

1 AN ACT concerning human rights.

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

4 Section 1. The Illinois Human Rights Act is amended by
5 changing Sections 1-102 and 1-103 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, parental status, physical or mental handicap,
14 military status, or unfavorable discharge from military
15 service in connection with employment, real estate
16 transactions, access to financial credit, and the
17 availability of public 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
25 Status-Real Estate Transactions. To prevent discrimination
26 based on familial status in real estate transactions.

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

1 State.

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

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

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

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

19 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

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

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

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

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

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

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

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

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

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

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

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

33 (2) For purposes of Article 3, is unrelated to the
34 person's ability to acquire, rent or maintain a housing

1 accommodation;

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

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

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

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

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

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

22 (L-1) Parental Status. "Parental status" means the
23 status of having or not having a child.

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

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

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

33 (P) Unfavorable Military Discharge. "Unfavorable
34 military discharge" includes discharges from the Armed Forces

1 of the United States, their Reserve components or any
2 National Guard or Naval Militia which are classified as RE-3
3 or the equivalent thereof, but does not include those
4 characterized as RE-4 or "Dishonorable".

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

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

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.