



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2934

Introduced 1/27/2026, by Sen. Lakesia Collins

#### SYNOPSIS AS INTRODUCED:

15 ILCS 205/6.7 new	
750 ILCS 60/214	from Ch. 40, par. 2312-14
750 ILCS 60/222	from Ch. 40, par. 2312-22
750 ILCS 60/222.15 new	
750 ILCS 60/223	from Ch. 40, par. 2312-23
750 ILCS 60/305	from Ch. 40, par. 2313-5

Amends the Attorney General Act. Requires the Attorney General to develop and provide guidance for electronic service by law enforcement of orders of protection issued under the Illinois Domestic Violence Act of 1986. Amends the Illinois Domestic Violence Act of 1986. Provides that if petitioner is granted a stay-away order, the court may order local law enforcement, to the extent possible, to periodically monitor the petitioner's residence, periodically patrol near the petitioner's residence, and investigate whether a violation of the order of protection has occurred. Permits electronic service of an order of protection after 2 unsuccessful attempts of personal service. Provides the circumstances in which electronic service may be used. Makes other changes.

LRB104 17679 JRC 31110 b

1 AN ACT concerning domestic violence.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Attorney General Act is amended by adding  
5 Section 6.7 as follows:

6 (15 ILCS 205/6.7 new)

7 Sec. 6.7. Guidance and procedures for electronic service.  
8 The General Assembly finds that the Illinois Domestic Violence  
9 Act of 1986's goals of supporting and protecting victims from  
10 further abuse require strategic and vigilant action from the  
11 court and law enforcement. To assist these efforts, the Office  
12 of the Attorney General shall develop and provide guidance and  
13 procedures for attempting electronic service, as allowed under  
14 the Illinois Domestic Violence Act of 1986. Access to  
15 electronic service simplifies and modernizes courts, reduces  
16 costs, guarantees actual notice to the respondent, and  
17 minimizes delays and the need for more hearings, all of which  
18 can hinder access to justice and undermine judicial economy.

19 Section 10. The Illinois Domestic Violence Act of 1986 is  
20 amended by changing Sections 214, 222, 223, and 305 and by  
21 adding Section 222.15 as follows:

1 (750 ILCS 60/214) (from Ch. 40, par. 2312-14)

2 Sec. 214. Order of protection; remedies.

3 (a) Issuance of order. If the court finds that petitioner  
4 has been abused by a family or household member or that  
5 petitioner is a high-risk adult who has been abused,  
6 neglected, or exploited, as defined in this Act, an order of  
7 protection prohibiting the abuse, neglect, or exploitation  
8 shall issue; provided that petitioner must also satisfy the  
9 requirements of one of the following Sections, as appropriate:  
10 Section 217 on emergency orders, Section 218 on interim  
11 orders, or Section 219 on plenary orders. Petitioner shall not  
12 be denied an order of protection because petitioner or  
13 respondent is a minor. The court, when determining whether or  
14 not to issue an order of protection, shall not require  
15 physical manifestations of abuse on the person of the victim.  
16 Modification and extension of prior orders of protection shall  
17 be in accordance with this Act.

18 (b) Remedies and standards. The remedies to be included in  
19 an order of protection shall be determined in accordance with  
20 this Section and one of the following Sections, as  
21 appropriate: Section 217 on emergency orders, Section 218 on  
22 interim orders, and Section 219 on plenary orders. The  
23 remedies listed in this subsection shall be in addition to  
24 other civil or criminal remedies available to petitioner.

25 (1) Prohibition of abuse, neglect, or exploitation.

26 Prohibit respondent's harassment, interference with

1 personal liberty, intimidation of a dependent, physical  
2 abuse, or willful deprivation, neglect or exploitation, as  
3 defined in this Act, or stalking of the petitioner, as  
4 defined in Section 12-7.3 of the Criminal Code of 2012, if  
5 such abuse, neglect, exploitation, or stalking has  
6 occurred or otherwise appears likely to occur if not  
7 prohibited.

8 (2) Grant of exclusive possession of residence.  
9 Prohibit respondent from entering or remaining in any  
10 residence, household, or premises of the petitioner,  
11 including one owned or leased by respondent, if petitioner  
12 has a right to occupancy thereof. The grant of exclusive  
13 possession of the residence, household, or premises shall  
14 not affect title to real property, nor shall the court be  
15 limited by the standard set forth in subsection (c-2) of  
16 Section 501 of the Illinois Marriage and Dissolution of  
17 Marriage Act.

18 (A) Right to occupancy. A party has a right to  
19 occupancy of a residence or household if it is solely  
20 or jointly owned or leased by that party, that party's  
21 spouse, a person with a legal duty to support that  
22 party or a minor child in that party's care, or by any  
23 person or entity other than the opposing party that  
24 authorizes that party's occupancy (e.g., a domestic  
25 violence shelter). Standards set forth in subparagraph  
26 (B) shall not preclude equitable relief.

1 (B) Presumption of hardships. If petitioner and  
2 respondent each has the right to occupancy of a  
3 residence or household, the court shall balance (i)  
4 the hardships to respondent and any minor child or  
5 dependent adult in respondent's care resulting from  
6 entry of this remedy with (ii) the hardships to  
7 petitioner and any minor child or dependent adult in  
8 petitioner's care resulting from continued exposure to  
9 the risk of abuse (should petitioner remain at the  
10 residence or household) or from loss of possession of  
11 the residence or household (should petitioner leave to  
12 avoid the risk of abuse). When determining the balance  
13 of hardships, the court shall also take into account  
14 the accessibility of the residence or household.  
15 Hardships need not be balanced if respondent does not  
16 have a right to occupancy.

17 The balance of hardships is presumed to favor  
18 possession by petitioner unless the presumption is  
19 rebutted by a preponderance of the evidence, showing  
20 that the hardships to respondent substantially  
21 outweigh the hardships to petitioner and any minor  
22 child or dependent adult in petitioner's care. The  
23 court, on the request of petitioner or on its own  
24 motion, may order respondent to provide suitable,  
25 accessible, alternate housing for petitioner instead  
26 of excluding respondent from a mutual residence or

1 household.

2 (3) Stay away order and additional prohibitions. Order  
3 respondent to stay away from petitioner or any other  
4 person protected by the order of protection, or prohibit  
5 respondent from entering or remaining present at  
6 petitioner's school, place of employment, or other  
7 specified places at times when petitioner is present, or  
8 both, if reasonable, given the balance of hardships.  
9 Hardships need not be balanced for the court to enter a  
10 stay away order or prohibit entry if respondent has no  
11 right to enter the premises.

12 (A) If an order of protection grants petitioner  
13 exclusive possession of the residence, or prohibits  
14 respondent from entering the residence, or orders  
15 respondent to stay away from petitioner or other  
16 protected persons, then the court may allow respondent  
17 access to the residence to remove items of clothing  
18 and personal adornment used exclusively by respondent,  
19 medications, and other items as the court directs. The  
20 right to access shall be exercised on only one  
21 occasion as the court directs and in the presence of an  
22 agreed-upon adult third party or law enforcement  
23 officer.

24 (B) When the petitioner and the respondent attend  
25 the same public, private, or non-public elementary,  
26 middle, or high school, the court when issuing an

1 order of protection and providing relief shall  
2 consider the severity of the act, any continuing  
3 physical danger or emotional distress to the  
4 petitioner, the educational rights guaranteed to the  
5 petitioner and respondent under federal and State law,  
6 the availability of a transfer of the respondent to  
7 another school, a change of placement or a change of  
8 program of the respondent, the expense, difficulty,  
9 and educational disruption that would be caused by a  
10 transfer of the respondent to another school, and any  
11 other relevant facts of the case. The court may order  
12 that the respondent not attend the public, private, or  
13 non-public elementary, middle, or high school attended  
14 by the petitioner, order that the respondent accept a  
15 change of placement or change of program, as  
16 determined by the school district or private or  
17 non-public school, or place restrictions on the  
18 respondent's movements within the school attended by  
19 the petitioner. The respondent bears the burden of  
20 proving by a preponderance of the evidence that a  
21 transfer, change of placement, or change of program of  
22 the respondent is not available. The respondent also  
23 bears the burden of production with respect to the  
24 expense, difficulty, and educational disruption that  
25 would be caused by a transfer of the respondent to  
26 another school. A transfer, change of placement, or

1 change of program is not unavailable to the respondent  
2 solely on the ground that the respondent does not  
3 agree with the school district's or private or  
4 non-public school's transfer, change of placement, or  
5 change of program or solely on the ground that the  
6 respondent fails or refuses to consent or otherwise  
7 does not take an action required to effectuate a  
8 transfer, change of placement, or change of program.  
9 When a court orders a respondent to stay away from the  
10 public, private, or non-public school attended by the  
11 petitioner and the respondent requests a transfer to  
12 another attendance center within the respondent's  
13 school district or private or non-public school, the  
14 school district or private or non-public school shall  
15 have sole discretion to determine the attendance  
16 center to which the respondent is transferred. In the  
17 event the court order results in a transfer of the  
18 minor respondent to another attendance center, a  
19 change in the respondent's placement, or a change of  
20 the respondent's program, the parents, guardian, or  
21 legal custodian of the respondent is responsible for  
22 transportation and other costs associated with the  
23 transfer or change.

24 (C) The court may order the parents, guardian, or  
25 legal custodian of a minor respondent to take certain  
26 actions or to refrain from taking certain actions to

1 ensure that the respondent complies with the order. In  
2 the event the court orders a transfer of the  
3 respondent to another school, the parents, guardian,  
4 or legal custodian of the respondent is responsible  
5 for transportation and other costs associated with the  
6 change of school by the respondent.

7 (4) Counseling. Require or recommend the respondent to  
8 undergo counseling for a specified duration with a social  
9 worker, psychologist, clinical psychologist,  
10 psychiatrist, family service agency, alcohol or substance  
11 abuse program, mental health center guidance counselor,  
12 agency providing services to elders, program designed for  
13 domestic violence abusers or any other guidance service  
14 the court deems appropriate. The Court may order the  
15 respondent in any intimate partner relationship to report  
16 to an Illinois Department of Human Services protocol  
17 approved partner abuse intervention program for an  
18 assessment and to follow all recommended treatment.

19 (5) Physical care and possession of the minor child.  
20 In order to protect the minor child from abuse, neglect,  
21 or unwarranted separation from the person who has been the  
22 minor child's primary caretaker, or to otherwise protect  
23 the well-being of the minor child, the court may do either  
24 or both of the following: (i) grant petitioner physical  
25 care or possession of the minor child, or both, or (ii)  
26 order respondent to return a minor child to, or not remove

1 a minor child from, the physical care of a parent or person  
2 in loco parentis.

3 If a court finds, after a hearing, that respondent has  
4 committed abuse (as defined in Section 103) of a minor  
5 child, there shall be a rebuttable presumption that  
6 awarding physical care to respondent would not be in the  
7 minor child's best interest.

8 (6) Temporary allocation of parental responsibilities:  
9 significant decision-making. Award temporary  
10 decision-making responsibility to petitioner in accordance  
11 with this Section, the Illinois Marriage and Dissolution  
12 of Marriage Act, the Illinois Parentage Act of 2015, and  
13 this State's Uniform Child-Custody Jurisdiction and  
14 Enforcement Act.

15 If a court finds, after a hearing, that respondent has  
16 committed abuse (as defined in Section 103) of a minor  
17 child, there shall be a rebuttable presumption that  
18 awarding temporary significant decision-making  
19 responsibility to respondent would not be in the child's  
20 best interest.

21 (7) Parenting time. Determine the parenting time, if  
22 any, of respondent in any case in which the court awards  
23 physical care or allocates temporary significant  
24 decision-making responsibility of a minor child to  
25 petitioner. The court shall restrict or deny respondent's  
26 parenting time with a minor child if the court finds that

1        respondent has done or is likely to do any of the  
2        following: (i) abuse or endanger the minor child during  
3        parenting time; (ii) use the parenting time as an  
4        opportunity to abuse or harass petitioner or petitioner's  
5        family or household members; (iii) improperly conceal or  
6        detain the minor child; or (iv) otherwise act in a manner  
7        that is not in the best interests of the minor child. The  
8        court shall not be limited by the standards set forth in  
9        Section 603.10 of the Illinois Marriage and Dissolution of  
10       Marriage Act. If the court grants parenting time, the  
11       order shall specify dates and times for the parenting time  
12       to take place or other specific parameters or conditions  
13       that are appropriate. No order for parenting time shall  
14       refer merely to the term "reasonable parenting time".

15        Petitioner may deny respondent access to the minor  
16        child if, when respondent arrives for parenting time,  
17        respondent is under the influence of drugs or alcohol and  
18        constitutes a threat to the safety and well-being of  
19        petitioner or petitioner's minor children or is behaving  
20        in a violent or abusive manner.

21        If necessary to protect any member of petitioner's  
22        family or household from future abuse, respondent shall be  
23        prohibited from coming to petitioner's residence to meet  
24        the minor child for parenting time, and the parties shall  
25        submit to the court their recommendations for reasonable  
26        alternative arrangements for parenting time. A person may

1 be approved to supervise parenting time only after filing  
2 an affidavit accepting that responsibility and  
3 acknowledging accountability to the court.

4 (8) Removal or concealment of minor child. Prohibit  
5 respondent from removing a minor child from the State or  
6 concealing the child within the State.

7 (9) Order to appear. Order the respondent to appear in  
8 court, alone or with a minor child, to prevent abuse,  
9 neglect, removal or concealment of the child, to return  
10 the child to the custody or care of the petitioner or to  
11 permit any court-ordered interview or examination of the  
12 child or the respondent.

13 (10) Possession of personal property. Grant petitioner  
14 exclusive possession of personal property and, if  
15 respondent has possession or control, direct respondent to  
16 promptly make it available to petitioner, if:

17 (i) petitioner, but not respondent, owns the  
18 property; or

19 (ii) the parties own the property jointly; sharing  
20 it would risk abuse of petitioner by respondent or is  
21 impracticable; and the balance of hardships favors  
22 temporary possession by petitioner.

23 If petitioner's sole claim to ownership of the  
24 property is that it is marital property, the court may  
25 award petitioner temporary possession thereof under the  
26 standards of subparagraph (ii) of this paragraph only if a

1 proper proceeding has been filed under the Illinois  
2 Marriage and Dissolution of Marriage Act, as now or  
3 hereafter amended.

4 No order under this provision shall affect title to  
5 property.

6 (11) Protection of property. Forbid the respondent  
7 from taking, transferring, encumbering, concealing,  
8 damaging or otherwise disposing of any real or personal  
9 property, except as explicitly authorized by the court,  
10 if:

11 (i) petitioner, but not respondent, owns the  
12 property; or

13 (ii) the parties own the property jointly, and the  
14 balance of hardships favors granting this remedy.

15 If petitioner's sole claim to ownership of the  
16 property is that it is marital property, the court may  
17 grant petitioner relief under subparagraph (ii) of this  
18 paragraph only if a proper proceeding has been filed under  
19 the Illinois Marriage and Dissolution of Marriage Act, as  
20 now or hereafter amended.

21 The court may further prohibit respondent from  
22 improperly using the financial or other resources of an  
23 aged member of the family or household for the profit or  
24 advantage of respondent or of any other person.

25 (11.5) Protection of animals. Grant the petitioner the  
26 exclusive care, custody, or control of any animal owned,

1        possessed, leased, kept, or held by either the petitioner  
2        or the respondent or a minor child residing in the  
3        residence or household of either the petitioner or the  
4        respondent and order the respondent to stay away from the  
5        animal and forbid the respondent from taking,  
6        transferring, encumbering, concealing, harming, or  
7        otherwise disposing of the animal.

8            (12) Order for payment of support. Order respondent to  
9        pay temporary support for the petitioner or any child in  
10       the petitioner's care or over whom the petitioner has been  
11       allocated parental responsibility, when the respondent has  
12       a legal obligation to support that person, in accordance  
13       with the Illinois Marriage and Dissolution of Marriage  
14       Act, which shall govern, among other matters, the amount  
15       of support, payment through the clerk and withholding of  
16       income to secure payment. An order for child support may  
17       be granted to a petitioner with lawful physical care of a  
18       child, or an order or agreement for physical care of a  
19       child, prior to entry of an order allocating significant  
20       decision-making responsibility. Such a support order shall  
21       expire upon entry of a valid order allocating parental  
22       responsibility differently and vacating the petitioner's  
23       significant decision-making authority, unless otherwise  
24       provided in the order.

25            (13) Order for payment of losses. Order respondent to  
26        pay petitioner for losses suffered as a direct result of

1 the abuse, neglect, or exploitation. Such losses shall  
2 include, but not be limited to, medical expenses, lost  
3 earnings or other support, repair or replacement of  
4 property damaged or taken, reasonable attorney's fees,  
5 court costs and moving or other travel expenses, including  
6 additional reasonable expenses for temporary shelter and  
7 restaurant meals.

8 (i) Losses affecting family needs. If a party is  
9 entitled to seek maintenance, child support or  
10 property distribution from the other party under the  
11 Illinois Marriage and Dissolution of Marriage Act, as  
12 now or hereafter amended, the court may order  
13 respondent to reimburse petitioner's actual losses, to  
14 the extent that such reimbursement would be  
15 "appropriate temporary relief", as authorized by  
16 subsection (a) (3) of Section 501 of that Act.

17 (ii) Recovery of expenses. In the case of an  
18 improper concealment or removal of a minor child, the  
19 court may order respondent to pay the reasonable  
20 expenses incurred or to be incurred in the search for  
21 and recovery of the minor child, including but not  
22 limited to legal fees, court costs, private  
23 investigator fees, and travel costs.

24 (14) Prohibition of entry. Prohibit the respondent  
25 from entering or remaining in the residence or household  
26 while the respondent is under the influence of alcohol or

1 drugs and constitutes a threat to the safety and  
2 well-being of the petitioner or the petitioner's children.

3 (14.5) Prohibition of possession of firearms and  
4 firearm parts; search and seizure of firearms and firearms  
5 parts.

6 (A) (i) Prohibit a respondent against whom an  
7 emergency, interim, or plenary order of protection was  
8 issued from possessing, during the duration of the  
9 order, any firearms or firearm parts that could be  
10 assembled into an operable firearm if a search warrant  
11 is issued under (A-1) or the order:

12 (aa) was issued after a hearing of which such  
13 person received actual notice, and at which such  
14 person had an opportunity to participate, or the  
15 petitioner has satisfied the requirements of  
16 Section 217;

17 (bb) restrains such person from using physical  
18 force; harassing, stalking, or threatening an  
19 intimate partner of such person or child of such  
20 intimate partner or person; or engaging in other  
21 conduct that would place an intimate partner in  
22 reasonable fear of bodily injury to the partner or  
23 child; and

24 (cc) includes a finding that such person  
25 represents a credible threat to the physical  
26 safety of such intimate partner or child.

1           (ii) The court shall order any respondent  
2 prohibited from possessing firearms under item (i) of  
3 subparagraph (A) to surrender any firearms or firearm  
4 parts that could be assembled to make an operable  
5 firearm. Any firearms or firearm parts on the  
6 respondent's person or at the place of service shall  
7 be surrendered to the serving officers at the time of  
8 service of the order of protection, and any other  
9 firearms or firearm parts shall be surrendered to  
10 local law enforcement within 24 hours of service of  
11 the order of protection. Any Firearm Owner's  
12 Identification Card or Concealed Carry License in the  
13 possession of the respondent, except as provided in  
14 subparagraph (B), shall also be ordered by the court  
15 to be turned over to the officer serving the order of  
16 protection at the time of service or, if not on the  
17 respondent's person or at the location where the  
18 respondent is served at the time of service, to local  
19 law enforcement within 24 hours of service of the  
20 order of protection. The law enforcement agency shall  
21 immediately mail the card, as well as any license, to  
22 the Illinois State Police Firearm Owner's  
23 Identification Card Office for safekeeping.

24           (A-1)(i) Upon issuance of an emergency, interim,  
25 or plenary order of protection and subject to the  
26 provisions of item (ii) of this subparagraph (A-1),

1 the court shall issue a search warrant for the seizure  
2 of any firearms or firearm parts that could be  
3 assembled to make an operable firearm belonging to the  
4 respondent if the court, based upon sworn testimony,  
5 finds that:

6 (aa) the respondent poses a credible threat to  
7 the physical safety of the petitioner protected by  
8 the order of protection; and

9 (bb) probable cause exists to believe that:

10 (I) the respondent possesses firearms or  
11 firearm parts that could be assembled to make  
12 an operable firearm;

13 (II) the firearms or firearm parts that  
14 could be assembled to make an operable firearm  
15 are located at the residence, vehicle, or  
16 other property of the respondent to be  
17 searched; and

18 (III) the credible threat to the physical  
19 safety of the petitioner protected by the  
20 order of protection is immediate and present.

21 The record shall reflect the court's findings in  
22 determining whether the search warrant shall be  
23 issued.

24 (ii) If the petitioner does not seek a warrant  
25 under this subparagraph (A-1) or the court determines  
26 that the requirements of this subparagraph (A-1) have

1 not been met, relief under subparagraph (A) alone may  
2 be granted.

3 (iii) An ex parte search warrant shall be granted  
4 under this subparagraph (A-1) only if the court finds  
5 that:

6 (aa) the elements of item (i) of subparagraph  
7 (A-1) have been met;

8 (bb) personal injury to the petitioner is  
9 likely to occur if the respondent received prior  
10 notice; and

11 (cc) the petitioner has otherwise satisfied  
12 the requirements of Section 217 of this Act.

13 (iv) Oral testimony is sufficient in lieu of an  
14 affidavit to support a finding of probable cause.

15 (v) A search warrant issued under this  
16 subparagraph (A-1) shall be directed by the court for  
17 enforcement to the law enforcement agency with primary  
18 responsibility for responding to calls for service at  
19 the location to be searched or to another appropriate  
20 law enforcement agency if justified by the  
21 circumstances. The search warrant shall specify with  
22 particularity the scope of the search, including the  
23 property to be searched, and shall direct the law  
24 enforcement agency to seize the respondent's firearms  
25 and firearm parts that could be assembled to make an  
26 operable firearm. Law enforcement shall also be

1 directed to seize any Firearm Owner's Identification  
2 Card and any Concealed Carry License belonging to the  
3 respondent.

4 (vi) The petitioner shall prepare an information  
5 sheet, reviewed by the court, for law enforcement at  
6 the time the warrant is granted. The information sheet  
7 shall include:

8 (aa) contact information for the petitioner,  
9 the petitioner's attorney, or both, including a  
10 telephone number and email, if available;

11 (bb) a physical description of the respondent,  
12 including the respondent's date of birth, if  
13 known, or approximate age, height, weight, race,  
14 and hair color;

15 (cc) days and times that the respondent is  
16 likely to be at the property to be searched, if  
17 known; and

18 (dd) whether people other than the respondent  
19 are likely to be present at the property to be  
20 searched and when, if known.

21 (vii) The information sheet shall be transmitted  
22 to the law enforcement agency to which the search  
23 warrant is directed in the same manner as the warrant  
24 is transmitted under Section 222 of this Act.

25 (viii) If the court, after determining a search  
26 warrant should issue, finds that the petitioner has

1 made a credible report of domestic violence to the  
2 local law enforcement agency within the previous 90  
3 days, law enforcement shall execute the warrant no  
4 later than 96 hours after receipt of the warrant. If  
5 the court finds that petitioner has not made such a  
6 report, the law enforcement agency to which the court  
7 has directed the warrant shall, within 48 hours of  
8 receipt, evaluate the warrant and seek any corrections  
9 to the warrant, and, if applicable, add to or negate  
10 the warrant. The record shall reflect the court's  
11 findings in determining whether to correct, add, or  
12 negate the warrant. If a change is made regarding the  
13 search warrant, law enforcement shall execute the  
14 warrant no later than 96 hours after the correction is  
15 issued. The law enforcement agency shall notify the  
16 petitioner of any changes to the warrant or if the  
17 warrant has been negated. The law enforcement agency  
18 to which the court has directed the warrant may  
19 coordinate with other law enforcement agencies to  
20 execute the warrant. A return of the warrant shall be  
21 filed by the law enforcement agency within 24 hours of  
22 execution, setting forth the time, date, and location  
23 where the warrant was executed and what items, if any,  
24 were seized. If the court is not in session, the return  
25 information shall be returned on the next date the  
26 court is in session. Subject to the provisions of this

1 Section, peace officers shall have the same authority  
2 to execute a warrant issued pursuant to this  
3 subsection as a warrant issued under Article 108 of  
4 the Code of Criminal Procedure of 1963.

5 (ix) Upon discovering a defect in the search  
6 warrant, the appropriate law enforcement agency may  
7 petition the court to correct the warrant. The law  
8 enforcement agency shall notify the petitioner of any  
9 such correction.

10 (x) Upon petition by the appropriate law  
11 enforcement agency, the court may modify the search  
12 warrant or extend the time to execute the search  
13 warrant for a period of no more than 96 hours. In  
14 determining whether to modify or extend the warrant,  
15 the court shall consider:

16 (aa) any increased risk to the petitioner's  
17 safety that may result from a modification or  
18 extension of the warrant;

19 (bb) any unnecessary risk to law enforcement  
20 that would be mitigated by a modification or  
21 extension of the warrant;

22 (cc) any risks to third parties at the  
23 location to be searched that would be mitigated by  
24 a modification or extension of the warrant; and

25 (dd) the likelihood of successful execution of  
26 warrant.

1           The record shall reflect the court's findings in  
2 determining whether to extend or modify the warrant.  
3 The law enforcement agency shall notify the petitioner  
4 of any modification or extension of the warrant.

5           (xi) Service of any order of protection shall, to  
6 the extent possible, be concurrent with the execution  
7 of any search warrant under this paragraph.

8           (B) If the respondent is a peace officer as  
9 defined in Section 2-13 of the Criminal Code of 2012,  
10 the court shall order that any firearms used by the  
11 respondent in the performance of his or her duties as a  
12 peace officer be surrendered to the chief law  
13 enforcement executive of the agency in which the  
14 respondent is employed, who shall retain the firearms  
15 for safekeeping for the duration of the order of  
16 protection.

17           (C) (i) Any firearms or firearm parts that could be  
18 assembled to make an operable firearm shall be kept by  
19 the law enforcement agency that took possession of the  
20 items for safekeeping, except as provided in  
21 subparagraph (B). The period of safekeeping shall be  
22 for the duration of the order of protection. Except as  
23 provided in subparagraph (E), the respondent is  
24 prohibited from transferring firearms or firearm parts  
25 to another individual in lieu of surrender to law  
26 enforcement. The law enforcement agency shall provide

1 an itemized statement of receipt to the respondent and  
2 the court describing any seized or surrendered  
3 firearms or firearm parts and informing the respondent  
4 that the respondent may seek the return of the  
5 respondent's items at the end of the order of  
6 protection. The law enforcement agency may enter  
7 arrangements, as needed, with federally licensed  
8 firearm dealers or other law enforcement agencies for  
9 the storage of any firearms seized or surrendered  
10 under this subsection.

11 (ii) It is the respondent's responsibility to  
12 request the return or reinstatement of any Firearm  
13 Owner's Identification Card or Concealed Carry License  
14 and notify the Illinois State Police Firearm Owner's  
15 Identification Card Office at the end of the Order of  
16 Protection.

17 (iii) At the end of the order of protection, a  
18 respondent may request the return of any seized or  
19 surrendered firearms or firearm parts that could be  
20 assembled to make an operable firearm. Such firearms  
21 or firearm parts shall be returned within 14 days of  
22 the request to the respondent, if the respondent is  
23 lawfully eligible to possess firearms, or to a  
24 designated third party who is lawfully eligible to  
25 possess firearms. If the firearms or firearm parts  
26 cannot be returned to respondent because (1) the

1 respondent has not requested the return or transfer of  
2 the firearms or firearm parts as set forth in this  
3 subparagraph, and (2) the respondent cannot be located  
4 or fails to respond to more than 3 requests to retrieve  
5 the firearms or firearm parts the court may, or is not  
6 lawfully eligible to possess a firearm, upon petition  
7 from the appropriate law enforcement agency and notice  
8 to the respondent at the respondent's last known  
9 address, order the law enforcement agency to destroy  
10 the firearms or firearm parts; use the firearms or  
11 firearm parts for training purposes or for any other  
12 application as deemed appropriate by the law  
13 enforcement agency; or turn over the firearm or  
14 firearm parts to a third party who is lawfully  
15 eligible to possess firearms, and who does not reside  
16 with respondent.

17 (D) (i) If a person other than the respondent  
18 claims title to any firearms and firearm parts that  
19 could be assembled to make an operable firearm seized  
20 or surrendered under this subsection, the person may  
21 petition the court to have the firearm and firearm  
22 parts that could be assembled to make an operable  
23 firearm returned to him or her with proper notice to  
24 the petitioner and respondent. If, at a hearing on the  
25 petition, the court determines the person to be the  
26 lawful owner of the firearm and firearm parts that

1           could be assembled to make an operable firearm, the  
2           firearm and firearm parts that could be assembled to  
3           make an operable firearm shall be returned to the  
4           person, provided that:

5                   (aa) the firearm and firearm parts that could  
6                   be assembled to make an operable firearm are  
7                   removed from the respondent's custody, control, or  
8                   possession and the lawful owner agrees to store  
9                   the firearm and firearm parts that could be  
10                  assembled to make an operable firearm in a manner  
11                  such that the respondent does not have access to  
12                  or control of the firearm and firearm parts that  
13                  could be assembled to make an operable firearm;  
14                  and

15                  (bb) the firearm and firearm parts that could  
16                  be assembled to make an operable firearm are not  
17                  otherwise unlawfully possessed by the owner.

18                  (ii) The person petitioning for the return of his  
19                  or her firearm and firearm parts that could be  
20                  assembled to make an operable firearm must swear or  
21                  affirm by affidavit that he or she:

22                   (aa) is the lawful owner of the firearm and  
23                   firearm parts that could be assembled to make an  
24                   operable firearm;

25                   (bb) shall not transfer the firearm and  
26                   firearm parts that could be assembled to make an

1 operable firearm to the respondent; and

2 (cc) will store the firearm and firearm parts  
3 that could be assembled to make an operable  
4 firearm in a manner that the respondent does not  
5 have access to or control of the firearm and  
6 firearm parts that could be assembled to make an  
7 operable firearm.

8 (E) (i) The respondent may file a motion to  
9 transfer, at the next scheduled hearing, any seized or  
10 surrendered firearms or firearm parts to a third  
11 party. Notice of the motion shall be provided to the  
12 petitioner and the third party must appear at the  
13 hearing.

14 (ii) The court may order transfer of the seized or  
15 surrendered firearm or firearm parts only if:

16 (aa) the third party transferee affirms by  
17 affidavit to the open court that:

18 (I) the third party transferee does not  
19 reside with the respondent;

20 (II) the respondent does not have access  
21 to the location in which the third party  
22 transferee intends to keep the firearms or  
23 firearm parts;

24 (III) the third party transferee will not  
25 transfer the firearm or firearm parts to the  
26 respondent or anyone who resides with the

1           respondent;

2           (IV) the third party transferee will  
3 maintain control and possession of the firearm  
4 or firearm parts until otherwise ordered by  
5 the court; and

6           (V) the third party transferee will be  
7 subject to criminal penalties for transferring  
8 the firearms or firearm parts to the  
9 respondent; and

10          (bb) the court finds that:

11           (I) the respondent holds a valid Firearm  
12 Owner's Identification; and

13           (II) the transfer of firearms or firearm  
14 parts to the third party transferee does not  
15 place the petitioner or any other protected  
16 parties at any additional threat or risk of  
17 harm.

18          (15) Prohibition of access to records. If an order of  
19 protection prohibits respondent from having contact with  
20 the minor child, or if petitioner's address is omitted  
21 under subsection (b) of Section 203, or if necessary to  
22 prevent abuse or wrongful removal or concealment of a  
23 minor child, the order shall deny respondent access to,  
24 and prohibit respondent from inspecting, obtaining, or  
25 attempting to inspect or obtain, school or any other  
26 records of the minor child who is in the care of

1 petitioner.

2 (16) Order for payment of shelter services. Order  
3 respondent to reimburse a shelter providing temporary  
4 housing and counseling services to the petitioner for the  
5 cost of the services, as certified by the shelter and  
6 deemed reasonable by the court.

7 (17) Order for injunctive relief. Enter injunctive  
8 relief necessary or appropriate to prevent further abuse  
9 of a family or household member or further abuse, neglect,  
10 or exploitation of a high-risk adult with disabilities or  
11 to effectuate one of the granted remedies, if supported by  
12 the balance of hardships. If the harm to be prevented by  
13 the injunction is abuse or any other harm that one of the  
14 remedies listed in paragraphs (1) through (16) of this  
15 subsection is designed to prevent, no further evidence is  
16 necessary that the harm is an irreparable injury.

17 (18) Telephone services.

18 (A) Unless a condition described in subparagraph  
19 (B) of this paragraph exists, the court may, upon  
20 request by the petitioner, order a wireless telephone  
21 service provider to transfer to the petitioner the  
22 right to continue to use a telephone number or numbers  
23 indicated by the petitioner and the financial  
24 responsibility associated with the number or numbers,  
25 as set forth in subparagraph (C) of this paragraph.  
26 For purposes of this paragraph (18), the term

1 "wireless telephone service provider" means a provider  
2 of commercial mobile service as defined in 47 U.S.C.  
3 332. The petitioner may request the transfer of each  
4 telephone number that the petitioner, or a minor child  
5 in his or her custody, uses. The clerk of the court  
6 shall serve the order on the wireless telephone  
7 service provider's agent for service of process  
8 provided to the Illinois Commerce Commission. The  
9 order shall contain all of the following:

10 (i) The name and billing telephone number of  
11 the account holder including the name of the  
12 wireless telephone service provider that serves  
13 the account.

14 (ii) Each telephone number that will be  
15 transferred.

16 (iii) A statement that the provider transfers  
17 to the petitioner all financial responsibility for  
18 and right to the use of any telephone number  
19 transferred under this paragraph.

20 (B) A wireless telephone service provider shall  
21 terminate the respondent's use of, and shall transfer  
22 to the petitioner use of, the telephone number or  
23 numbers indicated in subparagraph (A) of this  
24 paragraph unless it notifies the petitioner, within 72  
25 hours after it receives the order, that one of the  
26 following applies:

1 (i) The account holder named in the order has  
2 terminated the account.

3 (ii) A difference in network technology would  
4 prevent or impair the functionality of a device on  
5 a network if the transfer occurs.

6 (iii) The transfer would cause a geographic or  
7 other limitation on network or service provision  
8 to the petitioner.

9 (iv) Another technological or operational  
10 issue would prevent or impair the use of the  
11 telephone number if the transfer occurs.

12 (C) The petitioner assumes all financial  
13 responsibility for and right to the use of any  
14 telephone number transferred under this paragraph. In  
15 this paragraph, "financial responsibility" includes  
16 monthly service costs and costs associated with any  
17 mobile device associated with the number.

18 (D) A wireless telephone service provider may  
19 apply to the petitioner its routine and customary  
20 requirements for establishing an account or  
21 transferring a number, including requiring the  
22 petitioner to provide proof of identification,  
23 financial information, and customer preferences.

24 (E) Except for willful or wanton misconduct, a  
25 wireless telephone service provider is immune from  
26 civil liability for its actions taken in compliance

1 with a court order issued under this paragraph.

2 (F) All wireless service providers that provide  
3 services to residential customers shall provide to the  
4 Illinois Commerce Commission the name and address of  
5 an agent for service of orders entered under this  
6 paragraph (18). Any change in status of the registered  
7 agent must be reported to the Illinois Commerce  
8 Commission within 30 days of such change.

9 (G) The Illinois Commerce Commission shall  
10 maintain the list of registered agents for service for  
11 each wireless telephone service provider on the  
12 Commission's website. The Commission may consult with  
13 wireless telephone service providers and the Circuit  
14 Court Clerks on the manner in which this information  
15 is provided and displayed.

16 (c) Relevant factors; findings.

17 (1) In determining whether to grant a specific remedy,  
18 other than payment of support, the court shall consider  
19 relevant factors, including but not limited to the  
20 following:

21 (i) the nature, frequency, severity, pattern and  
22 consequences of the respondent's past abuse, neglect  
23 or exploitation of the petitioner or any family or  
24 household member, including the concealment of his or  
25 her location in order to evade service of process or  
26 notice, and the likelihood of danger of future abuse,

1 neglect, or exploitation to petitioner or any member  
2 of petitioner's or respondent's family or household;  
3 and

4 (ii) the danger that any minor child will be  
5 abused or neglected or improperly relocated from the  
6 jurisdiction, improperly concealed within the State or  
7 improperly separated from the child's primary  
8 caretaker.

9 (2) In comparing relative hardships resulting to the  
10 parties from loss of possession of the family home, the  
11 court shall consider relevant factors, including but not  
12 limited to the following:

13 (i) availability, accessibility, cost, safety,  
14 adequacy, location and other characteristics of  
15 alternate housing for each party and any minor child  
16 or dependent adult in the party's care;

17 (ii) the effect on the party's employment; and

18 (iii) the effect on the relationship of the party,  
19 and any minor child or dependent adult in the party's  
20 care, to family, school, church and community.

21 (3) Subject to the exceptions set forth in paragraph  
22 (4) of this subsection, the court shall make its findings  
23 in an official record or in writing, and shall at a minimum  
24 set forth the following:

25 (i) That the court has considered the applicable  
26 relevant factors described in paragraphs (1) and (2)

1 of this subsection.

2 (ii) Whether the conduct or actions of respondent,  
3 unless prohibited, will likely cause irreparable harm  
4 or continued abuse.

5 (iii) Whether it is necessary to grant the  
6 requested relief in order to protect petitioner or  
7 other alleged abused persons.

8 (4) For purposes of issuing an ex parte emergency  
9 order of protection, the court, as an alternative to or as  
10 a supplement to making the findings described in  
11 paragraphs (c)(3)(i) through (c)(3)(iii) of this  
12 subsection, may use the following procedure:

13 When a verified petition for an emergency order of  
14 protection in accordance with the requirements of Sections  
15 203 and 217 is presented to the court, the court shall  
16 examine petitioner on oath or affirmation. An emergency  
17 order of protection shall be issued by the court if it  
18 appears from the contents of the petition and the  
19 examination of petitioner that the averments are  
20 sufficient to indicate abuse by respondent and to support  
21 the granting of relief under the issuance of the emergency  
22 order of protection.

23 (5) Never married parties. No rights or  
24 responsibilities for a minor child born outside of  
25 marriage attach to a putative father until a father and  
26 child relationship has been established under the Illinois

1 Parentage Act of 1984, the Illinois Parentage Act of 2015,  
2 the Illinois Public Aid Code, Section 12 of the Vital  
3 Records Act, the Juvenile Court Act of 1987, the Probate  
4 Act of 1975, the Revised Uniform Reciprocal Enforcement of  
5 Support Act, the Uniform Interstate Family Support Act,  
6 the Expedited Child Support Act of 1990, any judicial,  
7 administrative, or other act of another state or  
8 territory, any other Illinois statute, or by any foreign  
9 nation establishing the father and child relationship, any  
10 other proceeding substantially in conformity with the  
11 Personal Responsibility and Work Opportunity  
12 Reconciliation Act of 1996 (Pub. L. 104-193), or where  
13 both parties appeared in open court or at an  
14 administrative hearing acknowledging under oath or  
15 admitting by affirmation the existence of a father and  
16 child relationship. Absent such an adjudication, finding,  
17 or acknowledgment, no putative father shall be granted  
18 temporary allocation of parental responsibilities,  
19 including parenting time with the minor child, or physical  
20 care and possession of the minor child, nor shall an order  
21 of payment for support of the minor child be entered.

22 (d) Balance of hardships; findings. If the court finds  
23 that the balance of hardships does not support the granting of  
24 a remedy governed by paragraph (2), (3), (10), (11), or (16) of  
25 subsection (b) of this Section, which may require such  
26 balancing, the court's findings shall so indicate and shall

1 include a finding as to whether granting the remedy will  
2 result in hardship to respondent that would substantially  
3 outweigh the hardship to petitioner from denial of the remedy.  
4 The findings shall be an official record or in writing.

5 (e) Denial of remedies. Denial of any remedy shall not be  
6 based, in whole or in part, on evidence that:

7 (1) Respondent has cause for any use of force, unless  
8 that cause satisfies the standards for justifiable use of  
9 force provided by Article 7 of the Criminal Code of 2012;

10 (2) Respondent was voluntarily intoxicated;

11 (3) Petitioner acted in self-defense or defense of  
12 another, provided that, if petitioner utilized force, such  
13 force was justifiable under Article 7 of the Criminal Code  
14 of 2012;

15 (4) Petitioner did not act in self-defense or defense  
16 of another;

17 (5) Petitioner left the residence or household to  
18 avoid further abuse, neglect, or exploitation by  
19 respondent;

20 (6) Petitioner did not leave the residence or  
21 household to avoid further abuse, neglect, or exploitation  
22 by respondent;

23 (7) Conduct by any family or household member excused  
24 the abuse, neglect, or exploitation by respondent, unless  
25 that same conduct would have excused such abuse, neglect,  
26 or exploitation if the parties had not been family or

1 household members.

2 (f) Optional order to law enforcement for wellness checks.

3 When a petitioner is granted the remedy available under  
4 paragraph (3) of subsection (b), the court may also, upon  
5 issuance of an emergency, interim, or plenary order of  
6 protection, order local law enforcement, to the extent  
7 possible, to periodically monitor the petitioner's residence,  
8 periodically patrol near the petitioner's residence, and  
9 investigate whether a violation of the order of protection has  
10 occurred, including interviewing the petitioner. The  
11 petitioner may opt out of these precautionary measures at any  
12 time. For the safety of the petitioner and others protected by  
13 the order of protection, the order for local law enforcement  
14 to conduct wellness checks on the petitioner's residence may  
15 not be made available to the respondent.

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

17 (750 ILCS 60/222) (from Ch. 40, par. 2312-22)

18 Sec. 222. Notice of orders.

19 (a) Entry and issuance. Upon issuance of any order of  
20 protection, the clerk shall immediately (i) enter the order on  
21 the record and file it in accordance with the circuit court  
22 procedures and (ii) provide a file stamped copy of the order to  
23 respondent, if present, and to petitioner.

24 (b) Filing with sheriff or other law enforcement  
25 officials. The clerk of the issuing judge shall, or the

1 petitioner may, on the same day that an order of protection is  
2 issued, file a certified copy of that order with the sheriff or  
3 other law enforcement officials charged with maintaining  
4 Illinois State Police records or charged with serving the  
5 order upon respondent or executing any search warrant issued  
6 under paragraph (14.5) of subsection (b) of Section 214 of  
7 this Act. If a search warrant is issued under paragraph (14.5)  
8 of subsection (b) of Section 214 of this Act, the clerk of the  
9 issuing judge shall, or the petitioner may, on the same day  
10 that the warrant is issued, transmit the warrant to the law  
11 enforcement agency to which the warrant is directed. If the  
12 respondent, at the time of the issuance of the order, is  
13 committed to the custody of the Illinois Department of  
14 Corrections or Illinois Department of Juvenile Justice or is  
15 on parole, aftercare release, or mandatory supervised release,  
16 the sheriff or other law enforcement officials charged with  
17 maintaining Illinois State Police records shall notify the  
18 Department of Corrections or Department of Juvenile Justice  
19 within 48 hours of receipt of a copy of the order of protection  
20 from the clerk of the issuing judge or the petitioner. Such  
21 notice shall include the name of the respondent, the  
22 respondent's IDOC inmate number or IDJJ youth identification  
23 number, the respondent's date of birth, and the LEADS Record  
24 Index Number.

25 (c) Service by sheriff. Unless respondent was present in  
26 court when the order was issued, the sheriff, other law

1 enforcement official or special process server shall promptly  
2 serve that order upon respondent and file proof of such  
3 service, in the manner provided for service of process in  
4 civil proceedings. Instead of serving the order upon the  
5 respondent, however, the sheriff, other law enforcement  
6 official, special process server, or other persons defined in  
7 Section 222.10 may serve the respondent with a short form  
8 notification as provided in Section 222.10. If process has not  
9 yet been served upon the respondent, it shall be served with  
10 the order or short form notification if such service is made by  
11 the sheriff, other law enforcement official, or special  
12 process server. A single fee may be charged for service of an  
13 order obtained in civil court, or for service of such an order  
14 together with process, unless waived or deferred under Section  
15 210. After 2 unsuccessful personal service attempts by law  
16 enforcement, electronic service under Section 222.15 is  
17 permitted.

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

1 for order of protection or receipt of the order issued under  
2 Section 217 of this Act.

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

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

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

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

24 (h) Disclosure by health care facilities and health care  
25 practitioners. After receiving a certified copy of an order of  
26 protection that prohibits a respondent's access to records, no

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

19 (i) Status of service of a plenary order of protection.  
20 The court shall set a hearing for 60 days after the entry of a  
21 plenary order of protection under Section 219 to review the  
22 status of service and service attempts on the respondent of  
23 the petition and order. Documented efforts by law enforcement  
24 to serve the respondent shall be provided to the court for the  
25 hearing. No penalty may be imposed on the petitioner upon  
26 failing to appear at a hearing to review the status of service.

1 If the petitioner fails to appear at a hearing to review the  
2 status of service, the clerk shall send notice to the  
3 petitioner of the next hearing to review the status of  
4 service, which shall be set no later than 30 days after the  
5 most recent hearing to review the status of service.

6 At the hearing to review the status of service, the court  
7 shall:

8 (1) review the return of service or affidavits filed  
9 by law enforcement;

10 (2) make any necessary findings concerning the service  
11 efforts by law enforcement through affidavit or other  
12 notification; and

13 (3) if service was not successful, inquire if  
14 additional information can be provided to effectuate  
15 service, including electronic service, as provided in  
16 Section 222.15.

17 If upon the hearing the court finds that all reasonable  
18 efforts to accomplish service of process upon respondent have  
19 been exhausted, the court may terminate the order of  
20 protection for failure to serve.

21 The clerk of the court may strike the hearing to review the  
22 status of service from the court's call if the Sheriff  
23 provides the court proof of service through affidavit before  
24 the hearing date.

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

1 (750 ILCS 60/222.15 new)

2 Sec. 222.15. Electronic service; limited circumstances.

3 (a) In furtherance of this Act's purpose to support  
4 victims' efforts to avoid further abuse by promptly entering  
5 and diligently enforcing orders of protection to protect the  
6 safety and security of victims, electronic service, as  
7 provided in this Section, may be attempted to effectuate  
8 service. Access to electronic service simplifies and  
9 modernizes courts, reduces costs, guarantees actual notice to  
10 the respondent, and minimizes delays and the need for more  
11 hearings, all of which can hinder access to justice and  
12 undermine judicial economy.

13 (b) As provided in this Section, electronic service may be  
14 attempted for emergency, interim, or plenary orders of  
15 protection for the remedy provided in paragraph (3) of  
16 subsection (b) of Section 214. After 2 unsuccessful service  
17 attempts at personal service, electronic service is permitted  
18 in accordance with this Section. The court may also order  
19 electronic service under this Section upon review of service  
20 attempts at the status of service hearing as provided in  
21 subsection (i) of Section 222.

22 (c) Electronic service must be made by a law enforcement  
23 agency, and a court order permitting electronic service is not  
24 required for law enforcement to attempt electronic service  
25 under subsection (b). No formal motion is necessary.

26 (d) The petitioner shall complete an information sheet,

1 reviewed by the court, for law enforcement that includes, if  
2 known or available, the following: (1) contact information for  
3 the petitioner and the petitioner's attorney including a  
4 telephone number and email; (2) a physical description of the  
5 respondent including, respondent's date of birth, or  
6 approximate age, height, weight, race, and hair color; (3) the  
7 respondent's address, last known address, alternate address,  
8 address of employment and any other address where law  
9 enforcement may serve the order of protection on the  
10 respondent; (4) days and times that the respondent is likely  
11 to be at the address of service; and (5) the respondent's email  
12 address, number for text messaging, and username or other  
13 identification on social media applications and other  
14 technologies. The petitioner must attest that the information  
15 is legitimate and current or the last known contact  
16 information for the respondent. The information sheet may not  
17 be included with the court record. The information sheet shall  
18 be transmitted to law enforcement in the same manner as the  
19 order of protection.

20 (e) Electronic service must be effected by transmitting  
21 copies of the petition and any supporting materials filed with  
22 the petition, notice of hearing, and any orders, or relevant  
23 materials for motions, to the respondent at the respondent's  
24 electronic address or the respondent's electronic account  
25 associated with email, text messaging, social media  
26 applications, or other technologies, as listed in (d)(5) of

1 this Section.

2 (f) The electronic service notification must include the  
3 following items:

4 (1) the respondent's name;

5 (2) the respondent's date of birth, if known;

6 (3) the petitioner's name;

7 (4) the name of other protected parties;

8 (5) the date and county in which the order of  
9 protection was filed; and

10 (6) the court file number.

11 (g) The electronic service notification must contain a  
12 notice to the respondent from the court, as determined by the  
13 court, in a conspicuous manner, of the consequences of being  
14 served the order and how to receive a copy of the order through  
15 the court.

16 (h) Verification of notice is required and may be  
17 accomplished through read-receipt mechanisms, a response, a  
18 sworn statement from the person who effected service verifying  
19 transmission and any follow-up communications such as email or  
20 telephone contact used to further verify, or an appearance by  
21 the respondent at a hearing. Sworn proof of service must be  
22 filed with the court by the person who effected service.

23 (i) The electronic service notification must contain the  
24 following notice in uppercase: "THE ORDER IS NOW ENFORCEABLE.  
25 YOU MUST REPORT TO THE OFFICE OF THE SHERIFF OR THE OFFICE OF  
26 THE CIRCUIT COURT IN (NAME OF COUNTY) COUNTY TO OBTAIN A COPY

1 OF THE ORDER. YOU ARE SUBJECT TO ARREST AND MAY BE CHARGED WITH  
2 A MISDEMEANOR OR FELONY IF YOU VIOLATE ANY OF THE TERMS OF THE  
3 ORDER."

4 (j) The Office of the Attorney General shall develop and  
5 provide guidance and procedures for law enforcement to attempt  
6 and effectuate electronic service under this Section.

7 (750 ILCS 60/223) (from Ch. 40, par. 2312-23)

8 Sec. 223. Enforcement of orders of protection.

9 (a) When violation is crime. A violation of any order of  
10 protection, whether issued in a civil or criminal proceeding  
11 or by a military judge, shall be enforced by a criminal court  
12 when:

13 (1) The respondent commits the crime of violation of  
14 an order of protection pursuant to Section 12-3.4 or 12-30  
15 of the Criminal Code of 1961 or the Criminal Code of 2012,  
16 by having knowingly violated:

17 (i) remedies described in paragraphs (1), (2),  
18 (3), (14), or (14.5) of subsection (b) of Section 214  
19 of this Act; or

20 (ii) a remedy, which is substantially similar to  
21 the remedies authorized under paragraphs (1), (2),  
22 (3), (14), and (14.5) of subsection (b) of Section 214  
23 of this Act, in a valid order of protection which is  
24 authorized under the laws of another state, tribe, or  
25 United States territory; or

1 (iii) any other remedy when the act constitutes a  
2 crime against the protected parties as defined by the  
3 Criminal Code of 1961 or the Criminal Code of 2012.

4 Prosecution for a violation of an order of protection  
5 shall not bar concurrent prosecution for any other crime,  
6 including any crime that may have been committed at the  
7 time of the violation of the order of protection; or

8 (2) The respondent commits the crime of child  
9 abduction pursuant to Section 10-5 of the Criminal Code of  
10 1961 or the Criminal Code of 2012, by having knowingly  
11 violated:

12 (i) remedies described in paragraphs (5), (6) or  
13 (8) of subsection (b) of Section 214 of this Act; or

14 (ii) a remedy, which is substantially similar to  
15 the remedies authorized under paragraphs (5), (6), or  
16 (8) of subsection (b) of Section 214 of this Act, in a  
17 valid order of protection which is authorized under  
18 the laws of another state, tribe, or United States  
19 territory.

20 (b) When violation is contempt of court. A violation of  
21 any valid Illinois order of protection, whether issued in a  
22 civil or criminal proceeding or by a military judge, may be  
23 enforced through civil or criminal contempt procedures, as  
24 appropriate, by any court with jurisdiction, regardless where  
25 the act or acts which violated the order of protection were  
26 committed, to the extent consistent with the venue provisions

1 of this Act. Nothing in this Act shall preclude any Illinois  
2 court from enforcing any valid order of protection issued in  
3 another state. Illinois courts may enforce orders of  
4 protection through both criminal prosecution and contempt  
5 proceedings, unless the action which is second in time is  
6 barred by collateral estoppel or the constitutional  
7 prohibition against double jeopardy.

8 (1) In a contempt proceeding where the petition for a  
9 rule to show cause sets forth facts evidencing an  
10 immediate danger that the respondent will flee the  
11 jurisdiction, conceal a child, or inflict physical abuse  
12 on the petitioner or minor children or on dependent adults  
13 in petitioner's care, the court may order the attachment  
14 of the respondent without prior service of the rule to  
15 show cause or the petition for a rule to show cause.  
16 Conditions of release shall be set unless specifically  
17 denied in writing.

18 (2) A petition for a rule to show cause for violation  
19 of an order of protection shall be treated as an expedited  
20 proceeding.

21 (b-1) The court shall not hold a school district or  
22 private or non-public school or any of its employees in civil  
23 or criminal contempt unless the school district or private or  
24 non-public school has been allowed to intervene.

25 (b-2) The court may hold the parents, guardian, or legal  
26 custodian of a minor respondent in civil or criminal contempt

1 for a violation of any provision of any order entered under  
2 this Act for conduct of the minor respondent in violation of  
3 this Act if the parents, guardian, or legal custodian  
4 directed, encouraged, or assisted the respondent minor in such  
5 conduct.

6 (c) Violation of custody or support orders or temporary or  
7 final judgments allocating parental responsibilities. A  
8 violation of remedies described in paragraphs (5), (6), (8),  
9 or (9) of subsection (b) of Section 214 of this Act may be  
10 enforced by any remedy provided by Section 607.5 of the  
11 Illinois Marriage and Dissolution of Marriage Act. The court  
12 may enforce any order for support issued under paragraph (12)  
13 of subsection (b) of Section 214 in the manner provided for  
14 under Parts V and VII of the Illinois Marriage and Dissolution  
15 of Marriage Act.

16 (d) Actual knowledge. An order of protection may be  
17 enforced pursuant to this Section if the respondent violates  
18 the order after the respondent has actual knowledge of its  
19 contents as shown through one of the following means:

20 (1) By service, delivery, or notice under Section 210.

21 (2) By notice under Section 210.1 or 211.

22 (3) By service of an order of protection under Section  
23 222 or 222.15.

24 (4) By other means demonstrating actual knowledge of  
25 the contents of the order.

26 (e) The enforcement of an order of protection in civil or

1 criminal court shall not be affected by either of the  
2 following:

3 (1) The existence of a separate, correlative order,  
4 entered under Section 215.

5 (2) Any finding or order entered in a conjoined  
6 criminal proceeding.

7 (f) Circumstances. The court, when determining whether or  
8 not a violation of an order of protection has occurred, shall  
9 not require physical manifestations of abuse on the person of  
10 the victim.

11 (g) Penalties.

12 (1) Except as provided in paragraph (3) of this  
13 subsection, where the court finds the commission of a  
14 crime or contempt of court under subsections (a) or (b) of  
15 this Section, the penalty shall be the penalty that  
16 generally applies in such criminal or contempt  
17 proceedings, and may include one or more of the following:  
18 incarceration, payment of restitution, a fine, payment of  
19 attorneys' fees and costs, or community service.

20 (2) The court shall hear and take into account  
21 evidence of any factors in aggravation or mitigation  
22 before deciding an appropriate penalty under paragraph (1)  
23 of this subsection.

24 (3) To the extent permitted by law, the court is  
25 encouraged to:

26 (i) increase the penalty for the knowing violation

1 of any order of protection over any penalty previously  
2 imposed by any court for respondent's violation of any  
3 order of protection or penal statute involving  
4 petitioner as victim and respondent as defendant;

5 (ii) impose a minimum penalty of 24 hours  
6 imprisonment for respondent's first violation of any  
7 order of protection; and

8 (iii) impose a minimum penalty of 48 hours  
9 imprisonment for respondent's second or subsequent  
10 violation of an order of protection

11 unless the court explicitly finds that an increased  
12 penalty or that period of imprisonment would be manifestly  
13 unjust.

14 (4) In addition to any other penalties imposed for a  
15 violation of an order of protection, a criminal court may  
16 consider evidence of any violations of an order of  
17 protection:

18 (i) to increase, revoke or modify the conditions  
19 of pretrial release on an underlying criminal charge  
20 pursuant to Section 110-6 of the Code of Criminal  
21 Procedure of 1963;

22 (ii) to revoke or modify an order of probation,  
23 conditional discharge or supervision, pursuant to  
24 Section 5-6-4 of the Unified Code of Corrections;

25 (iii) to revoke or modify a sentence of periodic  
26 imprisonment, pursuant to Section 5-7-2 of the Unified

1 Code of Corrections.

2 (5) In addition to any other penalties, the court  
3 shall impose an additional fine of \$20 as authorized by  
4 Section 5-9-1.11 of the Unified Code of Corrections upon  
5 any person convicted of or placed on supervision for a  
6 violation of an order of protection. The additional fine  
7 shall be imposed for each violation of this Section.

8 (Source: P.A. 102-890, eff. 5-19-22; 103-407, eff. 7-28-23.)

9 (750 ILCS 60/305) (from Ch. 40, par. 2313-5)

10 Sec. 305. Limited law enforcement liability. Any act of  
11 omission or commission by any law enforcement officer acting  
12 in good faith in rendering emergency assistance, executing  
13 search warrants, conducting a wellness check under this Act,  
14 or otherwise enforcing this Act shall not impose civil  
15 liability upon the law enforcement officer or his or her  
16 supervisor or employer, unless the act is a result of willful  
17 or wanton misconduct.

18 (Source: P.A. 103-1065, eff. 5-11-25.)