



Rep. Will Guzzardi

Filed: 3/1/2022

10200HB4850ham002

LRB102 25953 LNS 37236 a

1 AMENDMENT TO HOUSE BILL 4850

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4850 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Gender Violence Act is amended by changing  
5 Sections 5 and 20 and by adding Sections 11 and 25 as follows:

6 (740 ILCS 82/5)

7 Sec. 5. Definitions ~~Definition~~. In this Act:<sup>7</sup>

8 "Employee" has the meaning provided in Section 2-101 of  
9 the Illinois Human Rights Act.

10 "Employer" has the meaning provided in Section 2-101 of  
11 the Illinois Human Rights Act.

12 "Gender-related ~~gender-related~~ violence", which is a form  
13 of sex discrimination, means the following:

14 (1) One or more acts of violence or physical  
15 aggression satisfying the elements of battery under the  
16 laws of Illinois that are committed, at least in part, on

1 the basis of a person's sex, whether or not those acts have  
2 resulted in criminal charges, prosecution, or conviction.

3 (2) A physical intrusion or physical invasion of a  
4 sexual nature under coercive conditions satisfying the  
5 elements of battery under the laws of Illinois, whether or  
6 not the act or acts resulted in criminal charges,  
7 prosecution, or conviction.

8 (2.5) Domestic violence, as defined in the Illinois  
9 Domestic Violence Act of 1986.

10 (3) A threat of an act described in item (1), ~~or~~ (2),  
11 or (2.5) causing a realistic apprehension that the  
12 originator of the threat will commit the act.

13 "Work environment" means the employee's workplace and  
14 employer's premises, including any building, real property,  
15 and parking area under the control of the employer, or any  
16 other location while used for an employer-sanctioned purpose.

17 "Workplace" means where an employee or agent of the  
18 employer completes the work the employee or agent was hired to  
19 perform or tasks incidental to the employee's or agent's  
20 employment.

21 (Source: P.A. 93-416, eff. 1-1-04.)

22 (740 ILCS 82/11 new)

23 Sec. 11. Employer liability for an employee or agent. An  
24 employer shall only be liable for gender-related violence  
25 committed in the work environment by an employee or agent of

1 the employer. An employer shall be liable for gender-related  
2 violence if the employer:

3 (1) failed to supervise, train, or monitor the  
4 employee who engaged in the gender-related violence; or

5 (2) failed to investigate complaints or reports  
6 directly provided to a supervisor, manager, owner, or  
7 another person designated by the employer of similar  
8 conduct by an employee or agent of the employer and the  
9 employer failed to take remedial measures in response to  
10 the complaints or reports.

11 (740 ILCS 82/20)

12 Sec. 20. Limitation. An action by an individual based on  
13 gender-related violence as defined in paragraph (1), ~~or~~ (2),  
14 or (2.5) of Section 5 or under Section 11 must be commenced  
15 within 7 years after the cause of action accrued, except that  
16 if the person entitled to bring the action was a minor at the  
17 time the cause of action accrued, the action must be commenced  
18 within 7 years after the person reaches the age of 18. An  
19 action based on gender-related violence as defined in  
20 paragraph (3) of Section 5 must be commenced within 2 years  
21 after the cause of action accrued, except that if the person  
22 entitled to bring the action was a minor at the time the cause  
23 of action accrued, the action must be commenced within 2 years  
24 after the person reaches the age of 18.

25 (Source: P.A. 93-416, eff. 1-1-04.)

1 (740 ILCS 82/25 new)

2 Sec. 25. No waiver. No person shall have the power to waive  
3 any of the provisions of this Act as part of a dissolution of  
4 marriage agreement, civil union, domestic partnership, or  
5 custody agreement. Any such purported waiver is considered  
6 against public policy, void, and severable from an otherwise  
7 valid and enforceable agreement.".