



Rep. Martha Deuter

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10400HB3192ham001

LRB104 08457 SPS 23649 a

1 AMENDMENT TO HOUSE BILL 3192

2 AMENDMENT NO. _____. Amend House Bill 3192 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Nursing Mothers in the Workplace Act is
5 amended by changing Sections 1, 10, and 15 and by adding
6 Section 20 as follows:

7 (820 ILCS 260/1)

8 Sec. 1. Short title. This Act may be cited as the Nursing
9 ~~Mothers~~ in the Workplace Act.

10 (Source: P.A. 92-68, eff. 7-12-01.)

11 (820 ILCS 260/10)

12 Sec. 10. Break time for nursing ~~mothers~~. An employer shall
13 provide reasonable break time to an employee who needs to
14 express breast milk for the employee's ~~her~~ nursing infant
15 child each time the employee has the need to express milk for

1 one year after the child's birth. The break time may run
2 concurrently with any break time already provided to the
3 employee. An employer shall compensate the employee during the
4 break time at the employee's regular rate of compensation. An
5 employer shall not require the employee to use paid leave
6 during the break time or reduce the employee's compensation
7 during the break time in any other manner. ~~An employer may not~~
8 ~~reduce an employee's compensation for time used for the~~
9 ~~purpose of expressing milk or nursing a baby.~~ An employer
10 shall provide paid reasonable break time as needed by the
11 employee unless to do so would create an undue hardship as
12 defined by item (J) of Section 2-102 of the Illinois Human
13 Rights Act.

14 (Source: P.A. 100-1003, eff. 8-21-18.)

15 (820 ILCS 260/15)

16 Sec. 15. Private place for nursing ~~mothers~~. An employer
17 shall make reasonable efforts to provide a room or other
18 location, in close proximity to the work area, other than a
19 toilet stall, where an employee described in Section 10 can
20 express the employee's ~~her~~ milk in privacy.

21 (Source: P.A. 92-68, eff. 7-12-01.)

22 (820 ILCS 260/20 new)

23 Sec. 20. Damages and penalties for the employee.

24 (a) An employee who has been denied any rights under this

1 Act may bring a civil action against the employer for all
2 relief necessary to make the employee whole, including, but
3 not limited to the following, as appropriate:

4 (1) permanent or preliminary injunctive relief;

5 (2) back pay, with interest of 9% per annum up to 90
6 calendar days from the date the complaint is filed and
7 front pay;

8 (3) compensatory damages;

9 (4) compensation for any costs incurred as a result of
10 the violation, including litigation costs, expert witness
11 fees, and reasonable attorney's fees; and

12 (5) liquidated damages of up to \$10,000 per violation
13 if the employee provided the employer with at least 30
14 days' notice and an opportunity to cure the violation of
15 this Act before filing suit.

16 (b) This Section shall be applied retroactively, including
17 all pending actions, without regard to when the cause of
18 action accrued.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.".