

1 AN ACT concerning employment.

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

4 Section 5. The Workplace Transparency Act is amended by  
5 changing Section 1-35 as follows:

6 (820 ILCS 96/1-35)

7 (Text of Section before amendment by P.A. 104-23 and  
8 104-320)

9 Sec. 1-35. Costs and attorney's fees. An employee,  
10 prospective employee, or former employee shall be entitled to  
11 reasonable attorney's fees and costs incurred in challenging a  
12 contract for violation of this Act upon a final,  
13 non-appealable action in favor of the employee, prospective  
14 employee, or former employee on the question of the validity  
15 and enforceability of the contract.

16 (Source: P.A. 101-221, eff. 1-1-20.)

17 (Text of Section after amendment by P.A. 104-23 and  
18 104-320)

19 Sec. 1-35. Compensatory ~~Consequential~~ damages, costs, and  
20 attorney's fees. An employee, prospective employee, or former  
21 employee shall be entitled to compensatory ~~consequential~~  
22 damages, in addition to reasonable attorney's fees and costs

1 incurred in challenging a contract for violation of this Act  
2 upon a final, non-appealable action in favor of the employee,  
3 prospective employee, or former employee on the question of  
4 the validity and enforceability of the contract or defending  
5 an action for breach of a confidentiality agreement pursuant  
6 to this Act.

7 (Source: P.A. 104-23, eff. 1-1-26; 102-320, eff. 1-1-26.)

8 Section 95. No acceleration or delay. Where this Act makes  
9 changes in a statute that is represented in this Act by text  
10 that is not yet or no longer in effect (for example, a Section  
11 represented by multiple versions), the use of that text does  
12 not accelerate or delay the taking effect of (i) the changes  
13 made by this Act or (ii) provisions derived from any other  
14 Public Act.

15 Section 99. Effective date. This Act takes effect January  
16 1, 2026.