

1 AN ACT in relation to criminal law.

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 adding Sections 112A-17.5 and 112A-28.5 as
6 follows:

7 (725 ILCS 5/112A-17.5 new)

8 Sec. 112A-17.5. Notice of orders.

9 (a) Entry and issuance. When a person is charged with a
10 criminal offense and released on bond and the victim of the
11 offense is a family or household member and the condition of
12 the bond is that the defendant refrain from contact or
13 communications with the victim for a minimum period of 72
14 hours following the defendant's release and refrain from
15 entering or remaining at the victim's residence for a minimum
16 period of 72 hours following the defendant's release or any
17 other conditions restricting contact with the victim as the
18 court imposes, the clerk shall immediately, or on the next
19 court day, enter the order on the record and file it in
20 accordance with circuit court procedures and provide a file
21 stamped copy of the order to defendant, if present, and to
22 the victim, if present.

23 (b) No Contact with family victim orders. The court
24 order shall include the following information:

25 (1) the court case number.

26 (2) the issue date of the order.

27 (3) the expiration date of the order, not to exceed
28 2 years.

29 (4) the defendant's name, sex, race, date of birth,
30 height, weight, hair, and eye color.

31 (5) the conditions of bond, including specific

1 remedy.

2 (6) the victim's name.

3 (7) the protected person's name.

4 (8) the protected person's address.

5 (c) Filing with sheriff. The clerk of the judge who
6 issued the order shall, on the same day that the order is
7 issued, file a certified copy of that order with the sheriff.

8 (d) Service by sheriff. Unless the defendant was present
9 in court when the order was issued, the sheriff, other law
10 enforcement official, or special process server shall
11 promptly serve that order upon the defendant and file proof
12 of that service, in the manner provided for service of
13 process.

14 (725 ILCS 5/112A-28.5 new)

15 Sec. 112A-28.5. Entry of orders into LEADS.

16 (a) The law enforcement agency of the unit of local
17 government that received the order shall enter into the Law
18 Enforcement Agencies Data System (LEADS) the no contact with
19 family victim order information. The LEADS file must include
20 the name and address of each person who has been charged with
21 a criminal offense in which the victim of the offense is a
22 family or household member and who has been released on bond
23 in which the condition of the bond is that the defendant
24 refrain from contact or communication with the victim for a
25 minimum period of 72 hours following the defendant's release
26 and refrain from entering or remaining at the victim's
27 residence for a minimum period of 72 hours following the
28 defendant's release or any other conditions restricting
29 contact with the victim as the court imposes.

30 (b) The sheriff shall enter the no contact with family
31 victim order into LEADS as soon as possible after receiving
32 the order. The order must be entered into LEADS on the same
33 day the sheriff receives the order.

1 (c) Retention. The information must be retained in LEADS
2 in a history file for 90 days after the expiration date of
3 the no contact with family victim order before the
4 information may be removed from the LEADS file.

5 Section 10. The Illinois Domestic Violence Act of 1986
6 is amended by adding Sections 217.5 and 302.5 as follows:

7 (750 ILCS 60/217.5 new)

8 Sec. 217.5. Notice of orders.

9 (a) Entry and issuance. When a person is charged with a
10 criminal offense and released on bond and the victim of the
11 offense is a family or household member and the condition of
12 the bond is that the defendant refrain from contact or
13 communications with the victim for a minimum period of 72
14 hours following the defendant's release and refrain from
15 entering or remaining at the victim's residence for a minimum
16 period of 72 hours following the defendant's release or any
17 other conditions restricting contact with the victim as the
18 court imposes, the clerk shall immediately, or on the next
19 court day, enter the order on the record and file it in
20 accordance with circuit court procedures and provide a file
21 stamped copy of the order to defendant, if present, and to
22 the victim, if present.

23 (b) No Contact with family victim orders. The court
24 order shall include the following information:

25 (1) the court case number.

26 (2) the issue date of the order.

27 (3) the expiration date of the order, not to exceed
28 2 years.

29 (4) the defendant's name, sex, race, date of birth,
30 height, weight, hair, and eye color.

31 (5) the conditions of bond, including specific
32 remedy.

1 (6) the victim's name.

2 (7) the protected person's name.

3 (8) the protected person's address.

4 (c) Filing with sheriff. The clerk of the judge who
5 issued the order shall, on the same day that the order is
6 issued, file a certified copy of that order with the sheriff.

7 (d) Service by sheriff. Unless the defendant was present
8 in court when the order was issued, the sheriff, other law
9 enforcement official, or special process server shall
10 promptly serve that order upon the defendant and file proof
11 of that service, in the manner provided for service of
12 process.

13 (750 ILCS 60/302.5 new)

14 Sec. 302.5. Entry of orders into LEADS.

15 (a) The law enforcement agency of the unit of local
16 government that received the order shall enter into the Law
17 Enforcement Agencies Data System (LEADS) the no contact with
18 family victim order information. The LEADS file must include
19 the name and address of each person who has been charged with
20 a criminal offense in which the victim of the offense is a
21 family or household member and who has been released on bond
22 in which the condition of the bond is that the defendant
23 refrain from contact or communication with the victim for a
24 minimum period of 72 hours following the defendant's release
25 and refrain from entering or remaining at the victim's
26 residence for a minimum period of 72 hours following the
27 defendant's release or any other conditions restricting
28 contact with the victim as the court imposes.

29 (b) The sheriff shall enter the no contact with family
30 victim order into LEADS as soon as possible after receiving
31 the order. The order must be entered into LEADS on the same
32 day the sheriff receives the order.

33 (c) Retention. The information must be retained in LEADS

1 in a history file for 90 days after the expiration date of
2 the no contact with family victim order before the
3 information may be removed from the LEADS file.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.