



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB2931

Introduced 2/19/2021, by Rep. Chris Bos

#### SYNOPSIS AS INTRODUCED:

750 ILCS 61/1  
750 ILCS 61/5  
750 ILCS 61/10  
750 ILCS 61/11  
750 ILCS 61/15  
750 ILCS 61/40

Amends the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, or Stalking Act. Renames the Act the Address Confidentiality for Victims of Domestic Violence, Human Trafficking, Sexual Assault, or Stalking Act. Defines "human trafficking". Makes the Act's requirements applicable to victims of human trafficking.

LRB102 11385 LNS 16718 b

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 Address Confidentiality for Victims of  
5 Domestic Violence, Sexual Assault, or Stalking Act is amended  
6 by changing Sections 1, 5, 10, 11, 15, and 40 as follows:

7 (750 ILCS 61/1)

8 Sec. 1. Short title. This Act may be cited as the Address  
9 Confidentiality for Victims of Domestic Violence, Human  
10 Trafficking, Sexual Assault, or Stalking Act.

11 (Source: P.A. 101-270, eff. 1-1-21.)

12 (750 ILCS 61/5)

13 Sec. 5. Legislative findings. The General Assembly finds  
14 that persons attempting to escape from actual or threatened  
15 domestic violence, human trafficking, sexual assault, or  
16 stalking frequently establish new addresses in order to  
17 prevent their assailants or probable assailants from finding  
18 them. The purpose of this Act is to enable State and local  
19 agencies to respond to requests for public records without  
20 disclosing the location of a victim of domestic violence,  
21 human trafficking, sexual assault, or stalking, to enable  
22 interagency cooperation with the Attorney General in providing

1 address confidentiality for victims of domestic violence,  
2 human trafficking, sexual assault, or stalking, and to enable  
3 State and local agencies to accept a program participant's use  
4 of an address designated by the Attorney General as a  
5 substitute mailing address.

6 (Source: P.A. 101-270, eff. 1-1-21.)

7 (750 ILCS 61/10)

8 Sec. 10. Definitions. In this Act, unless the context  
9 otherwise requires:

10 "Address" means a residential street address, school  
11 address, or work address of an individual, as specified on the  
12 individual's application to be a program participant under  
13 this Act.

14 "Program participant" means a person certified as a  
15 program participant under this Act.

16 "Domestic violence" has the same meaning as in the  
17 Illinois Domestic Violence Act of 1986 and includes a threat  
18 of domestic violence against an individual in a domestic  
19 situation, regardless of whether the domestic violence or  
20 threat has been reported to law enforcement officers.

21 "Human trafficking" means the practices set forth in  
22 subsection (b), (c), or (d) of Section 10-9 of the Criminal  
23 Code of 2012, regardless of whether the victim has reported  
24 the trafficking to law enforcement officers.

25 "Sexual assault" has the same meaning as sexual conduct or

1 sexual penetration as defined in the Civil No Contact Order  
2 Act. "Sexual assault" includes a threat of sexual assault,  
3 regardless of whether the sexual assault or threat has been  
4 reported to law enforcement officers.

5 "Stalking" has the same meaning as in the Stalking No  
6 Contact Order Act. "Stalking" includes a threat of stalking,  
7 regardless of whether the stalking or threat has been reported  
8 to law enforcement officers.

9 (Source: P.A. 101-270, eff. 1-1-21.)

10 (750 ILCS 61/11)

11 Sec. 11. Address confidentiality program; administration.  
12 Subject to appropriations for the purposes of this Act, the  
13 Attorney General shall administer an address confidentiality  
14 program for victims of domestic violence, human trafficking,  
15 sexual assault, or stalking.

16 (Source: P.A. 101-270, eff. 1-1-21.)

17 (750 ILCS 61/15)

18 Sec. 15. Address confidentiality program; application;  
19 certification.

20 (a) An adult person, a parent or guardian acting on behalf  
21 of a minor, or a guardian acting on behalf of a person with a  
22 disability, as defined in Article 11a of the Probate Act of  
23 1975, may apply to the Attorney General to have an address  
24 designated by the Attorney General serve as the person's

1 address or the address of the minor or person with a  
2 disability. The Attorney General shall approve an application  
3 if it is filed in the manner and on the form prescribed by him  
4 or her and if it contains:

5 (1) a sworn statement by the applicant that the  
6 applicant has good reason to believe (i) that the  
7 applicant, or the minor or person with a disability on  
8 whose behalf the application is made, is a victim of  
9 domestic violence, human trafficking, sexual assault, or  
10 stalking; and (ii) that the applicant fears for his or her  
11 safety or his or her children's safety, or the safety of  
12 the minor or person with a disability on whose behalf the  
13 application is made;

14 (2) a designation of the Attorney General as agent for  
15 purposes of service of process and receipt of mail;

16 (3) the mailing address where the applicant can be  
17 contacted by the Attorney General, and the phone number or  
18 numbers where the applicant can be called by the Attorney  
19 General;

20 (4) the new address or addresses that the applicant  
21 requests not be disclosed for the reason that disclosure  
22 will increase the risk of domestic violence, human  
23 trafficking, sexual assault, or stalking; and

24 (5) the signature of the applicant and of any  
25 individual or representative of any office designated in  
26 writing under Section 40 of this Act who assisted in the

1 preparation of the application, and the date on which the  
2 applicant signed the application.

3 (b) Applications shall be filed with the office of the  
4 Attorney General.

5 (c) Upon filing a properly completed application, the  
6 Attorney General shall certify the applicant as a program  
7 participant. Applicants shall be certified for 4 years  
8 following the date of filing unless the certification is  
9 withdrawn or invalidated before that date. The Attorney  
10 General shall by rule establish a renewal procedure.

11 (d) A person who falsely attests in an application that  
12 disclosure of the applicant's address would endanger the  
13 applicant's safety or the safety of the applicant's children  
14 or the minor or incapacitated person on whose behalf the  
15 application is made, or who knowingly provides false or  
16 incorrect information upon making an application, is guilty of  
17 a Class 3 felony.

18 (Source: P.A. 101-270, eff. 1-1-21.)

19 (750 ILCS 61/40)

20 Sec. 40. Assistance for program applicants. The Attorney  
21 General shall designate State and local agencies and nonprofit  
22 agencies that provide counseling and shelter services to  
23 victims of domestic violence, human trafficking, sexual  
24 assault, or stalking to assist persons applying to be program  
25 participants. Any assistance and counseling rendered by the

1 office of the Attorney General or its designees to applicants  
2 shall in no way be construed as legal advice.

3 (Source: P.A. 101-270, eff. 1-1-21.)