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09300HB4371sam002

LRB093 17672 WGH 49745 a

1 AMENDMENT TO HOUSE BILL 4371

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4371 by replacing  
3 everything after the enacting clause with the following:

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

6 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

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

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

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

20 (C) Charge. "Charge" means an allegation filed with the  
21 Department by an aggrieved party or initiated by the Department  
22 under its authority.

23 (D) Civil Rights Violation. "Civil rights violation"  
24 includes and shall be limited to only those specific acts set

1 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-103, 3-104,  
2 3-104.1, 3-105, 4-102, 4-103, 5-102, 5A-102 and 6-101 of this  
3 Act.

4 (E) Commission. "Commission" means the Human Rights  
5 Commission created by this Act.

6 (F) Complaint. "Complaint" means the formal pleading filed  
7 by the Department with the Commission following an  
8 investigation and finding of substantial evidence of a civil  
9 rights violation.

10 (G) Complainant. "Complainant" means a person including  
11 the Department who files a charge of civil rights violation  
12 with the Department or the Commission.

13 (H) Department. "Department" means the Department of Human  
14 Rights created by this Act.

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

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

27 (2) For purposes of Article 3, is unrelated to the  
28 person's ability to acquire, rent or maintain a housing  
29 accommodation;

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

32 (4) For purposes of Article 5, is unrelated to a  
33 person's ability to utilize and benefit from a place of  
34 public accommodation.

1 (J) Marital Status. "Marital status" means the legal status  
2 of being married, single, separated, divorced or widowed.

3 (J-1) Military Status. "Military status" means a person's  
4 status on active duty in the armed forces of the United States,  
5 status as a member of any reserve component of the armed forces  
6 of the United States, including the United States Army Reserve,  
7 United States Marine Corps Reserve, United States Navy Reserve,  
8 United States Air Force Reserve, and United States Coast Guard  
9 Reserve, or status as a member of the Illinois Army National  
10 Guard or Illinois Air National Guard.

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

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

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

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

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

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

1           (Q) Unlawful Discrimination. "Unlawful discrimination"  
2 means discrimination against a person because of his or her  
3 race, color, religion, national origin, ancestry, age, sex,  
4 marital status, handicap, military status, or unfavorable  
5 discharge from military service as those terms are defined in  
6 this Section.

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

8           Section 99. Effective date. This Act takes effect upon  
9 becoming law."