

1 AN ACT in relation to human rights.

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

4 Section 5. The Illinois Human Rights Act is amended by
5 changing Sections 1-102, 1-103, and 3-102 as follows:

6 (775 ILCS 5/1-102) (from Ch. 68, par. 1-102)

7 Sec. 1-102. Declaration of Policy. It is the public
8 policy of this State:

9 (A) Freedom from Unlawful Discrimination. To secure for
10 all individuals within Illinois the freedom from
11 discrimination against any individual because of his or her
12 race, color, religion, sex, national origin, ancestry, age,
13 marital status, physical or mental handicap, military status,
14 or unfavorable discharge from military service in connection
15 with employment, real estate transactions, access to
16 financial credit, and the availability of public
17 accommodations.

18 (B) Freedom from Sexual Harassment-Employment and Higher
19 Education. To prevent sexual harassment in employment and
20 sexual harassment in higher education.

21 (C) Freedom from Discrimination Based on Citizenship
22 Status-Employment. To prevent discrimination based on
23 citizenship status in employment.

24 (D) Freedom from Discrimination Based on Familial Status
25 or Source of Income-Real Estate Transactions. To prevent
26 discrimination based on familial status or source of income
27 in real estate transactions.

28 (E) Public Health, Welfare and Safety. To promote the
29 public health, welfare and safety by protecting the interest
30 of all people in Illinois in maintaining personal dignity, in
31 realizing their full productive capacities, and in furthering

1 their interests, rights and privileges as citizens of this
2 State.

3 (F) Implementation of Constitutional Guarantees. To
4 secure and guarantee the rights established by Sections 17,
5 18 and 19 of Article I of the Illinois Constitution of 1970.

6 (G) Equal Opportunity, Affirmative Action. To establish
7 Equal Opportunity and Affirmative Action as the policies of
8 this State in all of its decisions, programs and activities,
9 and to assure that all State departments, boards, commissions
10 and instrumentalities rigorously take affirmative action to
11 provide equality of opportunity and eliminate the effects of
12 past discrimination in the internal affairs of State
13 government and in their relations with the public.

14 (H) Unfounded Charges. To protect citizens of this State
15 against unfounded charges of unlawful discrimination, sexual
16 harassment in employment and sexual harassment in higher
17 education, and discrimination based on citizenship status in
18 employment.

19 (Source: P.A. 87-579; 88-178.)

20 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

21 Sec. 1-103. General Definitions. When used in this Act,
22 unless the context requires otherwise, the term:

23 (A) Age. "Age" means the chronological age of a person
24 who is at least 40 years old, except with regard to any
25 practice described in Section 2-102, insofar as that practice
26 concerns training or apprenticeship programs. In the case of
27 training or apprenticeship programs, for the purposes of
28 Section 2-102, "age" means the chronological age of a person
29 who is 18 but not yet 40 years old.

30 (B) Aggrieved Party. "Aggrieved party" means a person
31 who is alleged or proved to have been injured by a civil
32 rights violation or believes he or she will be injured by a
33 civil rights violation under Article 3 that is about to

1 occur.

2 (C) Charge. "Charge" means an allegation filed with the
3 Department by an aggrieved party or initiated by the
4 Department under its authority.

5 (D) Civil Rights Violation. "Civil rights violation"
6 includes and shall be limited to only those specific acts set
7 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-103, 3-104,
8 3-104.1, 3-105, 4-102, 4-103, 5-102, 5A-102 and 6-101 of this
9 Act.

10 (E) Commission. "Commission" means the Human Rights
11 Commission created by this Act.

12 (F) Complaint. "Complaint" means the formal pleading
13 filed by the Department with the Commission following an
14 investigation and finding of substantial evidence of a civil
15 rights violation.

16 (G) Complainant. "Complainant" means a person including
17 the Department who files a charge of civil rights violation
18 with the Department or the Commission.

19 (H) Department. "Department" means the Department of
20 Human Rights created by this Act.

21 (I) Handicap. "Handicap" means a determinable physical
22 or mental characteristic of a person, including, but not
23 limited to, a determinable physical characteristic which
24 necessitates the person's use of a guide, hearing or support
25 dog, the history of such characteristic, or the perception of
26 such characteristic by the person complained against, which
27 may result from disease, injury, congenital condition of
28 birth or functional disorder and which characteristic:

29 (1) For purposes of Article 2 is unrelated to the
30 person's ability to perform the duties of a particular
31 job or position and, pursuant to Section 2-104 of this
32 Act, a person's illegal use of drugs or alcohol is not a
33 handicap;

34 (2) For purposes of Article 3, is unrelated to the

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

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

5 (4) 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 (J) Marital Status. "Marital status" means the legal
9 status of being married, single, separated, divorced or
10 widowed.

11 (J-1) Military Status. "Military status" means a
12 person's status on active duty in the armed forces of the
13 United States.

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

16 (L) Person. "Person" includes one or more individuals,
17 partnerships, associations or organizations, labor
18 organizations, labor unions, joint apprenticeship committees,
19 or union labor associations, corporations, the State of
20 Illinois and its instrumentalities, political subdivisions,
21 units of local government, legal representatives, trustees in
22 bankruptcy or receivers.

23 (M) Public Contract. "Public contract" includes every
24 contract to which the State, any of its political
25 subdivisions or any municipal corporation is a party.

26 (N) Religion. "Religion" includes all aspects of
27 religious observance and practice, as well as belief, except
28 that with respect to employers, for the purposes of Article
29 2, "religion" has the meaning ascribed to it in paragraph (F)
30 of Section 2-101.

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

32 (O-5) Source of Income. "Source of income" means the
33 source of any lawful income or any lawful rent payment,
34 including any subsidy authorized under Section 8 of the

1 United States Housing Act of 1937 and any other local, State,
2 or federal subsidy or benefit.

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

9 (Q) Unlawful Discrimination. "Unlawful discrimination"
10 means discrimination against a person because of his or her
11 race, color, religion, national origin, ancestry, age, sex,
12 marital status, handicap, military status, or unfavorable
13 discharge from military service as those terms are defined in
14 this Section.

15 (Source: P.A. 88-178; 88-180; 88-670, eff. 12-2-94.)

16 (775 ILCS 5/3-102) (from Ch. 68, par. 3-102)

17 Sec. 3-102. Civil Rights Violations; Real Estate
18 Transactions) It is a civil rights violation for an owner or
19 any other person engaging in a real estate transaction, or
20 for a real estate broker or salesman, because of unlawful
21 discrimination or familial status or source of income, to

22 (A) Transaction. Refuse to engage in a real estate
23 transaction with a person or to discriminate in making
24 available such a transaction;

25 (B) Terms. Alter the terms, conditions or privileges of
26 a real estate transaction or in the furnishing of facilities
27 or services in connection therewith;

28 (C) Offer. Refuse to receive or to fail to transmit a
29 bona fide offer to engage in a real estate transaction from a
30 person;

31 (D) Negotiation. Refuse to negotiate for a real estate
32 transaction with a person;

33 (E) Representations. Represent to a person that real

1 property is not available for inspection, sale, rental, or
2 lease when in fact it is so available, or to fail to bring a
3 property listing to his or her attention, or to refuse to
4 permit him or her to inspect real property;

5 (F) Publication of Intent. Print, circulate, post,
6 mail, publish or cause to be so published a written or oral
7 statement, advertisement or sign, or to use a form of
8 application for a real estate transaction, or to make a
9 record or inquiry in connection with a prospective real
10 estate transaction, which expresses any limitation founded
11 upon, or indicates, directly or indirectly, an intent to
12 engage in unlawful discrimination;

13 (G) Listings. Offer, solicit, accept, use or retain a
14 listing of real property with knowledge that unlawful
15 discrimination or discrimination on the basis of familial
16 status in a real estate transaction is intended.

17 (Source: P.A. 86-910.)