

19 (e) If the street address of a parent is not identified  
20 pursuant to Section 708 of this Act, the court shall require  
21 the parties to identify reasonable alternative arrangements  
22 for parenting time by the other parent including, but not  
23 limited to, parenting time of the minor child at the residence  
24 of another person or at a local public or private facility.

25 (Source: P.A. 99-90, eff. 1-1-16.)