

# SB3652



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3652

Introduced 2/9/2024, by Sen. Robert Peters

### SYNOPSIS AS INTRODUCED:

New Act

Creates the Summary of Rights for Safer Homes Act. Requires the Department of Human Rights to create a summary form advising tenants who have suffered domestic violence or sexual violence of the rights that they have under Illinois law that provide protection in their ability to have safe housing. Requires landlords to attach a copy of the summary as the first page of any written residential lease entered into with a tenant.

LRB103 37790 JRC 67919 b

A BILL FOR

1 AN ACT concerning civil law.

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

4 Section 1. Short title. This Act may be cited as the  
5 Summary of Rights for Safer Homes Act.

6 Section 5. Legislative intent. The purpose of this Act is  
7 to promote the State's interest in enabling more victims of  
8 domestic or sexual violence and their families to become  
9 timely aware of the existing housing protections they have  
10 under 6 Illinois statutes and how to exercise their rights  
11 under these statutes. By requiring that a summary of these  
12 rights appear on page 1 of each residential lease, more  
13 tenants will become timely aware of these rights and how to  
14 exercise them. This will lead to safer homes and greater  
15 financial security for more victims of domestic or sexual  
16 violence and their families.

17 Section 10. Definitions. As used in this Act:

18 "Domestic violence" means "abuse" as defined in Section  
19 103 of the Illinois Domestic Violence Act of 1986 by a "family  
20 or household member" as defined in Section 103 of the Illinois  
21 Domestic Violence Act of 1986.

22 "Landlord" means the owner of the building or the owner's

1 agent for matters concerning the landlord's leasing of a  
2 dwelling.

3 "Sexual violence" means any act of sexual assault, sexual  
4 abuse, or stalking of an adult or minor child. This includes,  
5 but is not limited to, non-consensual sexual conduct or  
6 non-consensual sexual penetration as defined in the Civil No  
7 Contact Order Act and the offense of stalking, aggravated  
8 stalking, criminal sexual assault, aggravated criminal sexual  
9 assault, predatory criminal sexual assault of a child,  
10 criminal sexual abuse, and aggravated criminal sexual abuse as  
11 those offenses are described in the Criminal Code of 2012.

12 "Tenant" means a person who has entered into a written  
13 lease with a landlord in which the person is the lessee under  
14 the lease.

15 Section 15. Summary of Illinois housing protections for  
16 survivors of domestic violence and sexual violence and  
17 acknowledgment of receipt of summary form.

18 (a) The Director of the Illinois Department of Human  
19 Rights shall prepare a summary identifying the key rights and  
20 remedies of tenants or household members of tenants who are  
21 survivors of domestic violence or sexual violence under the  
22 following 6 Illinois statutes: the Safe Homes Act; the  
23 Eviction Article in the Code of Civil Procedure; the Illinois  
24 Human Rights Act; and Section 8-201.6 of the Public Utilities  
25 Act providing for the deferral of deposit for victims of

1 domestic violence and ordinances that prohibit penalizing  
2 tenants who contact police or other emergency services in  
3 Section 1-2-1.5 of the Illinois Municipal Code and Section  
4 5-1005.10 of the Counties Code. The Director shall make this  
5 summary available for public inspection and copying no later  
6 than 60 days after this bill becomes law.

7 (b) Space must be provided at the bottom of each page of  
8 the summary that the tenant may sign as acknowledgment of the  
9 tenant's receipt of the summary as attached to a paper version  
10 of the lease or inserted into an electronic version of the  
11 lease.

12 (c) The summary described in this Act shall be prepared in  
13 consultation with Illinois domestic and sexual violence  
14 service providers.

15 Section 20. Disclosure of summary to tenants and obtaining  
16 acknowledgment of receipt. A landlord or a landlord's agent  
17 shall attach a copy of the summary of this Act as the first  
18 page of any written residential lease they enter into with a  
19 tenant, including for a new rental or renewal, and obtain the  
20 signature of each tenant in the acknowledgment of receipt at  
21 the bottom of each page of the summary.

22 Section 25. Evidence of attachment of summary and delivery  
23 of summary to tenants under written residential leases.

24 (a) The signature of the tenant at the bottom of each page

1 of the summary described in this Act may simultaneously act as  
2 evidence that the landlord fulfilled the obligations described  
3 in this Act for that tenant.

4 (b) Failure of the landlord to provide the evidence  
5 described in this Section creates a rebuttable presumption  
6 that the landlord failed to comply with the landlord's  
7 disclosure obligations in this Act.

8 Section 30. Failure to comply with the Act's requirements.

9 (a) A landlord who is found to have failed to comply with  
10 the requirements of this Act for any tenant under a written  
11 residential lease shall be liable to that tenant for the  
12 greater of: (i) the tenant's actual damages, if any, not to  
13 exceed \$2,000 or (ii) \$100.

14 (b) If a tenant brings a private right of action under this  
15 Act and prevails in such action, the tenant shall also be  
16 awarded all court costs and reasonable attorney's fees. There  
17 is no requirement for the tenant to seek relief under this Act  
18 through the Illinois Department of Human Rights.