



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4953

by Rep. Michael P. McAuliffe

SYNOPSIS AS INTRODUCED:

20 ILCS 2105/2105-15.5 new

Amends the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. Provides that the Department of Financial and Professional Regulation shall require each new applicant complete a sexual harassment training program provided by the Department and each licensee complete a sexual harassment training program provided by the Department before renewal of his or her license. Contains minimum requirements for the content of the training. Provides that the Department shall compile a report annually that summarizes the sexual harassment training program that was completed during the previous year and prescribes the plan for the training program in the coming year and includes a list of individuals who failed to complete the required training program. Requires the Department to make the report available on its website. Effective immediately.

LRB100 18948 XWW 34198 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Professional Regulation Law of
5 the Civil Administrative Code of Illinois is amended by adding
6 Section 2105-15.5 as follows:

7 (20 ILCS 2105/2105-15.5 new)

8 Sec. 2105-15.5. Sexual harassment training.

9 (a) As used in this Section, "sexual harassment" means any
10 unwelcome sexual advances or requests for sexual favors or any
11 conduct of a sexual nature when: (i) submission to such conduct
12 is made either explicitly or implicitly a term or condition of
13 an individual's employment; (ii) submission to or rejection of
14 such conduct by an individual is used as the basis for
15 employment decisions affecting such individual; or (iii) such
16 conduct has the purpose or effect of substantially interfering
17 with an individual's work performance or creating an
18 intimidating, hostile, or offensive working environment. For
19 the purposes of this definition, the phrase "working
20 environment" is not limited to a physical location an employee
21 is assigned to perform his or her duties and does not require
22 an employment relationship.

23 (b) Beginning January 1, 2019, the Department shall require

1 each new applicant complete a sexual harassment training
2 program provided by the Department.

3 Beginning January 1, 2019, the Department shall require
4 each licensee complete a sexual harassment training program
5 provided by the Department before renewal of his or her
6 license. The sexual harassment training program does not count
7 towards any continuing education requirements required for
8 renewal.

9 (c) The sexual harassment training program shall include,
10 at a minimum, the following: (i) the definition, and a
11 description, of sexual harassment utilizing examples; (ii)
12 details on how an individual can report an allegation of sexual
13 harassment, including options for making a confidential report
14 to a supervisor, an ethics officer, the Department of Financial
15 and Professional Regulation, or the Department of Human Rights;
16 (iii) the definition, and description of, retaliation for
17 reporting sexual harassment allegations utilizing examples,
18 including availability of whistleblower protections under this
19 Act, the Whistleblower Act, and the Illinois Human Rights Act;
20 and (iv) the consequences of a violation of the prohibition on
21 sexual harassment and the consequences for knowingly making a
22 false report. Proof of completion must be submitted to the
23 Department of Financial and Professional Regulation.

24 (d) The Department shall compile a report annually that
25 summarizes the sexual harassment training program that was
26 completed during the previous year and prescribes the plan for

1 the training program in the coming year. The report shall
2 include a list of individuals who failed to complete the
3 required training program. The Department shall make the report
4 available on its website.

5 (e) The Department shall adopt rules for the implementation
6 of this Section.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.