



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4805

by Rep. Gregg Johnson

SYNOPSIS AS INTRODUCED:

| | |
|-------------------|-----------------------|
| 820 ILCS 405/700 | from Ch. 48, par. 450 |
| 820 ILCS 405/2800 | from Ch. 48, par. 780 |

Amends the Unemployment Insurance Act. Provides that, if an employer employing 75 or more employees in the State conducts a layoff, furlough, or temporary shutdown resulting in the separation of one or more employees, the employer shall submit required claim-initiation information to the Department of Employment Security on behalf of each affected employee. Provides that the Department shall provide written or electronic confirmation to the affected employee that the claim-initiation information has been submitted on their behalf by the employer. Sets forth additional requirements. Provides for civil penalties for a violation of the provision.

LRB104 19015 SPS 32460 b

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 Unemployment Insurance Act is amended by
5 changing Sections 700 and 2800 as follows:

6 (820 ILCS 405/700) (from Ch. 48, par. 450)

7 Sec. 700. Filing claims for benefits.

8 A. Claims for benefits shall be made in accordance with
9 such regulations as the Director may prescribe. Each employer
10 shall post and maintain printed statements concerning such
11 regulations or such other matters as the Director may by
12 regulation prescribe in places readily accessible to
13 individuals in such employer's service. Each employer shall
14 supply to such individuals copies of such printed statements
15 or materials relating to claims for benefits as the Director
16 may by regulation prescribe. Such printed statements shall be
17 supplied by the Director to each employer without cost to the
18 employer.

19 B. Notwithstanding any other provision of this Act, when
20 an employer employing 75 or more employees in this State
21 conducts a layoff, furlough, or temporary shutdown resulting
22 in the separation of one or more employees, the employer shall
23 submit required claim-initiation information to the Department

1 on behalf of each affected employee, in the manner prescribed
2 by the Department. The employer shall provide to the
3 Department, at a minimum:

4 (1) the employee's name and last known contact
5 information;

6 (2) the employee's last day worked;

7 (3) the reason for separation, including whether the
8 separation is temporary or permanent; and

9 (4) any wage and employment information required by
10 the Department.

11 Submission of the claim-initiation information by an
12 employer in accordance with this subsection shall not be
13 construed as a determination of eligibility, nor shall it
14 prohibit an employee from declining benefits or submitting
15 additional information. The Department shall provide written
16 or electronic confirmation to the affected employee that
17 claim-initiation information has been submitted on their
18 behalf by the employer. The Department may adopt rules
19 necessary to implement and administer this subsection.

20 (Source: Laws 1951, p. 32.)

21 (820 ILCS 405/2800) (from Ch. 48, par. 780)

22 Sec. 2800. Violations and penalties.

23 A. It shall be unlawful for any person or employing unit
24 to--

25 1. Make a false statement or representation or fail to

1 disclose a material fact:

2 a. To obtain, or increase, or prevent, or reduce
3 any benefit or payment under the provisions of this
4 Act, or under the unemployment compensation law of any
5 State or the Federal Government, either for himself or
6 for any other person; or

7 b. To avoid or reduce any contribution or other
8 payment required from an employing unit under this
9 Act.

10 2. Fail to pay a contribution due under the provisions
11 of this Act.

12 3. Fail to furnish any report, audit, or information
13 duly required by the Director under this Act.

14 4. Refuse to allow the Director or his duly authorized
15 representative to inspect or copy the pay roll or other
16 records or documents relative to the enforcement of this
17 Act or required by this Act.

18 5. Make any deduction from the wages of any individual
19 in its employ because of its liability for the payment of
20 contributions required by this Act.

21 6. Knowingly fail to furnish to any individual in its
22 employ any notice, report, or information duly required
23 under the provisions of this Act or the rules or
24 regulations of the Director.

25 7. Attempt to induce any individual, directly or
26 indirectly (by promise of re-employment or by threat not

1 to employ or not to re-employ or by any other means), to
2 refrain from claiming or accepting benefits or to waive
3 any other rights under this Act; or to maintain a rehiring
4 policy which discriminates against former individuals in
5 its employ by reason of their having claimed benefits.

6 8. Pay contributions upon wages for services not
7 rendered for such employing unit if the purpose of such
8 payment is either to reduce the amount of contributions
9 due or to become due from any employing unit or to affect
10 the benefit rights of any individual.

11 9. Solicit, or aid or abet the solicitation of,
12 information from any individual concerning his place of
13 employment, residence, assets or earnings, by any means
14 which are intended to mislead such individual to believe
15 that the person or employing unit seeking such information
16 is the Department or one of its Divisions or branches, or a
17 representative thereof.

18 B. Except as provided in subsection C, any ~~Any~~ employing
19 unit or person who willfully violates any provision of this
20 Section or any other provision of this Act or any rule or
21 regulation promulgated thereunder, or does any act prohibited
22 by this Act, or who fails, neglects, or refuses to perform any
23 duty required by any provision of this Act or rule or
24 regulation of the Director, within the time prescribed by the
25 Director, for which no penalty has been specifically provided,
26 or who fails, neglects, or refuses to obey any lawful order

1 given or made by the Director, shall be guilty of a Class B
2 misdemeanor, and each such act, failure, neglect, or refusal
3 shall constitute a separate and distinct offense. An employing
4 unit's or person's willful filing of a fraudulent quarterly
5 wage report shall constitute a Class 4 felony if the amount of
6 contributions owed with respect to the quarter is less than
7 \$300 and a Class 3 felony if the amount of contributions owed
8 with respect to the quarter is \$300 or more. An employing
9 unit's or person's willful failure to honor a subpoena issued
10 by the Department shall constitute a Class 4 felony. If a
11 person or employing unit described in this Section is a
12 corporation, the president, the secretary, and the treasurer,
13 and any other officer exercising corresponding functions,
14 shall each be subject to the aforesaid penalties for the
15 violation of any provisions of this Section of which he or they
16 had or, in the exercise of his or their duties, ought to have
17 had knowledge, not including the provisions regarding the
18 filing of a fraudulent quarterly wage report or the willful
19 failure to honor a subpoena.

20 C. An employer that willfully fails to comply with the
21 requirements of subsection B of Section 700 may be subject to a
22 civil penalty not to exceed \$5,000 per violation, as
23 determined by the Department. Each affected employee for whom
24 required information is not submitted constitutes a separate
25 violation.

26 (Source: P.A. 98-107, eff. 7-23-13.)