



Rep. Maura Hirschauer

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10300HB1605ham002

LRB103 27227 JRC 71453 a

1 AMENDMENT TO HOUSE BILL 1605

2 AMENDMENT NO. _____. Amend House Bill 1605 by replacing
3 everything after enacting clause with the following:

4 "Section 5. The Gender Violence Act is amended by changing
5 Section 5 as follows:

6 (740 ILCS 82/5)

7 Sec. 5. Definitions. In this Act:

8 "Employee" has the meaning provided in Section 2-101 of
9 the Illinois Human Rights Act.

10 "Employer" has the meaning provided in Section 2-101 of
11 the Illinois Human Rights Act.

12 "Gender-related violence", which is a form of sex
13 discrimination, means the following:

14 (1) One or more acts of violence or physical
15 aggression satisfying the elements of battery under the
16 laws of Illinois that are committed, at least in part, on

1 the basis of a person's sex, whether or not those acts have
2 resulted in criminal charges, prosecution, or conviction.

3 (2) A physical intrusion or physical invasion of a
4 sexual nature under coercive conditions satisfying the
5 elements of battery under the laws of Illinois, whether or
6 not the act or acts resulted in criminal charges,
7 prosecution, or conviction.

8 (2.1) Sexual contact between a sexual organ of one
9 person and the intimate part of another person if, before
10 sexual contact, both persons understood and agreed that a
11 sexually protective device would be used, and the
12 defendant removed the sexually protective device without
13 consent of the plaintiff, and they engaged or continued to
14 engage in sexual contact after removal.

15 (2.2) Sexual contact between a sexual organ of one
16 person and the intimate part of another person if, before
17 sexual contact, both persons understood and agreed that a
18 sexually protective device would be used, and they engaged
19 or continued to engage in sexual contact after the
20 defendant knew or became aware that the sexually
21 protective device had been unintentionally removed but did
22 not obtain consent from the plaintiff to engage or
23 continue engaging in sexual contact without the use of a
24 sexually protective device.

25 (2.5) Domestic violence, as defined in the Victims'
26 Economic Security and Safety Act.

1 (3) A threat of an act described in item (1), (2), or
2 (2.5) causing a realistic apprehension that the originator
3 of the threat will commit the act.

4 "Sexually protective device" means an internal or external
5 condom, spermicide, diaphragm, cervical cap, contraceptive
6 sponge, dental dam, or any other physical barrier device
7 intended to prevent pregnancy or sexually transmitted
8 infection. "Sexually protective device" does not include an
9 intrauterine device or any hormonal birth control method.

10 "Workplace" means the employer's premises, including any
11 building, real property, and parking area under the control of
12 the employer, or any location used by an employee while in the
13 performance of the employee's job duties. "Workplace" includes
14 activities occurring off-premises at employer-sponsored events
15 where an employee is not performing the employee's job duties.
16 (Source: P.A. 103-282, eff. 1-1-24.)".