



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4368

Introduced 1/5/2022, by Rep. Frances Ann Hurley

SYNOPSIS AS INTRODUCED:

725 ILCS 5/112A-3	from Ch. 38, par. 112A-3
725 ILCS 5/112A-5.1 new	
725 ILCS 5/112A-21	from Ch. 38, par. 112A-21
750 ILCS 60/103	from Ch. 40, par. 2311-3
750 ILCS 60/202.5 new	
750 ILCS 60/221	from Ch. 40, par. 2312-21

Amends the Protective Orders Article of the Code of Criminal Procedure of 1963 and the Illinois Domestic Violence Act of 1986. Includes coercive control behavior in the definition of "abuse". Defines "coercive control behavior" as a pattern of behavior that unreasonably interferes with a person's free will and personal liberty. Provides that if the court finds that a pattern of frivolous and intentionally fabricated pleadings or motions are filed by one party, the court shall sanction the party in an appropriate manner to allow the proceedings to continue without undue delay or obstruction by the party filing the pleadings. Effective immediately.

LRB102 22606 LNS 31749 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 Code of Criminal Procedure of 1963 is
5 amended by changing Sections 112A-3 and 112A-21 and by adding
6 Section 112A-5.1 as follows:

7 (725 ILCS 5/112A-3) (from Ch. 38, par. 112A-3)

8 Sec. 112A-3. Definitions.

9 (a) In this Article:

10 "Advocate" means a person whose communications with the
11 victim are privileged under Section 8-802.1 or 8-802.2 of the
12 Code of Civil Procedure or Section 227 of the Illinois
13 Domestic Violence Act of 1986.

14 "Named victim" means the person named as the victim in the
15 delinquency petition or criminal prosecution.

16 "Protective order" means a domestic violence order of
17 protection, a civil no contact order, or a stalking no contact
18 order.

19 (b) For the purposes of domestic violence cases, the
20 following terms shall have the following meanings in this
21 Article:

22 (1) "Abuse" means physical abuse, harassment,
23 intimidation of a dependent, interference with personal

1 liberty, coercive control behavior, or willful deprivation
2 but does not include reasonable direction of a minor child
3 by a parent or person in loco parentis.

4 (2.5) "Coercive control behavior" means a pattern of
5 behavior that unreasonably interferes with a family or
6 household member's free will and personal liberty,
7 including, but not limited to:

8 (i) isolating the family or household member from
9 friends, relatives, or other sources of support;

10 (ii) depriving the family or household member of
11 basic necessities;

12 (iii) controlling, regulating, or monitoring the
13 family or household member's movements,
14 communications, daily behavior, finances, economic
15 resources, or access to services;

16 (iv) compelling the family or household member by
17 force, threat of force, or intimidation, including,
18 but not limited to, threats based on actual or
19 suspected immigration status, to engage in conduct
20 from which the family or household member has a right
21 to abstain, or abstain from conduct in which the
22 family or household member has a right to engage;

23 (v) committing or threatening to commit cruelty to
24 animals that intimidates the family or household
25 member; and

26 (vi) forced sex acts, or threats of a sexual

1 nature, including, but not limited to, threatened acts
2 of sexual conduct, threats based on a person's
3 sexuality, or threats to release sexual images.

4 (2) "Domestic violence" means abuse as described in
5 paragraph (1) of this subsection (b).

6 (3) "Family or household members" include spouses,
7 former spouses, parents, children, stepchildren, and other
8 persons related by blood or by present or prior marriage,
9 persons who share or formerly shared a common dwelling,
10 persons who have or allegedly have a child in common,
11 persons who share or allegedly share a blood relationship
12 through a child, persons who have or have had a dating or
13 engagement relationship, persons with disabilities and
14 their personal assistants, and caregivers as defined in
15 subsection (e) of Section 12-4.4a of the Criminal Code of
16 2012. For purposes of this paragraph (3), neither a casual
17 acquaintanceship nor ordinary fraternization between 2
18 individuals in business or social contexts shall be deemed
19 to constitute a dating relationship.

20 (4) "Harassment" means knowing conduct which is not
21 necessary to accomplish a purpose which is reasonable
22 under the circumstances; would cause a reasonable person
23 emotional distress; and does cause emotional distress to
24 the petitioner. Unless the presumption is rebutted by a
25 preponderance of the evidence, the following types of
26 conduct shall be presumed to cause emotional distress:

1 (i) creating a disturbance at petitioner's place
2 of employment or school;

3 (ii) repeatedly telephoning petitioner's place of
4 employment, home or residence;

5 (iii) repeatedly following petitioner about in a
6 public place or places;

7 (iv) repeatedly keeping petitioner under
8 surveillance by remaining present outside his or her
9 home, school, place of employment, vehicle or other
10 place occupied by petitioner or by peering in
11 petitioner's windows;

12 (v) improperly concealing a minor child from
13 petitioner, repeatedly threatening to improperly
14 remove a minor child of petitioner's from the
15 jurisdiction or from the physical care of petitioner,
16 repeatedly threatening to conceal a minor child from
17 petitioner, or making a single such threat following
18 an actual or attempted improper removal or
19 concealment, unless respondent was fleeing from an
20 incident or pattern of domestic violence; or

21 (vi) threatening physical force, confinement or
22 restraint on one or more occasions.

23 (5) "Interference with personal liberty" means
24 committing or threatening physical abuse, harassment,
25 intimidation or willful deprivation so as to compel
26 another to engage in conduct from which she or he has a

1 right to abstain or to refrain from conduct in which she or
2 he has a right to engage.

3 (6) "Intimidation of a dependent" means subjecting a
4 person who is dependent because of age, health, or
5 disability to participation in or the witnessing of:
6 physical force against another or physical confinement or
7 restraint of another which constitutes physical abuse as
8 defined in this Article, regardless of whether the abused
9 person is a family or household member.

10 (7) "Order of protection" or "domestic violence order
11 of protection" means an ex parte or final order, granted
12 pursuant to this Article, which includes any or all of the
13 remedies authorized by Section 112A-14 of this Code.

14 (8) "Petitioner" may mean not only any named
15 petitioner for the domestic violence order of protection
16 and any named victim of abuse on whose behalf the petition
17 is brought, but also any other person protected by this
18 Article.

19 (9) "Physical abuse" includes sexual abuse and means
20 any of the following:

21 (i) knowing or reckless use of physical force,
22 confinement or restraint;

23 (ii) knowing, repeated and unnecessary sleep
24 deprivation; or

25 (iii) knowing or reckless conduct which creates an
26 immediate risk of physical harm.

1 (9.3) "Respondent" in a petition for a domestic
2 violence order of protection means the defendant.

3 (9.5) "Stay away" means for the respondent to refrain
4 from both physical presence and nonphysical contact with
5 the petitioner whether direct, indirect (including, but
6 not limited to, telephone calls, mail, email, faxes, and
7 written notes), or through third parties who may or may
8 not know about the domestic violence order of protection.

9 (10) "Willful deprivation" means wilfully denying a
10 person who because of age, health or disability requires
11 medication, medical care, shelter, accessible shelter or
12 services, food, therapeutic device, or other physical
13 assistance, and thereby exposing that person to the risk
14 of physical, mental or emotional harm, except with regard
15 to medical care and treatment when such dependent person
16 has expressed the intent to forgo such medical care or
17 treatment. This paragraph (10) does not create any new
18 affirmative duty to provide support to dependent persons.

19 (c) For the purposes of cases involving sexual offenses,
20 the following terms shall have the following meanings in this
21 Article:

22 (1) "Civil no contact order" means an ex parte or
23 final order granted under this Article, which includes a
24 remedy authorized by Section 112A-14.5 of this Code.

25 (2) "Family or household members" include spouses,
26 parents, children, stepchildren, and persons who share a

1 common dwelling.

2 (3) "Non-consensual" means a lack of freely given
3 agreement.

4 (4) "Petitioner" means not only any named petitioner
5 for the civil no contact order and any named victim of
6 non-consensual sexual conduct or non-consensual sexual
7 penetration on whose behalf the petition is brought, but
8 includes any other person sought to be protected under
9 this Article.

10 (5) "Respondent" in a petition for a civil no contact
11 order means the defendant.

12 (6) "Sexual conduct" means any intentional or knowing
13 touching or fondling by the petitioner or the respondent,
14 either directly or through clothing, of the sex organs,
15 anus, or breast of the petitioner or the respondent, or
16 any part of the body of a child under 13 years of age, or
17 any transfer or transmission of semen by the respondent
18 upon any part of the clothed or unclothed body of the
19 petitioner, for the purpose of sexual gratification or
20 arousal of the petitioner or the respondent.

21 (7) "Sexual penetration" means any contact, however
22 slight, between the sex organ or anus of one person by an
23 object, the sex organ, mouth or anus of another person, or
24 any intrusion, however slight, of any part of the body of
25 one person or of any animal or object into the sex organ or
26 anus of another person, including, but not limited to,

1 cunnilingus, fellatio, or anal penetration. Evidence of
2 emission of semen is not required to prove sexual
3 penetration.

4 (8) "Stay away" means to refrain from both physical
5 presence and nonphysical contact with the petitioner
6 directly, indirectly, or through third parties who may or
7 may not know of the order. "Nonphysical contact" includes,
8 but is not limited to, telephone calls, mail, e-mail, fax,
9 and written notes.

10 (d) For the purposes of cases involving stalking offenses,
11 the following terms shall have the following meanings in this
12 Article:

13 (1) "Course of conduct" means 2 or more acts,
14 including, but not limited to, acts in which a respondent
15 directly, indirectly, or through third parties, by any
16 action, method, device, or means follows, monitors,
17 observes, surveils, threatens, or communicates to or
18 about, a person, engages in other contact, or interferes
19 with or damages a person's property or pet. A course of
20 conduct may include contact via electronic communications.
21 The incarceration of a person in a penal institution who
22 commits the course of conduct is not a bar to prosecution.

23 (2) "Emotional distress" means significant mental
24 suffering, anxiety, or alarm.

25 (3) "Contact" includes any contact with the victim,
26 that is initiated or continued without the victim's

1 consent, or that is in disregard of the victim's expressed
2 desire that the contact be avoided or discontinued,
3 including, but not limited to, being in the physical
4 presence of the victim; appearing within the sight of the
5 victim; approaching or confronting the victim in a public
6 place or on private property; appearing at the workplace
7 or residence of the victim; entering onto or remaining on
8 property owned, leased, or occupied by the victim; or
9 placing an object on, or delivering an object to, property
10 owned, leased, or occupied by the victim.

11 (4) "Petitioner" means any named petitioner for the
12 stalking no contact order or any named victim of stalking
13 on whose behalf the petition is brought.

14 (5) "Reasonable person" means a person in the
15 petitioner's circumstances with the petitioner's knowledge
16 of the respondent and the respondent's prior acts.

17 (6) "Respondent" in a petition for a civil no contact
18 order means the defendant.

19 (7) "Stalking" means engaging in a course of conduct
20 directed at a specific person, and he or she knows or
21 should know that this course of conduct would cause a
22 reasonable person to fear for his or her safety or the
23 safety of a third person or suffer emotional distress.
24 "Stalking" does not include an exercise of the right to
25 free speech or assembly that is otherwise lawful or
26 picketing occurring at the workplace that is otherwise

1 lawful and arises out of a bona fide labor dispute,
2 including any controversy concerning wages, salaries,
3 hours, working conditions or benefits, including health
4 and welfare, sick leave, insurance, and pension or
5 retirement provisions, the making or maintaining of
6 collective bargaining agreements, and the terms to be
7 included in those agreements.

8 (8) "Stalking no contact order" means an ex parte or
9 final order granted under this Article, which includes a
10 remedy authorized by Section 112A-14.7 of this Code.

11 (Source: P.A. 100-199, eff. 1-1-18; 100-597, eff. 6-29-18.)

12 (725 ILCS 5/112A-5.1 new)

13 Sec. 112A-5.1. Frivolous and intentionally fabricated
14 pleadings or motions. If the court finds that a pattern of
15 frivolous and intentionally fabricated pleadings or motions
16 are filed by one party under this Article, the court shall
17 sanction the party in an appropriate manner to allow the
18 proceedings to continue without undue delay or obstruction by
19 the party filing the pleadings.

20 (725 ILCS 5/112A-21) (from Ch. 38, par. 112A-21)

21 Sec. 112A-21. Contents of orders.

22 (a) Any domestic violence order of protection shall
23 describe, in reasonable detail and not by reference to any
24 other document, the following:

1 (1) Each remedy granted by the court, in reasonable
2 detail and not by reference to any other document, so that
3 respondent may clearly understand what he or she must do
4 or refrain from doing. Pre-printed form orders of
5 protection shall include the definitions of the types of
6 abuse, as provided in Section 112A-3 of this Code.
7 Remedies set forth in pre-printed form for domestic
8 violence orders shall be numbered consistently with and
9 corresponding to the numerical sequence of remedies listed
10 in Section 112A-14 of this Code (at least as of the date
11 the form orders are printed).

12 (2) The reason for denial of petitioner's request for
13 any remedy listed in Section 112A-14 of this Code.

14 (b) A domestic violence order of protection shall further
15 state the following:

16 (1) The name of each petitioner that the court finds
17 is a victim of a charged offense, and that respondent is a
18 member of the family or household of each such petitioner,
19 and the name of each other person protected by the order
20 and that such person is protected by this Code.

21 (2) For any remedy requested by petitioner on which
22 the court has declined to rule, that that remedy is
23 reserved.

24 (3) The date and time the domestic violence order of
25 protection was issued.

26 (4) (Blank).

1 (5) (Blank).

2 (6) (Blank).

3 (c) Any domestic violence order of protection shall
4 include the following notice, printed in conspicuous type:

5 "Any knowing violation of a domestic violence order of
6 protection forbidding physical abuse, harassment,
7 intimidation, interference with personal liberty, coercive
8 control behavior, willful deprivation, or entering or
9 remaining present at specified places when the protected
10 person is present, or granting exclusive possession of the
11 residence or household, or granting a stay away order is a
12 Class A misdemeanor for a first offense, and a Class 4
13 felony for persons with a prior conviction for certain
14 offenses under subsection (d) of Section 12-3.4 of the
15 Criminal Code of 2012. Grant of exclusive possession of
16 the residence or household shall constitute notice
17 forbidding trespass to land. Any knowing violation of an
18 order awarding legal custody or physical care of a child
19 or prohibiting removal or concealment of a child may be a
20 Class 4 felony. Any willful violation of any order is
21 contempt of court. Any violation may result in fine or
22 imprisonment."

23 (d) (Blank).

24 (e) A domestic violence order of protection shall state,
25 "This Order of Protection is enforceable, even without
26 registration, in all 50 states, the District of Columbia,

1 tribal lands, and the U.S. territories pursuant to the
2 Violence Against Women Act (18 U.S.C. 2265). Violating this
3 Order of Protection may subject the respondent to federal
4 charges and punishment (18 U.S.C. 2261-2262). The respondent
5 may be subject to federal criminal penalties for possessing,
6 transporting, shipping, or receiving any firearm or ammunition
7 under the Gun Control Act (18 U.S.C. 922(g) (8) and (9))."

8 (Source: P.A. 100-199, eff. 1-1-18; 100-597, eff. 6-29-18.)

9 Section 10. The Illinois Domestic Violence Act of 1986 is
10 amended by changing Sections 103 and 221 and by adding Section
11 202.5 as follows:

12 (750 ILCS 60/103) (from Ch. 40, par. 2311-3)

13 Sec. 103. Definitions. For the purposes of this Act, the
14 following terms shall have the following meanings:

15 (1) "Abuse" means physical abuse, harassment, intimidation
16 of a dependent, interference with personal liberty, coercive
17 control behavior, or willful deprivation but does not include
18 reasonable direction of a minor child by a parent or person in
19 loco parentis.

20 (2) "Adult with disabilities" means an elder adult with
21 disabilities or a high-risk adult with disabilities. A person
22 may be an adult with disabilities for purposes of this Act even
23 though he or she has never been adjudicated an incompetent
24 adult. However, no court proceeding may be initiated or

1 continued on behalf of an adult with disabilities over that
2 adult's objection, unless such proceeding is approved by his
3 or her legal guardian, if any.

4 (2.5) "Coercive control behavior" means a pattern of
5 behavior that unreasonably interferes with a family or
6 household member's free will and personal liberty,
7 including, but not limited to:

8 (i) isolating the family or household member from
9 friends, relatives, or other sources of support;

10 (ii) depriving the family or household member of
11 basic necessities;

12 (iii) controlling, regulating, or monitoring the
13 family or household member's movements,
14 communications, daily behavior, finances, economic
15 resources, or access to services;

16 (iv) compelling the family or household member by
17 force, threat of force, or intimidation, including,
18 but not limited to, threats based on actual or
19 suspected immigration status, to engage in conduct
20 from which the family or household member has a right
21 to abstain, or abstain from conduct in which the
22 family or household member has a right to engage;

23 (v) committing or threatening to commit cruelty to
24 animals that intimidates the family or household
25 member; and

26 (vi) forced sex acts, or threats of a sexual

1 nature, including, but not limited to, threatened acts
2 of sexual conduct, threats based on a person's
3 sexuality, or threats to release sexual images.

4 (3) "Domestic violence" means abuse as defined in
5 paragraph (1).

6 (4) "Elder adult with disabilities" means an adult
7 prevented by advanced age from taking appropriate action to
8 protect himself or herself from abuse by a family or household
9 member.

10 (5) "Exploitation" means the illegal, including tortious,
11 use of a high-risk adult with disabilities or of the assets or
12 resources of a high-risk adult with disabilities. Exploitation
13 includes, but is not limited to, the misappropriation of
14 assets or resources of a high-risk adult with disabilities by
15 undue influence, by breach of a fiduciary relationship, by
16 fraud, deception, or extortion, or the use of such assets or
17 resources in a manner contrary to law.

18 (6) "Family or household members" include spouses, former
19 spouses, parents, children, stepchildren and other persons
20 related by blood or by present or prior marriage, persons who
21 share or formerly shared a common dwelling, persons who have
22 or allegedly have a child in common, persons who share or
23 allegedly share a blood relationship through a child, persons
24 who have or have had a dating or engagement relationship,
25 persons with disabilities and their personal assistants, and
26 caregivers as defined in Section 12-4.4a of the Criminal Code

1 of 2012. For purposes of this paragraph, neither a casual
2 acquaintanceship nor ordinary fraternization between 2
3 individuals in business or social contexts shall be deemed to
4 constitute a dating relationship. In the case of a high-risk
5 adult with disabilities, "family or household members"
6 includes any person who has the responsibility for a high-risk
7 adult as a result of a family relationship or who has assumed
8 responsibility for all or a portion of the care of a high-risk
9 adult with disabilities voluntarily, or by express or implied
10 contract, or by court order.

11 (7) "Harassment" means knowing conduct which is not
12 necessary to accomplish a purpose that is reasonable under the
13 circumstances; would cause a reasonable person emotional
14 distress; and does cause emotional distress to the petitioner.
15 Unless the presumption is rebutted by a preponderance of the
16 evidence, the following types of conduct shall be presumed to
17 cause emotional distress:

18 (i) creating a disturbance at petitioner's place of
19 employment or school;

20 (ii) repeatedly telephoning petitioner's place of
21 employment, home or residence;

22 (iii) repeatedly following petitioner about in a
23 public place or places;

24 (iv) repeatedly keeping petitioner under surveillance
25 by remaining present outside his or her home, school,
26 place of employment, vehicle or other place occupied by

1 petitioner or by peering in petitioner's windows;

2 (v) improperly concealing a minor child from
3 petitioner, repeatedly threatening to improperly remove a
4 minor child of petitioner's from the jurisdiction or from
5 the physical care of petitioner, repeatedly threatening to
6 conceal a minor child from petitioner, or making a single
7 such threat following an actual or attempted improper
8 removal or concealment, unless respondent was fleeing an
9 incident or pattern of domestic violence; or

10 (vi) threatening physical force, confinement or
11 restraint on one or more occasions.

12 (8) "High-risk adult with disabilities" means a person
13 aged 18 or over whose physical or mental disability impairs
14 his or her ability to seek or obtain protection from abuse,
15 neglect, or exploitation.

16 (9) "Interference with personal liberty" means committing
17 or threatening physical abuse, harassment, intimidation, or
18 willful deprivation so as to compel another to engage in
19 conduct from which she or he has a right to abstain or to
20 refrain from conduct in which she or he has a right to engage.

21 (10) "Intimidation of a dependent" means subjecting a
22 person who is dependent because of age, health or disability
23 to participation in or the witnessing of: physical force
24 against another or physical confinement or restraint of
25 another which constitutes physical abuse as defined in this
26 Act, regardless of whether the abused person is a family or

1 household member.

2 (11) (A) "Neglect" means the failure to exercise that
3 degree of care toward a high-risk adult with disabilities
4 which a reasonable person would exercise under the
5 circumstances and includes but is not limited to:

6 (i) the failure to take reasonable steps to protect a
7 high-risk adult with disabilities from acts of abuse;

8 (ii) the repeated, careless imposition of unreasonable
9 confinement;

10 (iii) the failure to provide food, shelter, clothing,
11 and personal hygiene to a high-risk adult with
12 disabilities who requires such assistance;

13 (iv) the failure to provide medical and rehabilitative
14 care for the physical and mental health needs of a
15 high-risk adult with disabilities; or

16 (v) the failure to protect a high-risk adult with
17 disabilities from health and safety hazards.

18 (B) Nothing in this subsection (10) shall be construed to
19 impose a requirement that assistance be provided to a
20 high-risk adult with disabilities over his or her objection in
21 the absence of a court order, nor to create any new affirmative
22 duty to provide support to a high-risk adult with
23 disabilities.

24 (12) "Order of protection" means an emergency order,
25 interim order or plenary order, granted pursuant to this Act,
26 which includes any or all of the remedies authorized by

1 Section 214 of this Act.

2 (13) "Petitioner" may mean not only any named petitioner
3 for the order of protection and any named victim of abuse on
4 whose behalf the petition is brought, but also any other
5 person protected by this Act.

6 (14) "Physical abuse" includes sexual abuse and means any
7 of the following:

8 (i) knowing or reckless use of physical force,
9 confinement or restraint;

10 (ii) knowing, repeated and unnecessary sleep
11 deprivation; or

12 (iii) knowing or reckless conduct which creates an
13 immediate risk of physical harm.

14 (14.5) "Stay away" means for the respondent to refrain
15 from both physical presence and nonphysical contact with the
16 petitioner whether direct, indirect (including, but not
17 limited to, telephone calls, mail, email, faxes, and written
18 notes), or through third parties who may or may not know about
19 the order of protection.

20 (15) "Willful deprivation" means wilfully denying a person
21 who because of age, health or disability requires medication,
22 medical care, shelter, accessible shelter or services, food,
23 therapeutic device, or other physical assistance, and thereby
24 exposing that person to the risk of physical, mental or
25 emotional harm, except with regard to medical care or
26 treatment when the dependent person has expressed an intent to

1 forgo such medical care or treatment. This paragraph does not
2 create any new affirmative duty to provide support to
3 dependent persons.

4 (Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

5 (750 ILCS 60/202.5 new)

6 Sec. 202.5. Frivolous and intentionally fabricated
7 pleadings or motions. If the court finds that a pattern of
8 frivolous and intentionally fabricated pleadings or motions
9 are filed by one party under this Act, the court shall sanction
10 the party in an appropriate manner to allow the proceedings to
11 continue without undue delay or obstruction by the party
12 filing the pleadings.

13 (750 ILCS 60/221) (from Ch. 40, par. 2312-21)

14 Sec. 221. Contents of orders.

15 (a) Any order of protection shall describe the following:

16 (1) Each remedy granted by the court, in reasonable
17 detail and not by reference to any other document, so that
18 respondent may clearly understand what he or she must do
19 or refrain from doing. Pre-printed form orders of
20 protection shall include the definitions of the types of
21 abuse, neglect, and exploitation, as provided in Section
22 103. Remedies set forth in pre-printed form orders shall
23 be numbered consistently with and corresponding to the
24 numerical sequence of remedies listed in Section 214 (at

1 least as of the date the form orders are printed).

2 (2) The reason for denial of petitioner's request for
3 any remedy listed in Section 214.

4 (b) An order of protection shall further state the
5 following:

6 (1) The name of each petitioner that the court finds
7 was abused, neglected, or exploited by respondent, and
8 that respondent is a member of the family or household of
9 each such petitioner, and the name of each other person
10 protected by the order and that such person is protected
11 by this Act.

12 (2) For any remedy requested by petitioner on which
13 the court has declined to rule, that that remedy is
14 reserved.

15 (3) The date and time the order of protection was
16 issued, whether it is an emergency, interim or plenary
17 order and the duration of the order.

18 (4) The date, time and place for any scheduled hearing
19 for extension of that order of protection or for another
20 order of greater duration or scope.

21 (5) For each remedy in an emergency order of
22 protection, the reason for entering that remedy without
23 prior notice to respondent or greater notice than was
24 actually given.

25 (6) For emergency and interim orders of protection,
26 that respondent may petition the court, in accordance with

1 Section 224, to re-open that order if he or she did not
2 receive actual prior notice of the hearing, in accordance
3 with Section 211, and alleges that he or she had a
4 meritorious defense to the order or that the order or any
5 of its remedies was not authorized by this Act.

6 (c) Any order of protection shall include the following
7 notice, printed in conspicuous type: "Any knowing violation of
8 an order of protection forbidding physical abuse, neglect,
9 exploitation, harassment, intimidation, interference with
10 personal liberty, coercive control behavior, willful
11 deprivation, or entering or remaining present at specified
12 places when the protected person is present, or granting
13 exclusive possession of the residence or household, or
14 granting a stay away order is a Class A misdemeanor. Grant of
15 exclusive possession of the residence or household shall
16 constitute notice forbidding trespass to land. Any knowing
17 violation of an order awarding legal custody or physical care
18 of a child or prohibiting removal or concealment of a child may
19 be a Class 4 felony. Any willful violation of any order is
20 contempt of court. Any violation may result in fine or
21 imprisonment."

22 (d) An emergency order of protection shall state, "This
23 Order of Protection is enforceable, even without registration,
24 in all 50 states, the District of Columbia, tribal lands, and
25 the U.S. territories pursuant to the Violence Against Women
26 Act (18 U.S.C. 2265). Violating this Order of Protection may

1 subject the respondent to federal charges and punishment (18
2 U.S.C. 2261-2262)."

3 (e) An interim or plenary order of protection shall state,
4 "This Order of Protection is enforceable, even without
5 registration, in all 50 states, the District of Columbia,
6 tribal lands, and the U.S. territories pursuant to the
7 Violence Against Women Act (18 U.S.C. 2265). Violating this
8 Order of Protection may subject the respondent to federal
9 charges and punishment (18 U.S.C. 2261-2262). The respondent
10 may be subject to federal criminal penalties for possessing,
11 transporting, shipping, or receiving any firearm or ammunition
12 under the Gun Control Act (18 U.S.C. 922(g) (8) and (9))."

13 (Source: P.A. 93-944, eff. 1-1-05.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.