



1 AN ACT concerning human rights.

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

4 Section 1. The Illinois Human Rights Act is amended by  
5 changing Sections 1-102 and 1-103 as follows:

6 (775 ILCS 5/1-102) (from Ch. 68, par. 1-102)

7 Sec. 1-102. Declaration of Policy. It is the public policy  
8 of this State:

9 (A) Freedom from Unlawful Discrimination. To secure for all  
10 individuals within Illinois the freedom from discrimination  
11 against any individual because of his or her race, color,  
12 religion, sex, national origin, ancestry, age, marital status,  
13 parental status, physical or mental handicap, military status,  
14 or unfavorable discharge from military service in connection  
15 with employment, real estate transactions, access to financial  
16 credit, and the availability of public accommodations.

17 (B) Freedom from Sexual Harassment-Employment and Higher  
18 Education. To prevent sexual harassment in employment and  
19 sexual harassment in higher education.

20 (C) Freedom from Discrimination Based on Citizenship  
21 Status-Employment. To prevent discrimination based on  
22 citizenship status in employment.

23 (D) Freedom from Discrimination Based on Familial  
24 Status-Real Estate Transactions. To prevent discrimination  
25 based on familial status in real estate transactions.

26 (E) Public Health, Welfare and Safety. To promote the  
27 public health, welfare and safety by protecting the interest of  
28 all people in Illinois in maintaining personal dignity, in  
29 realizing their full productive capacities, and in furthering  
30 their interests, rights and privileges as citizens of this  
31 State.

32 (F) Implementation of Constitutional Guarantees. To secure

1 and guarantee the rights established by Sections 17, 18 and 19  
2 of Article I of the Illinois Constitution of 1970.

3 (G) Equal Opportunity, Affirmative Action. To establish  
4 Equal Opportunity and Affirmative Action as the policies of  
5 this State in all of its decisions, programs and activities,  
6 and to assure that all State departments, boards, commissions  
7 and instrumentalities rigorously take affirmative action to  
8 provide equality of opportunity and eliminate the effects of  
9 past discrimination in the internal affairs of State government  
10 and in their relations with the public.

11 (H) Unfounded Charges. To protect citizens of this State  
12 against unfounded charges of unlawful discrimination, sexual  
13 harassment in employment and sexual harassment in higher  
14 education, and discrimination based on citizenship status in  
15 employment.

16 (Source: P.A. 87-579; 88-178.)

17 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

18 Sec. 1-103. General Definitions. When used in this Act,  
19 unless the context requires otherwise, the term:

20 (A) Age. "Age" means the chronological age of a person who  
21 is at least 40 years old, except with regard to any practice  
22 described in Section 2-102, insofar as that practice concerns  
23 training or apprenticeship programs. In the case of training or  
24 apprenticeship programs, for the purposes of Section 2-102,  
25 "age" means the chronological age of a person who is 18 but not  
26 yet 40 years old.

27 (B) Aggrieved Party. "Aggrieved party" means a person who  
28 is alleged or proved to have been injured by a civil rights  
29 violation or believes he or she will be injured by a civil  
30 rights violation under Article 3 that is about to occur.

31 (C) Charge. "Charge" means an allegation filed with the  
32 Department by an aggrieved party or initiated by the Department  
33 under its authority.

34 (D) Civil Rights Violation. "Civil rights violation"  
35 includes and shall be limited to only those specific acts set

1 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-103, 3-104,  
2 3-104.1, 3-105, 4-102, 4-103, 5-102, 5A-102 and 6-101 of this  
3 Act.

4 (E) Commission. "Commission" means the Human Rights  
5 Commission created by this Act.

6 (F) Complaint. "Complaint" means the formal pleading filed  
7 by the Department with the Commission following an  
8 investigation and finding of substantial evidence of a civil  
9 rights violation.

10 (G) Complainant. "Complainant" means a person including  
11 the Department who files a charge of civil rights violation  
12 with the Department or the Commission.

13 (H) Department. "Department" means the Department of Human  
14 Rights created by this Act.

15 (I) Handicap. "Handicap" means a determinable physical or  
16 mental characteristic of a person, including, but not limited  
17 to, a determinable physical characteristic which necessitates  
18 the person's use of a guide, hearing or support dog, the  
19 history of such characteristic, or the perception of such  
20 characteristic by the person complained against, which may  
21 result from disease, injury, congenital condition of birth or  
22 functional disorder and which characteristic:

23 (1) For purposes of Article 2 is unrelated to the  
24 person's ability to perform the duties of a particular job  
25 or position and, pursuant to Section 2-104 of this Act, a  
26 person's illegal use of drugs or alcohol is not a handicap;

27 (2) For purposes of Article 3, is unrelated to the  
28 person's ability to acquire, rent or maintain a housing  
29 accommodation;

30 (3) For purposes of Article 4, is unrelated to a  
31 person's ability to repay;

32 (4) For purposes of Article 5, is unrelated to a  
33 person's ability to utilize and benefit from a place of  
34 public accommodation.

35 (J) Marital Status. "Marital status" means the legal status  
36 of being married, single, separated, divorced or widowed.

1 (J-1) Military Status. "Military status" means a person's  
2 status on active duty in the armed forces of the United States.

3 (K) National Origin. "National origin" means the place in  
4 which a person or one of his or her ancestors was born.

5 (L) Person. "Person" includes one or more individuals,  
6 partnerships, associations or organizations, labor  
7 organizations, labor unions, joint apprenticeship committees,  
8 or union labor associations, corporations, the State of  
9 Illinois and its instrumentalities, political subdivisions,  
10 units of local government, legal representatives, trustees in  
11 bankruptcy or receivers.

12 (L-1) Parental Status. "Parental status" means the status  
13 of having or not having a child.

14 (M) Public Contract. "Public contract" includes every  
15 contract to which the State, any of its political subdivisions  
16 or any municipal corporation is a party.

17 (N) Religion. "Religion" includes all aspects of religious  
18 observance and practice, as well as belief, except that with  
19 respect to employers, for the purposes of Article 2, "religion"  
20 has the meaning ascribed to it in paragraph (F) of Section  
21 2-101.

22 (O) Sex. "Sex" means the status of being male or female.

23 (P) Unfavorable Military Discharge. "Unfavorable military  
24 discharge" includes discharges from the Armed Forces of the  
25 United States, their Reserve components or any National Guard  
26 or Naval Militia which are classified as RE-3 or the equivalent  
27 thereof, but does not include those characterized as RE-4 or  
28 "Dishonorable".

29 (Q) Unlawful Discrimination. "Unlawful discrimination"  
30 means discrimination against a person because of his or her  
31 race, color, religion, national origin, ancestry, age, sex,  
32 marital status, handicap, military status, or unfavorable  
33 discharge from military service as those terms are defined in  
34 this Section.

35 (Source: P.A. 88-178; 88-180; 88-670, eff. 12-2-94.)

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.