

SB3616



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3616

Introduced 1/19/2022, by Sen. Mattie Hunter

SYNOPSIS AS INTRODUCED:

775 ILCS 5/1-103

from Ch. 68, par. 1-103

Amends the Illinois Human Rights Act. Provides that the amendatory Act may be referred to as the CROWN (Create a Respectful and Open Workplace for Natural Hair) Act. Provides that "race", as used in the Employment Article, includes traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists.

LRB102 24112 LNS 33338 b

A BILL FOR

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

7 Section 5. The Illinois Human Rights Act is amended by
8 changing Section 1-103 as follows:

9 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

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

12 (A) Age. "Age" means the chronological age of a person who
13 is at least 40 years old, except with regard to any practice
14 described in Section 2-102, insofar as that practice concerns
15 training or apprenticeship programs. In the case of training
16 or apprenticeship programs, for the purposes of Section 2-102,
17 "age" means the chronological age of a person who is 18 but not
18 yet 40 years old.

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

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

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

3 (2) a juvenile record; or

4 (3) criminal history record information ordered
5 expunged, sealed, or impounded under Section 5.2 of the
6 Criminal Identification Act.

7 (C) Charge. "Charge" means an allegation filed with the
8 Department by an aggrieved party or initiated by the
9 Department under its authority.

10 (D) Civil rights violation. "Civil rights violation"
11 includes and shall be limited to only those specific acts set
12 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-102.1, 3-103,
13 3-102.10, 3-104.1, 3-105, 3-105.1, 4-102, 4-103, 5-102,
14 5A-102, 6-101, 6-101.5, and 6-102 of this Act.

15 (E) Commission. "Commission" means the Human Rights
16 Commission created by this Act.

17 (F) Complaint. "Complaint" means the formal pleading filed
18 by the Department with the Commission following an
19 investigation and finding of substantial evidence of a civil
20 rights violation.

21 (G) Complainant. "Complainant" means a person including
22 the Department who files a charge of civil rights violation
23 with the Department or the Commission.

24 (G-5) Conviction record. "Conviction record" means
25 information indicating that a person has been convicted of a
26 felony, misdemeanor or other criminal offense, placed on

1 probation, fined, imprisoned, or paroled pursuant to any law
2 enforcement or military authority.

3 (H) Department. "Department" means the Department of Human
4 Rights created by this Act.

5 (I) Disability.

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

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

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

22 (c) For purposes of Article 4, is unrelated to a
23 person's ability to repay;

24 (d) For purposes of Article 5, is unrelated to a
25 person's ability to utilize and benefit from a place of
26 public accommodation;

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

4 (2) Discrimination based on disability includes unlawful
5 discrimination against an individual because of the
6 individual's association with a person with a disability.

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

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

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

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

1 Act, or an order of protection issued by a court of another
2 state.

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

10 (L-5) Pregnancy. "Pregnancy" means pregnancy, childbirth,
11 or medical or common conditions related to pregnancy or
12 childbirth.

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

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

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

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

1 sexual attraction to a minor by an adult.

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

8 (Q) Unlawful discrimination. "Unlawful discrimination"
9 means discrimination against a person because of his or her
10 actual or perceived: race, color, religion, national origin,
11 ancestry, age, sex, marital status, order of protection
12 status, disability, military status, sexual orientation,
13 pregnancy, or unfavorable discharge from military service as
14 those terms are defined in this Section. As used in Article 2,
15 "race" includes traits historically associated with race,
16 including, but not limited to, hair texture and protective
17 hairstyles such as braids, locks, and twists.

18 (Source: P.A. 101-81, eff. 7-12-19; 101-221, eff. 1-1-20;
19 101-565, eff. 1-1-20; 101-656, eff. 3-23-21; 102-362, eff.
20 1-1-22; 102-419, eff. 1-1-22; 102-558, eff. 8-20-21; revised
21 9-29-21.)