



Rep. Jehan Gordon-Booth

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10200SB3616ham001

LRB102 24112 LNS 38757 a

1 AMENDMENT TO SENATE BILL 3616

2 AMENDMENT NO. _____. Amend Senate Bill 3616 by replacing
3 everything after the enacting clause with the following:

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 Sections 1-103 and 5-102.2 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

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

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

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

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

10 (2) a juvenile record; or

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

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

17 (D) Civil rights violation. "Civil rights violation"
18 includes and shall be limited to only those specific acts set
19 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-102.1, 3-103,
20 3-102.10, 3-104.1, 3-105, 3-105.1, 4-102, 4-103, 5-102,
21 5A-102, 6-101, 6-101.5, and 6-102 of this Act.

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

24 (F) Complaint. "Complaint" means the formal pleading filed
25 by the Department with the Commission following an
26 investigation and finding of substantial evidence of a civil

1 rights violation.

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

5 (G-5) Conviction record. "Conviction record" means
6 information indicating that a person has been convicted of a
7 felony, misdemeanor or other criminal offense, placed on
8 probation, fined, imprisoned, or paroled pursuant to any law
9 enforcement or military authority.

10 (H) Department. "Department" means the Department of Human
11 Rights created by this Act.

12 (I) Disability.

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

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

26 (b) For purposes of Article 3, is unrelated to the

1 person's ability to acquire, rent, or maintain a housing
2 accommodation;

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

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

8 (e) For purposes of Article 5, also includes any
9 mental, psychological, or developmental disability,
10 including autism spectrum disorders.

11 (2) Discrimination based on disability includes unlawful
12 discrimination against an individual because of the
13 individual's association with a person with a disability.

14 (J) Marital status. "Marital status" means the legal
15 status of being married, single, separated, divorced, or
16 widowed.

17 (J-1) Military status. "Military status" means a person's
18 status on active duty in or status as a veteran of the armed
19 forces of the United States, status as a current member or
20 veteran of any reserve component of the armed forces of the
21 United States, including the United States Army Reserve,
22 United States Marine Corps Reserve, United States Navy
23 Reserve, United States Air Force Reserve, and United States
24 Coast Guard Reserve, or status as a current member or veteran
25 of the Illinois Army National Guard or Illinois Air National
26 Guard.

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

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

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

17 (L-5) Pregnancy. "Pregnancy" means pregnancy, childbirth,
18 or medical or common conditions related to pregnancy or
19 childbirth.

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

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

26 (N) Religion. "Religion" includes all aspects of religious

1 observance and practice, as well as belief, except that with
2 respect to employers, for the purposes of Article 2,
3 "religion" has the meaning ascribed to it in paragraph (F) of
4 Section 2-101.

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

6 (O-1) Sexual orientation. "Sexual orientation" means
7 actual or perceived heterosexuality, homosexuality,
8 bisexuality, or gender-related identity, whether or not
9 traditionally associated with the person's designated sex at
10 birth. "Sexual orientation" does not include a physical or
11 sexual attraction to a minor by an adult.

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

18 (Q) Unlawful discrimination. "Unlawful discrimination"
19 means discrimination against a person because of his or her
20 actual or perceived: race, color, religion, national origin,
21 ancestry, age, sex, marital status, order of protection
22 status, disability, military status, sexual orientation,
23 pregnancy, or unfavorable discharge from military service as
24 those terms are defined in this Section.

25 (Source: P.A. 101-81, eff. 7-12-19; 101-221, eff. 1-1-20;
26 101-565, eff. 1-1-20; 101-656, eff. 3-23-21; 102-362, eff.

1 1-1-22; 102-419, eff. 1-1-22; 102-558, eff. 8-20-21; revised
2 9-29-21.)

3 (775 ILCS 5/5-102.2)

4 Sec. 5-102.2. Jurisdiction limited. In regard to places of
5 public accommodation defined in paragraph (11) of Section
6 5-101, the jurisdiction of the Department is limited to: (1)
7 the failure to enroll an individual; (2) the denial or refusal
8 of full and equal enjoyment of ~~access to~~ facilities, goods, or
9 services; or (3) severe or pervasive harassment of an
10 individual when the covered entity fails to take corrective
11 action to stop the severe or pervasive harassment.

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