

1 AN ACT concerning State lawsuit immunity.

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

4 Section 5. The State Lawsuit Immunity Act is amended by  
5 changing Section 1 and adding Section 1.5 as follows:

6 (745 ILCS 5/1) (from Ch. 127, par. 801)

7 Sec. 1. Except as provided in the "Illinois Public Labor  
8 Relations Act"~~7-enacted-by--the--83rd--General--Assembly, or~~  
9 ~~except--as-provided-in-"AN-ACT-to-create~~ the Court of Claims,  
10 ~~to-prescribe-its-powers-and-duties,7--and--to--repeal--AN Act~~  
11 ~~herein--named"7--filed--July-17,1945,7--as-amended, or Section~~  
12 1.5 of this Act, the State of Illinois shall not be made a  
13 defendant or party in any court.

14 (Source: P.A. 83-1012.)

15 (745 ILCS 5/1.5 new)

16 Sec. 1.5. Exceptions; State employees.

17 (a) An employee, former employee, or prospective  
18 employee of the State who is aggrieved by any conduct or  
19 action or inaction of the State that would constitute a  
20 violation of the Age Discrimination in Employment Act of  
21 1967, 29 U.S.C. 621 et seq., as amended, if committed by an  
22 employer covered by that Act may bring an action under the  
23 Age Discrimination in Employment Act of 1967 against the  
24 State in State circuit court or federal court.

25 (b) An employee of the State who is aggrieved by any  
26 conduct or action or inaction of the State that would  
27 constitute a violation of the Fair Labor Standards Act of  
28 1938, 29 U.S.C. 201 et seq., as amended, if committed by an  
29 employer covered by that Act may bring an action under the  
30 Fair Labor Standards Act of 1938 against the State in State

1 circuit court or federal court.

2 (c) An employee, former employee, or prospective  
3 employee of the State who is aggrieved by any conduct or  
4 action or inaction of the State that would constitute a  
5 violation of the Family and Medical Leave Act, 29 U.S.C. 2601  
6 et seq., as amended, if committed by an employer covered by  
7 that Act may bring an action under the Family and Medical  
8 Leave Act against the State in State circuit court or federal  
9 court.

10 (d) An employee, former employee, or prospective  
11 employee of the State who is aggrieved by any conduct or  
12 action or inaction of the State that would constitute a  
13 violation of the Americans with Disabilities Act of 1990, 42  
14 U.S.C. 12101 et seq., as amended, if committed by an employer  
15 covered by that Act may bring an action under the Americans  
16 with Disabilities Act of 1990 against the State in State  
17 circuit court or federal court.

18 (e) An employee, former employee, or prospective  
19 employee of the State who is aggrieved by any conduct or  
20 action or inaction of the State that would constitute a  
21 violation of Title VII of the Civil Rights Act of 1964, 42  
22 U.S.C. 2000e et seq., as amended, if committed by an employer  
23 covered by that Act may bring an action under Title VII of  
24 the Civil Rights Act of 1964 against the State in State  
25 circuit court or federal court.