



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB2177

Introduced 2/14/2005, by Rep. Michael J. Madigan - Barbara Flynn Currie - John A. Fritchey

#### SYNOPSIS AS INTRODUCED:

740 ILCS 22/103

Amends the Civil No Contact Order Act. Makes a technical change to a Section concerning definitions.

LRB094 02978 LCB 32979 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 Civil No Contact Order Act is amended by  
5 changing Section 103 as follows:

6 (740 ILCS 22/103)

7 Sec. 103. Definitions. As used in this Act:

8 "Civil no contact order" means an emergency order or  
9 plenary order granted under this Act, which includes a remedy  
10 authorized by Section 213 of this Act.

11 "Non-consensual" means a lack of freely given agreement.

12 "Petitioner" means any named petitioner for the ~~the~~ no  
13 contact order or any named victim of non-consensual sexual  
14 conduct or non-consensual sexual penetration on whose behalf  
15 the petition is brought.

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

25 "Sexual penetration" means any contact, however slight,  
26 between the sex organ or anus of one person by an object, the  
27 sex organ, mouth or anus of another person, or any intrusion,  
28 however slight, of any part of the body of one person or of any  
29 animal or object into the sex organ or anus of another person,  
30 including but not limited to cunnilingus, fellatio or anal  
31 penetration. Evidence of emission of semen is not required to  
32 prove sexual penetration.

1 "Stay away" means to refrain from both physical presence  
2 and nonphysical contact with the petitioner directly,  
3 indirectly, or through third parties who may or may not know of  
4 the order. "Nonphysical contact" includes, but is not limited  
5 to, telephone calls, mail, e-mail, fax, and written notes.  
6 (Source: P.A. 93-236, eff. 1-1-04; 93-811, eff. 1-1-05.)