



Sen. Toi W. Hutchinson

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10000SB2330sam001

LRB100 17753 HEP 35643 a

1 AMENDMENT TO SENATE BILL 2330

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2330 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Code of Civil Procedure is amended by  
5 changing Section 21-103 as follows:

6 (735 ILCS 5/21-103) (from Ch. 110, par. 21-103)

7 Sec. 21-103. Notice by publication.

8 (a) Previous notice shall be given of the intended  
9 application by publishing a notice thereof in some newspaper  
10 published in the municipality in which the person resides if  
11 the municipality is in a county with a population under  
12 2,000,000, or if the person does not reside in a municipality  
13 in a county with a population under 2,000,000, or if no  
14 newspaper is published in the municipality or if the person  
15 resides in a county with a population of 2,000,000 or more,  
16 then in some newspaper published in the county where the person

1 resides, or if no newspaper is published in that county, then  
2 in some convenient newspaper published in this State. The  
3 notice shall be inserted for 3 consecutive weeks after filing,  
4 the first insertion to be at least 6 weeks before the return  
5 day upon which the petition is to be heard, and shall be signed  
6 by the petitioner or, in case of a minor, the minor's parent or  
7 guardian, and shall set forth the return day of court on which  
8 the petition is to be heard and the name sought to be assumed.

9 (b) The publication requirement of subsection (a) shall not  
10 be required in any application for a change of name involving a  
11 minor if, before making judgment under this Article, reasonable  
12 notice and opportunity to be heard is given to any parent whose  
13 parental rights have not been previously terminated and to any  
14 person who has physical custody of the child. If any of these  
15 persons are outside this State, notice and opportunity to be  
16 heard shall be given under Section 21-104.

17 (c) The Director of State Police or his or her designee may  
18 apply to the circuit court for an order directing that the  
19 notice and publication requirements of this Section be waived  
20 if the Director or his or her designee certifies that the name  
21 change being sought is intended to protect a witness during and  
22 following a criminal investigation or proceeding.

23 (c-1) The court may enter a written order waiving the  
24 publication requirement of subsection (a) if:

25 (i) the petitioner is 18 years of age or older; and

26 (ii) concurrent with the petition, the petitioner

1 files with the court a statement, verified under oath as  
2 provided under Section 1-109 of this Code, attesting that  
3 the petitioner is or has been a person protected under the  
4 Illinois Domestic Violence Act of 1986, the Stalking No  
5 Contact Order Act, the Civil No Contact Order Act, Article  
6 112A of the Code of Criminal Procedure of 1963, a condition  
7 of bail under subsections (b) through (d) of Section 110-10  
8 of the Code of Criminal Procedure of 1963, or a similar  
9 provision of a law in another state or jurisdiction.

10 The petitioner may attach to the statement any supporting  
11 documents, including relevant court orders.

12 (c-2) If the petitioner files a statement attesting that  
13 disclosure of the petitioner's address would put the petitioner  
14 or any member of the petitioner's family or household at risk  
15 or reveal the confidential address of a shelter for domestic  
16 violence victims, that address may be omitted from all  
17 documents filed with the court, and the petitioner may  
18 designate an alternative address for service.

19 (c-3) Court administrators may allow domestic abuse  
20 advocates, rape crisis advocates, and victim advocates to  
21 assist petitioners in the preparation of name changes under  
22 subsection (c-1).

23 (c-4) If the publication requirements of subsection (a)  
24 have been waived, the circuit court shall enter an order  
25 impounding the case.

26 (d) The maximum rate charged for publication of a notice

1 under this Section may not exceed the lowest classified rate  
2 paid by commercial users for comparable space in the newspaper  
3 in which the notice appears and shall include all cash  
4 discounts, multiple insertion discounts, and similar benefits  
5 extended to the newspaper's regular customers.

6 (Source: P.A. 100-520, eff. 1-1-18 (see Section 5 of P.A.  
7 100-565 for the effective date of P.A. 100-520).)".