



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB5284

Introduced 2/10/2026, by Rep. Yolonda Morris - Lisa Davis and Michael Crawford

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2310/750 new

215 ILCS 5/356g.5-5 new

225 ILCS 60/20

775 ILCS 5/1-103

775 ILCS 5/2-102

from Ch. 111, par. 4400-20

from Ch. 68, par. 1-103

Creates the Illinois Menopause Equity and Care Act. Amends the Department of Public Health Powers and Duties Law. Requires the Department of Public Health to create educational materials regarding menopause, including symptoms, treatment options, and patient rights for distribution to the public online. Amends the Illinois Insurance Code. Provides that on or after January 1, 2028, all individual and group health insurance policies issued, renewed, or amended must provide coverage for medically necessary evaluation and treatment of perimenopause and menopause as determined by a licensed health care provider using evidence-based guidelines. Amends the Medical Practice Act of 1987. Provides if a licensee treats or evaluates patients suffering from menopause-related conditions, 5 hours of the required 50 hours must include continuing education on menopause care, including management of symptoms, hormonal and non-hormonal therapies, and bone health. Amends the Illinois Human Rights Act. Defines "menopause-related condition" includes perimenopause, menopause, and associated medical or symptomatic conditions, including, but not limited to, vasomotor symptoms, sleep disruption, cognitive or mood changes, and osteoporosis-related changes. Provides that it is a civil rights violation to unlawfully discriminate because of a menopause-related condition or fail or refuse to provide reasonable accommodations.

LRB104 18383 JRC 31825 b

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 1. This Act may be referred to as the Illinois  
5 Menopause Equity and Care Act.

6 Section 5. The Department of Public Health Powers and  
7 Duties Law of the Civil Administrative Code of Illinois is  
8 amended by adding Section 750 as follows:

9 (20 ILCS 2310/750 new)

10 Sec. 750. Menopause-related conditions awareness. The  
11 Department of Public Health must create educational materials  
12 regarding menopause, including symptoms, treatment options,  
13 and patient rights for distribution to the public online. The  
14 Department of Public Health must designate a "Menopause  
15 Awareness Week".

16 Section 10. The Illinois Insurance Code is amended by  
17 adding Section 356g.5-5 as follows:

18 (215 ILCS 5/356g.5-5 new)

19 Sec. 356g.5-5. Menopause-related condition.

20 (a) On or after January 1, 2028, all individual and group

1 health insurance policies issued, renewed, or amended must  
2 provide coverage for medically necessary evaluation and  
3 treatment of perimenopause and menopause as determined by a  
4 licensed health care provider using evidence-based guidelines,  
5 including:

6 (1) hormone therapy (systemic and local);

7 (2) low-dose antidepressants for menopause-related  
8 symptoms;

9 (3) nonhormonal FDA-approved therapies for vasomotor  
10 symptoms;

11 (4) medications to prevent or treat osteoporosis  
12 related to menopause; and

13 (5) other treatments determined medically necessary by  
14 a licensed physician.

15 (b) Policies may apply deductibles, copayments, or  
16 coinsurance as applicable under the plan.

17 (c) Health insurers must annually report the number of  
18 menopause-related claims, services used, and demographic data  
19 to the Department of Insurance.

20 (d) The Department of Insurance may adopt rules to  
21 implement this Section, including defining covered treatments  
22 and documentation requirements.

23 Section 15. The Medical Practice Act of 1987 is amended by  
24 changing Section 20 as follows:

1 (225 ILCS 60/20) (from Ch. 111, par. 4400-20)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 20. Continuing education. The Department shall  
4 promulgate rules of continuing education for persons licensed  
5 under this Act that require an average of 50 hours of  
6 continuing education per license year. These rules shall be  
7 consistent with requirements of relevant professional  
8 associations, specialty societies, or boards. The rules shall  
9 also address variances in part or in whole for good cause,  
10 including, but not limited to, temporary illness or hardship.  
11 In establishing these rules, the Department shall consider  
12 educational requirements for medical staffs, requirements for  
13 specialty society board certification or for continuing  
14 education requirements as a condition of membership in  
15 societies representing the 2 categories of licensee under this  
16 Act. These rules shall assure that licensees are given the  
17 opportunity to participate in those programs sponsored by or  
18 through their professional associations or hospitals which are  
19 relevant to their practice. Each licensee is responsible for  
20 maintaining records of completion of continuing education and  
21 shall be prepared to produce the records when requested by the  
22 Department. If a licensee treats or evaluates patients  
23 suffering from menopause-related conditions, 5 hours of the  
24 required 50 hours must include continuing education on  
25 menopause care, including management of symptoms, hormonal and  
26 non-hormonal therapies, and bone health.

1 (Source: P.A. 97-622, eff. 11-23-11.)

2 Section 20. The Illinois Human Rights Act is amended by  
3 changing Section 1-103 as follows:

4 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

5 Sec. 1-103. General definitions. When used in this Act,  
6 unless the context requires otherwise, the term:

7 (A) Age. "Age" means the chronological age of a person who  
8 is at least 40 years old, except with regard to any practice  
9 described in Section 2-102, insofar as that practice concerns  
10 training or apprenticeship programs. In the case of training  
11 or apprenticeship programs, for the purposes of Section 2-102,  
12 "age" means the chronological age of a person who is 18 but not  
13 yet 40 years old.

14 (B) Aggrieved party. "Aggrieved party" means a person who  
15 is alleged or proved to have been injured by a civil rights  
16 violation or believes he or she will be injured by a civil  
17 rights violation under Article 3 that is about to occur.

18 (B-5) Arrest record. "Arrest record" means:

19 (1) an arrest not leading to a conviction;

20 (2) a juvenile record; or

21 (3) criminal history record information ordered  
22 expunged, sealed, or impounded under Section 5.2 of the  
23 Criminal Identification Act.

24 (C) Charge. "Charge" means an allegation filed with the

1 Department by an aggrieved party or initiated by the  
2 Department under its authority.

3 (D) Civil rights violation. "Civil rights violation"  
4 includes and shall be limited to only those specific acts set  
5 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-102.1, 3-103,  
6 3-102.10, 3-104.1, 3-105, 3-105.1, 4-102, 4-103, 5-102,  
7 5A-102, 6-101, 6-101.5, and 6-102 of this Act.

8 (E) Commission. "Commission" means the Human Rights  
9 Commission created by this Act.

10 (F) Complaint. "Complaint" means the formal pleading filed  
11 by the Department with the Commission following an  
12 investigation and finding of substantial evidence of a civil  
13 rights violation.

14 (G) Complainant. "Complainant" means a person including  
15 the Department who files a charge of civil rights violation  
16 with the Department or the Commission.

17 (G-5) Conviction record. "Conviction record" means  
18 information indicating that a person has been convicted of a  
19 felony, misdemeanor or other criminal offense, placed on  
20 probation, fined, imprisoned, or paroled pursuant to any law  
21 enforcement or military authority.

22 (H) Department. "Department" means the Department of Human  
23 Rights created by this Act.

24 (I) Disability.

25 (1) "Disability" means a determinable physical or mental  
26 characteristic of a person, including, but not limited to, a

1 determinable physical characteristic which necessitates the  
2 person's use of a guide, hearing or support dog, the history of  
3 such characteristic, or the perception of such characteristic  
4 by the person complained against, which may result from  
5 disease, injury, congenital condition of birth or functional  
6 disorder and which characteristic:

7 (a) For purposes of Article 2, is unrelated to the  
8 person's ability to perform the duties of a particular job  
9 or position and, pursuant to Section 2-104 of this Act, a  
10 person's illegal use of drugs or alcohol is not a  
11 disability;

12 (b) For purposes of Article 3, is unrelated to the  
13 person's ability to acquire, rent, or maintain a housing  
14 accommodation;

15 (c) For purposes of Article 4, is unrelated to a  
16 person's ability to repay;

17 (d) For purposes of Article 5, is unrelated to a  
18 person's ability to utilize and benefit from a place of  
19 public accommodation;

20 (e) For purposes of Article 5, also includes any  
21 mental, psychological, or developmental disability,  
22 including autism spectrum disorders.

23 (2) Discrimination based on disability includes unlawful  
24 discrimination against an individual because of the  
25 individual's association with a person with a disability.

26 (J) Marital status. "Marital status" means the legal

1 status of being married, single, separated, divorced, or  
2 widowed.

3 (J-1) Military status. "Military status" means a person's  
4 status on active duty in or status as a veteran of the armed  
5 forces of the United States, status as a current member or  
6 veteran of any reserve component of the armed forces of the  
7 United States, including the United States Army Reserve,  
8 United States Marine Corps Reserve, United States Navy  
9 Reserve, United States Air Force Reserve, and United States  
10 Coast Guard Reserve, or status as a current member or veteran  
11 of the Illinois Army National Guard or Illinois Air National  
12 Guard.

13 (J-5) "Menopause-related condition" includes  
14 perimenopause, menopause, and associated medical or  
15 symptomatic conditions, including, but not limited to,  
16 vasomotor symptoms, sleep disruption, cognitive or mood  
17 changes, and osteoporosis-related changes.

18 (K) National origin. "National origin" means the place in  
19 which a person or one of his or her ancestors was born.

20 (K-5) "Order of protection status" means a person's status  
21 as being a person protected under an order of protection  
22 issued pursuant to the Illinois Domestic Violence Act of 1986,  
23 Article 112A of the Code of Criminal Procedure of 1963, the  
24 Stalking No Contact Order Act, or the Civil No Contact Order  
25 Act, or an order of protection issued by a court of another  
26 state.

1 (L) Person. "Person" includes one or more individuals,  
2 partnerships, associations or organizations, labor  
3 organizations, labor unions, joint apprenticeship committees,  
4 or union labor associations, corporations, the State of  
5 Illinois and its instrumentalities, political subdivisions,  
6 units of local government, legal representatives, trustees in  
7 bankruptcy or receivers.

8 (L-5) Pregnancy. "Pregnancy" means pregnancy, childbirth,  
9 or medical or common conditions related to pregnancy or  
10 childbirth.

11 (M) Public contract. "Public contract" includes every  
12 contract to which the State, any of its political  
13 subdivisions, or any municipal corporation is a party.

14 (M-5) Race. "Race" includes traits associated with race,  
15 including, but not limited to, hair texture and protective  
16 hairstyles such as braids, locks, and twists.

17 (N) Religion. "Religion" includes all aspects of religious  
18 observance and practice, as well as belief, except that with  
19 respect to employers, for the purposes of Article 2,  
20 "religion" has the meaning ascribed to it in paragraph (F) of  
21 Section 2-101.

22 (O) Sex. "Sex" means the status of being male or female.

23 (O-1) Sexual orientation. "Sexual orientation" means  
24 actual or perceived heterosexuality, homosexuality,  
25 bisexuality, or gender-related identity, whether or not  
26 traditionally associated with the person's designated sex at

1 birth. "Sexual orientation" does not include a physical or  
2 sexual attraction to a minor by an adult.

3 (O-2) Reproductive Health Decisions. "Reproductive Health  
4 Decisions" means a person's decisions regarding the person's  
5 use of: contraception; fertility or sterilization care;  
6 assisted reproductive technologies; miscarriage management  
7 care; healthcare related to the continuation or termination of  
8 pregnancy; or prenatal, intranatal, or postnatal care.

9 (O-5) Source of income. "Source of income" means the  
10 lawful manner by which an individual supports himself or  
11 herself and his or her dependents.

12 (P) Unfavorable military discharge. "Unfavorable military  
13 discharge" includes discharges from the Armed Forces of the  
14 United States, their Reserve components, or any National Guard  
15 or Naval Militia which are classified as RE-3 or the  
16 equivalent thereof, but does not include those characterized  
17 as RE-4 or "Dishonorable".

18 (Q) Unlawful discrimination. "Unlawful discrimination"  
19 means discrimination against a person because of his or her  
20 actual or perceived: race, color, religion, national origin,  
21 ancestry, age, sex, marital status, order of protection  
22 status, disability, military status, sexual orientation,  
23 pregnancy, menopause-related condition, reproductive health  
24 decisions, or unfavorable discharge from military service as  
25 those terms are defined in this Section.

26 (Source: P.A. 102-362, eff. 1-1-22; 102-419, eff. 1-1-22;

1 102-558, eff. 8-20-21; 102-813, eff. 5-13-22; 102-896, eff.  
2 1-1-23; 102-1102, eff. 1-1-23; 103-154, eff. 6-30-23; 103-785,  
3 eff. 1-1-25.)

4 Section 25. The Illinois Human Rights Act is amended by  
5 changing Section 2-102 as follows:

6 (775 ILCS 5/2-102)

7 Sec. 2-102. Civil rights violations; employment. It is a  
8 civil rights violation:

9 (A) Employers. For any employer to refuse to hire, to  
10 segregate, to engage in harassment as defined in  
11 subsection (E-1) of Section 2-101, or to act with respect  
12 to recruitment, hiring, promotion, renewal of employment,  
13 selection for training or apprenticeship, discharge,  
14 discipline, tenure or terms, privileges or conditions of  
15 employment on the basis of unlawful discrimination,  
16 citizenship status, work authorization status, or family  
17 responsibilities. An employer is responsible for  
18 harassment by the employer's nonmanagerial and  
19 nonsupervisory employees only if the employer becomes  
20 aware of the conduct and fails to take reasonable  
21 corrective measures.

22 (A-5) Language. For an employer to impose a  
23 restriction that has the effect of prohibiting a language  
24 from being spoken by an employee in communications that

1 are unrelated to the employee's duties.

2 For the purposes of this subdivision (A-5), "language"  
3 means a person's native tongue, such as Polish, Spanish,  
4 or Chinese. "Language" does not include such things as  
5 slang, jargon, profanity, or vulgarity.

6 (A-10) Harassment of nonemployees. For any employer,  
7 employment agency, or labor organization to engage in  
8 harassment of nonemployees in the workplace. An employer  
9 is responsible for harassment of nonemployees by the  
10 employer's nonmanagerial and nonsupervisory employees only  
11 if the employer becomes aware of the conduct and fails to  
12 take reasonable corrective measures. For the purposes of  
13 this subdivision (A-10), "nonemployee" means a person who  
14 is not otherwise an employee of the employer and is  
15 directly performing services for the employer pursuant to  
16 a contract with that employer. "Nonemployee" includes  
17 contractors and consultants. This subdivision applies to  
18 harassment occurring on or after January 1, 2020 (the  
19 effective date of Public Act 101-221).

20 (B) Employment agency. For any employment agency to  
21 fail or refuse to classify properly, accept applications  
22 and register for employment referral or apprenticeship  
23 referral, refer for employment, or refer for  
24 apprenticeship on the basis of unlawful discrimination,  
25 citizenship status, work authorization status, or family  
26 responsibilities or to accept from any person any job

1 order, requisition or request for referral of applicants  
2 for employment or apprenticeship which makes or has the  
3 effect of making unlawful discrimination or discrimination  
4 on the basis of citizenship status, work authorization  
5 status, or family responsibilities a condition of  
6 referral.

7 (C) Labor organization. For any labor organization to  
8 limit, segregate or classify its membership, or to limit  
9 employment opportunities, selection and training for  
10 apprenticeship in any trade or craft, or otherwise to  
11 take, or fail to take, any action which affects adversely  
12 any person's status as an employee or as an applicant for  
13 employment or as an apprentice, or as an applicant for  
14 apprenticeships, or wages, tenure, hours of employment or  
15 apprenticeship conditions on the basis of unlawful  
16 discrimination, citizenship status, work authorization  
17 status, or family responsibilities.

18 (D) Sexual harassment. For any employer, employee,  
19 agent of any employer, employment agency or labor  
20 organization to engage in sexual harassment; provided,  
21 that an employer shall be responsible for sexual  
22 harassment of the employer's employees by nonemployees or  
23 nonmanagerial and nonsupervisory employees only if the  
24 employer becomes aware of the conduct and fails to take  
25 reasonable corrective measures.

26 (D-5) Sexual harassment of nonemployees. For any

1 employer, employee, agent of any employer, employment  
2 agency, or labor organization to engage in sexual  
3 harassment of nonemployees in the workplace. An employer  
4 is responsible for sexual harassment of nonemployees by  
5 the employer's nonmanagerial and nonsupervisory employees  
6 only if the employer becomes aware of the conduct and  
7 fails to take reasonable corrective measures. For the  
8 purposes of this subdivision (D-5), "nonemployee" means a  
9 person who is not otherwise an employee of the employer  
10 and is directly performing services for the employer  
11 pursuant to a contract with that employer. "Nonemployee"  
12 includes contractors and consultants. This subdivision  
13 applies to sexual harassment occurring on or after January  
14 1, 2020 (the effective date of Public Act 101-221).

15 (E) Public employers. For any public employer to  
16 refuse to permit a public employee under its jurisdiction  
17 who takes time off from work in order to practice his or  
18 her religious beliefs to engage in work, during hours  
19 other than such employee's regular working hours,  
20 consistent with the operational needs of the employer and  
21 in order to compensate for work time lost for such  
22 religious reasons. Any employee who elects such deferred  
23 work shall be compensated at the wage rate which he or she  
24 would have earned during the originally scheduled work  
25 period. The employer may require that an employee who  
26 plans to take time off from work in order to practice his

1 or her religious beliefs provide the employer with a  
2 notice of his or her intention to be absent from work not  
3 exceeding 5 days prior to the date of absence.

4 (E-5) Religious discrimination. For any employer to  
5 impose upon a person as a condition of obtaining or  
6 retaining employment, including opportunities for  
7 promotion, advancement, or transfer, any terms or  
8 conditions that would require such person to violate or  
9 forgo a sincerely held practice of his or her religion  
10 including, but not limited to, the wearing of any attire,  
11 clothing, or facial hair in accordance with the  
12 requirements of his or her religion, unless, after  
13 engaging in a bona fide effort, the employer demonstrates  
14 that it is unable to reasonably accommodate the employee's  
15 or prospective employee's sincerely held religious belief,  
16 practice, or observance without undue hardship on the  
17 conduct of the employer's business.

18 Nothing in this Section prohibits an employer from  
19 enacting a dress code or grooming policy that may include  
20 restrictions on attire, clothing, or facial hair to  
21 maintain workplace safety or food sanitation.

22 (F) Training and apprenticeship programs. For any  
23 employer, employment agency or labor organization to  
24 discriminate against a person on the basis of age in the  
25 selection, referral for or conduct of apprenticeship or  
26 training programs.

1 (G) Immigration-related practices.

2 (1) for an employer to request for purposes of  
3 satisfying the requirements of Section 1324a(b) of  
4 Title 8 of the United States Code, as now or hereafter  
5 amended, more or different documents than are required  
6 under such Section or to refuse to honor documents  
7 tendered that on their face reasonably appear to be  
8 genuine or to refuse to honor work authorization based  
9 upon the specific status or term of status that  
10 accompanies the authorization to work; or

11 (2) for an employer participating in the E-Verify  
12 Program, as authorized by 8 U.S.C. 1324a, Notes, Pilot  
13 Programs for Employment Eligibility Confirmation  
14 (enacted by PL 104-208, div. C title IV, subtitle A) to  
15 refuse to hire, to segregate, or to act with respect to  
16 recruitment, hiring, promotion, renewal of employment,  
17 selection for training or apprenticeship, discharge,  
18 discipline, tenure or terms, privileges or conditions  
19 of employment without following the procedures under  
20 the E-Verify Program.

21 (H) (Blank).

22 (I) Pregnancy. For an employer to refuse to hire, to  
23 segregate, or to act with respect to recruitment, hiring,  
24 promotion, renewal of employment, selection for training  
25 or apprenticeship, discharge, discipline, tenure or terms,  
26 privileges or conditions of employment on the basis of

1 pregnancy, childbirth, or medical or common conditions  
2 related to pregnancy or childbirth. Women affected by  
3 pregnancy, childbirth, or medical or common conditions  
4 related to pregnancy or childbirth shall be treated the  
5 same for all employment-related purposes, including  
6 receipt of benefits under fringe benefit programs, as  
7 other persons not so affected but similar in their ability  
8 or inability to work, regardless of the source of the  
9 inability to work or employment classification or status.

10 (J) Pregnancy; reasonable accommodations.

11 (1) If after a job applicant or employee,  
12 including a part-time, full-time, or probationary  
13 employee, requests a reasonable accommodation, for an  
14 employer to not make reasonable accommodations for any  
15 medical or common condition of a job applicant or  
16 employee related to pregnancy or childbirth, unless  
17 the employer can demonstrate that the accommodation  
18 would impose an undue hardship on the ordinary  
19 operation of the business of the employer. The  
20 employer may request documentation from the employee's  
21 health care provider concerning the need for the  
22 requested reasonable accommodation or accommodations  
23 to the same extent documentation is requested for  
24 conditions related to disability if the employer's  
25 request for documentation is job-related and  
26 consistent with business necessity. The employer may

1           require only the medical justification for the  
2           requested accommodation or accommodations, a  
3           description of the reasonable accommodation or  
4           accommodations medically advisable, the date the  
5           reasonable accommodation or accommodations became  
6           medically advisable, and the probable duration of the  
7           reasonable accommodation or accommodations. It is the  
8           duty of the individual seeking a reasonable  
9           accommodation or accommodations to submit to the  
10          employer any documentation that is requested in  
11          accordance with this paragraph. Notwithstanding the  
12          provisions of this paragraph, the employer may require  
13          documentation by the employee's health care provider  
14          to determine compliance with other laws. The employee  
15          and employer shall engage in a timely, good faith, and  
16          meaningful exchange to determine effective reasonable  
17          accommodations.

18                 (2) For an employer to deny employment  
19          opportunities or benefits to or take adverse action  
20          against an otherwise qualified job applicant or  
21          employee, including a part-time, full-time, or  
22          probationary employee, if the denial or adverse action  
23          is based on the need of the employer to make reasonable  
24          accommodations to the known medical or common  
25          conditions related to the pregnancy or childbirth of  
26          the applicant or employee.

1           (3) For an employer to require a job applicant or  
2           employee, including a part-time, full-time, or  
3           probationary employee, affected by pregnancy,  
4           childbirth, or medical or common conditions related to  
5           pregnancy or childbirth to accept an accommodation  
6           when the applicant or employee did not request an  
7           accommodation and the applicant or employee chooses  
8           not to accept the employer's accommodation.

9           (4) For an employer to require an employee,  
10          including a part-time, full-time, or probationary  
11          employee, to take leave under any leave law or policy  
12          of the employer if another reasonable accommodation  
13          can be provided to the known medical or common  
14          conditions related to the pregnancy or childbirth of  
15          an employee. No employer shall fail or refuse to  
16          reinstate the employee affected by pregnancy,  
17          childbirth, or medical or common conditions related to  
18          pregnancy or childbirth to her original job or to an  
19          equivalent position with equivalent pay and  
20          accumulated seniority, retirement, fringe benefits,  
21          and other applicable service credits upon her  
22          signifying her intent to return or when her need for  
23          reasonable accommodation ceases, unless the employer  
24          can demonstrate that the accommodation would impose an  
25          undue hardship on the ordinary operation of the  
26          business of the employer.

1           For the purposes of this subdivision (J), "reasonable  
2 accommodations" means reasonable modifications or  
3 adjustments to the job application process or work  
4 environment, or to the manner or circumstances under which  
5 the position desired or held is customarily performed,  
6 that enable an applicant or employee affected by  
7 pregnancy, childbirth, or medical or common conditions  
8 related to pregnancy or childbirth to be considered for  
9 the position the applicant desires or to perform the  
10 essential functions of that position, and may include, but  
11 is not limited to: more frequent or longer bathroom  
12 breaks, breaks for increased water intake, and breaks for  
13 periodic rest; private non-bathroom space for expressing  
14 breast milk and breastfeeding; seating; assistance with  
15 manual labor; light duty; temporary transfer to a less  
16 strenuous or hazardous position; the provision of an  
17 accessible worksite; acquisition or modification of  
18 equipment; job restructuring; a part-time or modified work  
19 schedule; appropriate adjustment or modifications of  
20 examinations, training materials, or policies;  
21 reassignment to a vacant position; time off to recover  
22 from conditions related to childbirth; and leave  
23 necessitated by pregnancy, childbirth, or medical or  
24 common conditions resulting from pregnancy or childbirth.

25           For the purposes of this subdivision (J), "undue  
26 hardship" means an action that is prohibitively expensive

1 or disruptive when considered in light of the following  
2 factors: (i) the nature and cost of the accommodation  
3 needed; (ii) the overall financial resources of the  
4 facility or facilities involved in the provision of the  
5 reasonable accommodation, the number of persons employed  
6 at the facility, the effect on expenses and resources, or  
7 the impact otherwise of the accommodation upon the  
8 operation of the facility; (iii) the overall financial  
9 resources of the employer, the overall size of the  
10 business of the employer with respect to the number of its  
11 employees, and the number, type, and location of its  
12 facilities; and (iv) the type of operation or operations  
13 of the employer, including the composition, structure, and  
14 functions of the workforce of the employer, the geographic  
15 separateness, administrative, or fiscal relationship of  
16 the facility or facilities in question to the employer.  
17 The employer has the burden of proving undue hardship. The  
18 fact that the employer provides or would be required to  
19 provide a similar accommodation to similarly situated  
20 employees creates a rebuttable presumption that the  
21 accommodation does not impose an undue hardship on the  
22 employer.

23 No employer is required by this subdivision (J) to  
24 create additional employment that the employer would not  
25 otherwise have created, unless the employer does so or  
26 would do so for other classes of employees who need

1 accommodation. The employer is not required to discharge  
2 any employee, transfer any employee with more seniority,  
3 or promote any employee who is not qualified to perform  
4 the job, unless the employer does so or would do so to  
5 accommodate other classes of employees who need it.

6 (J-1) Menopause-related condition. For an employer to  
7 discriminate in any way or refuse or fail to provide  
8 reasonable accommodations for an employee because of a  
9 menopause-related condition is a civil rights violation under  
10 this Act. Employers with 4 or more employees must provide  
11 reasonable accommodations to employees experiencing  
12 menopause-related conditions unless doing so would impose an  
13 undue hardship. Reasonable accommodations may include, but are  
14 not limited to, flexible scheduling or modified work hours;  
15 temperature control or climate-adjusted workspace; private  
16 spaces for rest or symptom management; remote work options;  
17 and light-duty assignments if safe and feasible. Employers  
18 must engage in a timely, good-faith interactive process with  
19 employees who request accommodations under this subsection.  
20 Employers must post notices of the rights provided in this  
21 subsection and provide them to employees on beginning  
22 employment or on request.

23 (K) Notice.

24 (1) For an employer to fail to post or keep posted  
25 in a conspicuous location on the premises of the  
26 employer where notices to employees are customarily

1 posted, or fail to include in any employee handbook  
2 information concerning an employee's rights under this  
3 Article, a notice, to be prepared or approved by the  
4 Department, summarizing the requirements of this  
5 Article and information pertaining to the filing of a  
6 charge, including the right to be free from unlawful  
7 discrimination, the right to be free from sexual  
8 harassment, and the right to certain reasonable  
9 accommodations. The Department shall make the  
10 documents required under this paragraph available for  
11 retrieval from the Department's website.

12 (2) Upon notification of a violation of paragraph  
13 (1) of this subdivision (K), the Department may launch  
14 a preliminary investigation. If the Department finds a  
15 violation, the Department may issue a notice to show  
16 cause giving the employer 30 days to correct the  
17 violation. If the violation is not corrected, the  
18 Department may initiate a charge of a civil rights  
19 violation.

20 (L) Use of artificial intelligence.

21 (1) With respect to recruitment, hiring,  
22 promotion, renewal of employment, selection for  
23 training or apprenticeship, discharge, discipline,  
24 tenure, or the terms, privileges, or conditions of  
25 employment, for an employer to use artificial  
26 intelligence that has the effect of subjecting

1 employees to discrimination on the basis of protected  
2 classes under this Article or to use zip codes as a  
3 proxy for protected classes under this Article.

4 (2) For an employer to fail to provide notice to an  
5 employee that the employer is using artificial  
6 intelligence for the purposes described in paragraph  
7 (1).

8 The Department shall adopt any rules necessary for the  
9 implementation and enforcement of this subdivision,  
10 including, but not limited to, rules on the circumstances  
11 and conditions that require notice, the time period for  
12 providing notice, and the means for providing notice.

13 (Source: P.A. 103-797, eff. 1-1-25; 103-804, eff. 1-1-26;  
14 104-417, eff. 8-15-25.)

15 Section 97. Severability. The provisions of this Act are  
16 severable under Section 1.31 of the Statute on Statutes.