

HB1154



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1154

Introduced 1/9/2025, by Rep. Will Guzzardi

SYNOPSIS AS INTRODUCED:

775 ILCS 5/8A-104

from Ch. 68, par. 8A-104

Amends the Illinois Human Rights Act. Provides that a plaintiff may be awarded all forms of relief available in tort actions, including but not be limited to, emotional distress, pain and suffering, and loss of a normal life. Provides that a plaintiff may also be awarded punitive damages.

LRB104 06074 JRC 16107 b

A BILL FOR

1 AN ACT concerning civil law.

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 Section 8A-104 as follows:

6 (775 ILCS 5/8A-104) (from Ch. 68, par. 8A-104)

7 Sec. 8A-104. Relief; Penalties. Upon finding a civil
8 rights violation, a hearing officer may recommend and the
9 Commission or any three-member panel thereof may provide for
10 any relief or penalty identified in this Section, separately
11 or in combination, by entering an order directing the
12 respondent to:

13 (A) Cease and Desist Order. Cease and desist from any
14 violation of this Act.

15 (B) Actual Damages. Pay actual damages, as reasonably
16 determined by the Commission, for injury or loss suffered by
17 the complainant.

18 (C) Hiring; Reinstatement; Promotion; Backpay; Fringe
19 Benefits. Hire, reinstate or upgrade the complainant with or
20 without back pay or provide such fringe benefits as the
21 complainant may have been denied.

22 (D) Restoration of Membership; Admission To Programs.
23 Admit or restore the complainant to labor organization

1 membership, to a guidance program, apprenticeship training
2 program, on the job training program, or other occupational
3 training or retraining program.

4 (E) Public Accommodations. Admit the complainant to a
5 public accommodation.

6 (F) Services. Extend to the complainant the full and equal
7 enjoyment of the goods, services, facilities, privileges,
8 advantages, or accommodations of the respondent.

9 (G) Attorneys Fees; Costs. Pay to the complainant all or a
10 portion of the costs of maintaining the action, including
11 reasonable attorney fees and expert witness fees incurred in
12 maintaining this action before the Department, the Commission
13 and in any judicial review and judicial enforcement
14 proceedings. Provided, however, that no award of attorney fees
15 or costs shall be made pursuant to this amendatory Act of 1987
16 with respect to any charge for which the complaint before the
17 Commission was filed prior to December 1, 1987. With respect
18 to all charges for which complaints were filed with the
19 Commission prior to December 1, 1987, attorney fees and costs
20 shall be awarded pursuant to the terms of this subsection as it
21 existed prior to revision by this amendatory Act of 1987.

22 (H) Compliance Report. Report as to the manner of
23 compliance.

24 (I) Posting of Notices. Post notices in a conspicuous
25 place which the Commission may publish or cause to be
26 published setting forth requirements for compliance with this

1 Act or other relevant information which the Commission
2 determines necessary to explain this Act.

3 (J) Make Complainant Whole. Take such action as may be
4 necessary to compensate and make the individual complainant
5 whole. This may include, but not be limited to, awards of
6 interest on the complainant's actual damages and back pay from
7 the date of the civil rights violation; and all forms of relief
8 available in tort actions, including but not be limited to,
9 emotional distress, pain and suffering, and loss of a normal
10 life, including, but not limited to, awards of interest on the
11 complainant's actual damages and backpay from the date of the
12 civil rights violation. Provided, however, that no award of
13 prejudgment interest shall be made pursuant to this amendatory
14 Act of 1987 with respect to any charge in which the complaint
15 before the Commission was filed prior to December 1, 1987.
16 With respect to all charges for which complaints were filed
17 with the Commission prior to December 1, 1987, make whole
18 relief shall be awarded pursuant to this subsection as it
19 existed prior to revision by this amendatory Act of 1987.

20 (K) Punitive Damages. Pay to the complainant punitive
21 damages.

22 There shall be no distinction made under this Section
23 between complaints filed by the Department and those filed by
24 the aggrieved party.

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