



Rep. Jehan Gordon-Booth

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10100HB3884ham002

LRB101 13288 LNS 70815 a

1 AMENDMENT TO HOUSE BILL 3884

2 AMENDMENT NO. _____. Amend House Bill 3884, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 1. References to Act. This Act may be referred to
6 as the CROWN (Create a Respectful and Open Workplace for
7 Natural Hair) Act.

8 Section 5. The Illinois Human Rights Act is amended by
9 changing Sections 1-103 and 5-102.2 as follows:

10 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

11 Sec. 1-103. General definitions. When used in this Act,
12 unless the context requires otherwise, the term:

13 (A) Age. "Age" means the chronological age of a person who
14 is at least 40 years old, except with regard to any practice
15 described in Section 2-102, insofar as that practice concerns

1 training or apprenticeship programs. In the case of training or
2 apprenticeship programs, for the purposes of Section 2-102,
3 "age" means the chronological age of a person who is 18 but not
4 yet 40 years old.

5 (B) Aggrieved party. "Aggrieved party" means a person who
6 is alleged or proved to have been injured by a civil rights
7 violation or believes he or she will be injured by a civil
8 rights violation under Article 3 that is about to occur.

9 (B-5) Arrest record. "Arrest record" means:

10 (1) an arrest not leading to a conviction;

11 (2) a juvenile record; or

12 (3) criminal history record information ordered
13 expunged, sealed, or impounded under Section 5.2 of the
14 Criminal Identification Act.

15 (C) Charge. "Charge" means an allegation filed with the
16 Department by an aggrieved party or initiated by the Department
17 under its authority.

18 (D) Civil rights violation. "Civil rights violation"
19 includes and shall be limited to only those specific acts set
20 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-102.1, 3-103,
21 3-104, 3-104.1, 3-105, 3-105.1, 4-102, 4-103, 5-102, 5A-102,
22 6-101, and 6-102 of this Act.

23 (E) Commission. "Commission" means the Human Rights
24 Commission created by this Act.

25 (F) Complaint. "Complaint" means the formal pleading filed
26 by the Department with the Commission following an

1 investigation and finding of substantial evidence of a civil
2 rights violation.

3 (G) Complainant. "Complainant" means a person including
4 the Department who files a charge of civil rights violation
5 with the Department or the Commission.

6 (H) Department. "Department" means the Department of Human
7 Rights created by this Act.

8 (I) Disability. "Disability" means a determinable physical
9 or mental characteristic of a person, including, but not
10 limited to, a determinable physical characteristic which
11 necessitates the person's use of a guide, hearing or support
12 dog, the history of such characteristic, or the perception of
13 such characteristic by the person complained against, which may
14 result from disease, injury, congenital condition of birth or
15 functional disorder and which characteristic:

16 (1) For purposes of Article 2, is unrelated to the
17 person's ability to perform the duties of a particular job
18 or position and, pursuant to Section 2-104 of this Act, a
19 person's illegal use of drugs or alcohol is not a
20 disability;

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

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

26 (4) For purposes of Article 5, is unrelated to a

1 person's ability to utilize and benefit from a place of
2 public accommodation;

3 (5) For purposes of Article 5, also includes any
4 mental, psychological, or developmental disability,
5 including autism spectrum disorders.

6 (J) Marital status. "Marital status" means the legal status
7 of being married, single, separated, divorced, or widowed.

8 (J-1) Military status. "Military status" means a person's
9 status on active duty in or status as a veteran of the armed
10 forces of the United States, status as a current member or
11 veteran of any reserve component of the armed forces of the
12 United States, including the United States Army Reserve, United
13 States Marine Corps Reserve, United States Navy Reserve, United
14 States Air Force Reserve, and United States Coast Guard
15 Reserve, or status as a current member or veteran of the
16 Illinois Army National Guard or Illinois Air National Guard.

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

19 (K-5) "Order of protection status" means a person's status
20 as being a person protected under an order of protection issued
21 pursuant to the Illinois Domestic Violence Act of 1986, Article
22 112A of the Code of Criminal Procedure of 1963, the Stalking No
23 Contact Order Act, or the Civil No Contact Order Act, or an
24 order of protection issued by a court of another state.

25 (L) Person. "Person" includes one or more individuals,
26 partnerships, associations or organizations, labor

1 organizations, labor unions, joint apprenticeship committees,
2 or union labor associations, corporations, the State of
3 Illinois and its instrumentalities, political subdivisions,
4 units of local government, legal representatives, trustees in
5 bankruptcy or receivers.

6 (L-5) Pregnancy. "Pregnancy" means pregnancy, childbirth,
7 or medical or common conditions related to pregnancy or
8 childbirth.

9 (M) Public contract. "Public contract" includes every
10 contract to which the State, any of its political subdivisions,
11 or any municipal corporation is a party.

12 (M-5) Race. "Race" includes traits associated with race,
13 including, but not limited to, hair texture and protective
14 hairstyles such as braids, locks, and twists.

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

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

21 (O-1) Sexual orientation. "Sexual orientation" means
22 actual or perceived heterosexuality, homosexuality,
23 bisexuality, or gender-related identity, whether or not
24 traditionally associated with the person's designated sex at
25 birth. "Sexual orientation" does not include a physical or
26 sexual attraction to a minor by an adult.

1 (P) Unfavorable military discharge. "Unfavorable military
2 discharge" includes discharges from the Armed Forces of the
3 United States, their Reserve components, or any National Guard
4 or Naval Militia which are classified as RE-3 or the equivalent
5 thereof, but does not include those characterized as RE-4 or
6 "Dishonorable".

7 (Q) Unlawful discrimination. "Unlawful discrimination"
8 means discrimination against a person because of his or her
9 actual or perceived: race, color, religion, national origin,
10 ancestry, age, sex, marital status, order of protection status,
11 disability, military status, sexual orientation, pregnancy, or
12 unfavorable discharge from military service as those terms are
13 defined in this Section.

14 (Source: P.A. 100-714, eff. 1-1-19; 101-81, eff. 7-12-19;
15 101-221, eff. 1-1-20; 101-565, eff. 1-1-20; revised 9-18-19.)

16 (775 ILCS 5/5-102.2)

17 Sec. 5-102.2. Jurisdiction limited. In regard to places of
18 public accommodation defined in paragraph (11) of Section
19 5-101, the jurisdiction of the Department is limited to: (1)
20 the failure to enroll an individual; (2) the denial or refusal
21 of full and equal enjoyment of ~~access to~~ facilities, goods, or
22 services; or (3) severe or pervasive harassment of an
23 individual when the covered entity fails to take corrective
24 action to stop the severe or pervasive harassment.

25 (Source: P.A. 96-814, eff. 1-1-10.)".