



Rep. Will Guzzardi

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10400HB3582ham001

LRB104 09707 JRC 23047 a

1 AMENDMENT TO HOUSE BILL 3582

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3582 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Human Rights Act is amended by  
5 changing Sections 4-102, 4-103, and 5-102 and by adding  
6 Section 2-103.5 as follows:

7 (775 ILCS 5/2-103.5 new)

8 Sec. 2-103.5. Criteria or methods. It is a civil rights  
9 violation for any employer, employment agency, or labor  
10 organization, to use criteria or methods in any act as set  
11 forth in Section 2-102, that has the effect of subjecting  
12 individuals to discrimination on the basis of unlawful  
13 discrimination, citizenship status, family responsibilities,  
14 work authorization status, arrest record, or conviction  
15 record. Such criteria or methods are unlawful under this  
16 subsection if they are not necessary to achieve a substantial,

1 legitimate, nondiscriminatory interest; or if the substantial,  
2 legitimate, nondiscriminatory interest could be served by  
3 another practice that has a less discriminatory effect.

4 (775 ILCS 5/4-102) (from Ch. 68, par. 4-102)

5 Sec. 4-102. Civil Rights Violations: Loans. It ~~is shall be~~  
6 a civil rights violation for any financial institution, on the  
7 basis grounds of unlawful discrimination, to:

8 (A) Denial of Services. Deny any person any of the  
9 services normally offered by such an institution.

10 (B) Modification of Services. Provide any person with any  
11 service which is different from, or provided in a different  
12 manner than, that which is provided to other persons similarly  
13 situated.

14 (C) Loan Terms. Deny or vary the terms of a loan.

15 (D) Property Location. Deny or vary the terms of a loan on  
16 the basis that a specific parcel of real estate offered as  
17 security is located in a specific geographical area.

18 (E) Consideration of Income. Deny or vary the terms of a  
19 loan without having considered all of the regular and  
20 dependable income of each person who would be liable for  
21 repayment of the loan.

22 (F) Lending Standards. Utilize lending standards that have  
23 no economic basis and which constitute unlawful  
24 discrimination.

25 (G) Criteria or methods. Use criteria or methods that have

1 the effect of subjecting individuals to unlawful  
2 discrimination under this section. Such criteria or methods  
3 are unlawful under this subsection if they are not necessary  
4 to achieve a substantial, legitimate, nondiscriminatory  
5 interest; or if the substantial, legitimate, nondiscriminatory  
6 interest could be served by another practice that has a less  
7 discriminatory effect.

8 (Source: P.A. 81-1216.)

9 (775 ILCS 5/4-103) (from Ch. 68, par. 4-103)

10 Sec. 4-103. Credit Cards. It is a civil rights violation  
11 for a person who offers credit cards to the public in this  
12 State:

13 (A) Denial. To refuse to issue a credit card, upon  
14 proper application, on the basis of unlawful  
15 discrimination.

16 (B) Reasons for Rejection. To fail to inform an  
17 applicant for a credit card, upon request, of the reason  
18 that his or her application for a credit card has been  
19 rejected.

20 (C) Criteria or methods. Use criteria or methods that  
21 have the effect of subjecting individuals to unlawful  
22 discrimination under this section. Such criteria or  
23 methods are unlawful under this subsection if they are not  
24 necessary to achieve a substantial, legitimate,  
25 nondiscriminatory interest; or if the substantial,

1       legitimate, nondiscriminatory interest could be served by  
2       another practice that has a less discriminatory effect.

3       (Source: P.A. 81-1216.)

4           (775 ILCS 5/5-102) (from Ch. 68, par. 5-102)

5       Sec. 5-102. Civil Rights Violations: Public  
6       Accommodations. It is a civil rights violation for any person  
7       on the basis of unlawful discrimination to:

8           (A) Enjoyment of Facilities, Goods, and Services. Deny or  
9       refuse to another the full and equal enjoyment of the  
10      facilities, goods, and services of any public place of  
11      accommodation;

12          (B) Written Communications. Directly or indirectly, as the  
13      operator of a place of public accommodation, publish,  
14      circulate, display or mail any written communication, except a  
15      private communication sent in response to a specific inquiry,  
16      which the operator knows is to the effect that any of the  
17      facilities of the place of public accommodation will be denied  
18      to any person or that any person is unwelcome, objectionable  
19      or unacceptable because of unlawful discrimination;

20          (C) Public Officials. Deny or refuse to another, as a  
21      public official, the full and equal enjoyment of the  
22      accommodations, advantage, facilities or privileges of the  
23      official's office or services or of any property under the  
24      official's care because of unlawful discrimination.

25      (D) Criteria or methods. Use criteria or methods that have

1 the effect of subjecting individuals to unlawful  
2 discrimination under this section. Such criteria or methods  
3 are unlawful under this subsection if they are not necessary  
4 to achieve a substantial, legitimate, nondiscriminatory  
5 interest; or if the substantial, legitimate, nondiscriminatory  
6 interest could be served by another practice that has a less  
7 discriminatory effect.

8 (Source: P.A. 95-668, eff. 10-10-07.)".