

Now & Next

Labor & Employment Alert

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Illinois strengthens domestic violence protections—What employers need to know

By Sarah Quinn and Brady McMillin

New Illinois legislation on domestic violence and protective orders redefines “harassment” for the digital age—requiring employers to update policies, retrain staff, and prepare for more protective orders in the workplace.



What’s the impact?

- Illinois expands “harassment” to include e-tracking, deepfakes, nonconsensual image sharing, doxing, and repeated digital contact.
- Starting January 1, 2027, courts statewide must offer remote protective-order hearings and simplify order extensions.
- Employers should update policies, train HR and managers, avoid discrimination, and review workplace safety plans.

On August 7, 2026, Illinois enacted Public Act 104-0754 (SB 3020), significantly expanding the state’s domestic violence and protective order laws under both the Code of Criminal Procedure and the Illinois Domestic Violence Act of 1986. The changes take effect on January 1, 2027. Below is a summary of the key changes and the practical steps employers should consider.

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What changed

EXPANDED DEFINITION OF "HARASSMENT"

The law now recognizes modern forms of harassment, including:

- / Repeatedly telephoning or electronically contacting a petitioner's place of employment, home, mobile phone, or residence—or repeatedly contacting them through a third party by any means. This expressly encompasses electronic contact directed at a person's workplace, home, mobile phone, or residence and replaces the prior, narrower language limited to telephone calls to a workplace, home, or residence.
- / Using electronic means to repeatedly track, monitor, surveil, record, or otherwise acquire information about a petitioner's location or travel patterns, including through third parties (new provision).
- / Non-consensual dissemination (or threats thereof) of AI-generated deepfakes or altered content impersonating the petitioner (new provision).
- / Non-consensual dissemination (or threats thereof) of private sexual images or electronically altered sexual images (new provision).
- / Publishing a petitioner's personally identifiable information ("doxing") (new provision).

REMOTE HEARINGS NOW AVAILABLE STATEWIDE

Previously, only courts in counties with populations above 250,000 were required to offer remote hearings for protective orders. That population threshold has been removed. Courts across Illinois must now offer remote hearings to petitioners and must grant such requests unless good cause for denial is shown—replacing the prior standard that left the decision to judicial discretion.

SIMPLIFIED EXTENSIONS OF PROTECTIVE ORDERS

The amended law makes it significantly easier for victims to extend protective orders by removing barriers that previously left petitioners vulnerable to gaps in protection. Most notably, the amendments clarify that a violation of the original order or a subsequent incident of abuse is no longer required to obtain an extension, and courts are expressly prohibited from denying an extension solely on that basis. For plenary orders (i.e., long-term orders that follow a hearing), a court must now grant an extension where the statutory requirements are met and there has been no material change in the relevant circumstances. The law also streamlines uncontested extensions, allowing courts to grant them based solely on the petitioner's motion and supporting affidavit. Additionally, when a plenary order is set to expire before the next available court date, the court must expedite the hearing and may extend the order on an emergency basis in the

interim—and if an order does expire before a hearing can be held, the court may reinstate and extend it upon hearing.

Action items for employers

- / **Update workplace policies by January 1, 2027.** Ensure anti-harassment and workplace violence policies reflect the broader definitions now in law, particularly electronic tracking, deepfakes, non-consensual image sharing, and doxing.
- / **Train HR and management.** Staff should understand that these new forms of conduct may now trigger protective orders that can include stay-away provisions affecting the workplace.
- / **Do not discriminate against employees with protective orders.** Under Illinois fair employment practices law, employers may not discriminate against a worker who holds a protective order issued under the Illinois Domestic Violence Act or the Code of Criminal Procedure. Given the expanded grounds for obtaining protective orders under PA 104-0754, employers should expect more employees may hold such orders and should ensure no adverse employment action is taken on that basis.
- / **Review safety planning.** Protective orders can prohibit a respondent from entering a petitioner's place of employment. Employers should have protocols in place to support employees who obtain such orders.
- / **Accommodate remote proceedings.** Employees may need time off or flexibility to attend protective-order hearings, which are now more broadly available via remote appearance.

Conclusion

These amendments take effect January 1, 2027, and reflect Illinois's commitment to modernizing its domestic violence framework for the digital age. Employers should proactively review their policies and training programs ahead of that date to ensure compliance and support the safety of employees who may be affected by domestic violence.

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