

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 3. Legislative purpose and intent. The purpose of
7 this Act is to improve awareness, understanding, and quality
8 of care for individuals experiencing menopause. This Act
9 encourages voluntary professional education and promotes
10 equitable, patient-based care throughout Illinois. This Act
11 also recognizes menopause-related conditions as a factor for
12 consideration under workplace protections and health equity
13 initiatives.

14 Section 5. The Department of Public Health Powers and
15 Duties Law of the Civil Administrative Code of Illinois is
16 amended by adding Section 2310-750 as follows:

17 (20 ILCS 2310/2310-750 new)

18 Sec. 2310-750. Menopause-related conditions awareness.

19 (a) The Department of Public Health must develop and make
20 publicly available educational materials regarding menopause
21 and perimenopause.

1 (b) The materials shall include, but are not limited to:

2 (1) common symptoms;

3 (2) evidence-based treatment options; and

4 (3) patient rights and available resources.

5 (c) The Department shall make materials available on its
6 website and may disseminate the materials through public
7 outreach efforts.

8 (d) The Department may designate and promote an annual
9 Menopause Awareness Week.

10 Section 10. The Illinois Insurance Code is amended by
11 changing Sections 356z.56 and 356z.74 as follows:

12 (215 ILCS 5/356z.56)

13 Sec. 356z.56. Coverage for hormonal and non-hormonal
14 therapy to treat menopause and perimenopause. A group or
15 individual policy of accident and health insurance or a
16 managed care plan that is amended, delivered, issued, or
17 renewed in this State shall provide coverage for medically
18 necessary hormone therapy treatment to treat menopause that
19 has been induced by a hysterectomy. This coverage applies only
20 to coverage provided on or after January 1, 2024 and before
21 January 1, 2026.

22 A group or individual policy of accident and health
23 insurance or a managed care plan that is amended, delivered,
24 issued, or renewed on or after January 1, 2026 shall provide

1 coverage for medically necessary hormonal and non-hormonal
2 therapy to treat menopausal and perimenopausal symptoms or
3 conditions if the therapy is recommended by a qualified health
4 care provider who is licensed, accredited, or certified under
5 Illinois law and the therapy has been proven safe and
6 effective in peer-reviewed scientific studies and is
7 prescribed in accordance with current evidence-based
8 guidelines. Coverage for therapy to treat menopausal and
9 perimenopausal symptoms or conditions shall include all
10 federal Food and Drug Administration-approved modalities of
11 hormonal and non-hormonal administration, including, but not
12 limited to, oral, transdermal, topical, and vaginal rings.
13 Coverage shall include medications for menopause-related
14 osteoporosis and non-hormonal therapies for vasomotor
15 symptoms.

16 (Source: P.A. 102-804, eff. 1-1-23; 103-154, eff. 6-30-23;
17 103-703, eff. 1-1-26.)

18 (215 ILCS 5/356z.74)

19 Sec. 356z.74. Coverage for annual menopause and
20 perimenopause health visit. A group or individual policy of
21 accident and health insurance providing coverage for more than
22 25 employees that is amended, delivered, issued, or renewed on
23 or after January 1, 2026 shall provide, for individuals 45
24 years of age and older, coverage for an annual menopause or
25 perimenopause health visit. A policy subject to this Section

1 shall not impose a deductible, coinsurance, copayment, or any
2 other cost-sharing requirement on the coverage provided;
3 except that this Section does not apply to this coverage to the
4 extent such coverage would disqualify a high-deductible health
5 plan from eligibility for a health savings account pursuant to
6 Section 223 of the Internal Revenue Code.

7 (Source: P.A. 103-751, eff. 8-2-24; 104-417, eff. 8-15-25.)

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

10 (225 ILCS 60/20) (from Ch. 111, par. 4400-20)

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

12 Sec. 20. Continuing education. The Department shall
13 promulgate rules of continuing education for persons licensed
14 under this Act that require an average of 50 hours of
15 continuing education per license year. These rules shall be
16 consistent with requirements of relevant professional
17 associations, specialty societies, or boards. The rules shall
18 also address variances in part or in whole for good cause,
19 including, but not limited to, temporary illness or hardship.
20 In establishing these rules, the Department shall consider
21 educational requirements for medical staffs, requirements for
22 specialty society board certification or for continuing
23 education requirements as a condition of membership in
24 societies representing the 2 categories of licensee under this

1 Act. These rules shall assure that licensees are given the
2 opportunity to participate in those programs sponsored by or
3 through their professional associations or hospitals which are
4 relevant to their practice. Each licensee is responsible for
5 maintaining records of completion of continuing education and
6 shall be prepared to produce the records when requested by the
7 Department.

8 The Department of Public Health may make voluntary
9 educational resources on evidence-based practices for managing
10 menopause available to support clinicians in providing
11 patient-based care. Participation in these resources is
12 entirely voluntary and is not required for licensure,
13 certification, or professional compliance.

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

15 Section 20. The Illinois Human Rights Act is amended by
16 changing Sections 1-103 and 2-102 as follows:

17 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

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

20 (A) Age. "Age" means the chronological age of a person who
21 is at least 40 years old, except with regard to any practice
22 described in Section 2-102, insofar as that practice concerns
23 training or apprenticeship programs. In the case of training
24 or apprenticeship programs, for the purposes of Section 2-102,

1 "age" means the chronological age of a person who is 18 but not
2 yet 40 years old.

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

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

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

9 (2) a juvenile record; or

10 (3) criminal history record information ordered
11 expunged, sealed, or impounded under Section 5.2 of the
12 Criminal Identification Act.

13 (C) Charge. "Charge" means an allegation filed with the
14 Department by an aggrieved party or initiated by the
15 Department under its authority.

16 (D) Civil rights violation. "Civil rights violation"
17 includes and shall be limited to only those specific acts set
18 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-102.1, 3-103,
19 3-102.10, 3-104.1, 3-105, 3-105.1, 4-102, 4-103, 5-102,
20 5A-102, 6-101, 6-101.5, and 6-102 of this Act.

21 (E) Commission. "Commission" means the Human Rights
22 Commission created by this Act.

23 (F) Complaint. "Complaint" means the formal pleading filed
24 by the Department with the Commission following an
25 investigation and finding of substantial evidence of a civil
26 rights violation.

1 (G) Complainant. "Complainant" means a person including
2 the Department who files a charge of civil rights violation
3 with the Department or the Commission.

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

9 (H) Department. "Department" means the Department of Human
10 Rights created by this Act.

11 (I) Disability.

12 (1) "Disability" means a determinable physical or mental
13 characteristic of a person, including, but not limited to, a
14 determinable physical characteristic which necessitates the
15 person's use of a guide, hearing or support dog, the history of
16 such characteristic, or the perception of such characteristic
17 by the person complained against, which may result from
18 disease, injury, congenital condition of birth or functional
19 disorder and which characteristic:

20 (a) For purposes of Article 2, is unrelated to the
21 person's ability to perform the duties of a particular job
22 or position and, pursuant to Section 2-104 of this Act, a
23 person's illegal use of drugs or alcohol is not a
24 disability;

25 (b) For purposes of Article 3, is unrelated to the
26 person's ability to acquire, rent, or maintain a housing

1 accommodation;

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

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

7 (e) For purposes of Article 5, also includes any
8 mental, psychological, or developmental disability,
9 including autism spectrum disorders.

10 (2) Discrimination based on disability includes unlawful
11 discrimination against an individual because of the
12 individual's association with a person with a disability.

13 (J) Marital status. "Marital status" means the legal
14 status of being married, single, separated, divorced, or
15 widowed.

16 (J-1) Military status. "Military status" means a person's
17 status on active duty in or status as a veteran of the armed
18 forces of the United States, status as a current member or
19 veteran of any reserve component of the armed forces of the
20 United States, including the United States Army Reserve,
21 United States Marine Corps Reserve, United States Navy
22 Reserve, United States Air Force Reserve, and United States
23 Coast Guard Reserve, or status as a current member or veteran
24 of the Illinois Army National Guard or Illinois Air National
25 Guard.

26 (J-5) Menopause-related condition. "Menopause-related

1 condition" means perimenopause, menopause, and associated
2 medical or symptomatic conditions that include, but are not
3 limited to, vasomotor symptoms, sleep disruption, cognitive or
4 mood changes, and osteoporosis-related changes.

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

7 (K-5) "Order of protection status" means a person's status
8 as being a person protected under an order of protection
9 issued pursuant to the Illinois Domestic Violence Act of 1986,
10 Article 112A of the Code of Criminal Procedure of 1963, the
11 Stalking No Contact Order Act, or the Civil No Contact Order
12 Act, or an order of protection issued by a court of another
13 state.

14 (L) Person. "Person" includes one or more individuals,
15 partnerships, associations or organizations, labor
16 organizations, labor unions, joint apprenticeship committees,
17 or union labor associations, corporations, the State of
18 Illinois and its instrumentalities, political subdivisions,
19 units of local government, legal representatives, trustees in
20 bankruptcy or receivers.

21 (L-5) Pregnancy. "Pregnancy" means pregnancy, childbirth,
22 or medical or common conditions related to pregnancy or
23 childbirth, including menopause-related conditions.

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

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

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

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

10 (O-1) Sexual orientation. "Sexual orientation" means
11 actual or perceived heterosexuality, homosexuality,
12 bisexuality, or gender-related identity, whether or not
13 traditionally associated with the person's designated sex at
14 birth. "Sexual orientation" does not include a physical or
15 sexual attraction to a minor by an adult.

16 (O-2) Reproductive Health Decisions. "Reproductive Health
17 Decisions" means a person's decisions regarding the person's
18 use of: contraception; fertility or sterilization care;
19 assisted reproductive technologies; miscarriage management
20 care; healthcare related to the continuation or termination of
21 pregnancy; or prenatal, intranatal, or postnatal care.

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

25 (P) Unfavorable military discharge. "Unfavorable military
26 discharge" includes discharges from the Armed Forces of the

1 United States, their Reserve components, or any National Guard
2 or Naval Militia which are classified as RE-3 or the
3 equivalent thereof, but does not include those characterized
4 as RE-4 or "Dishonorable".

5 (Q) Unlawful discrimination. "Unlawful discrimination"
6 means discrimination against a person because of his or her
7 actual or perceived: race, color, religion, national origin,
8 ancestry, age, sex, marital status, order of protection
9 status, disability, military status, sexual orientation,
10 pregnancy, reproductive health decisions, or unfavorable
11 discharge from military service as those terms are defined in
12 this Section.

13 (Source: P.A. 102-362, eff. 1-1-22; 102-419, eff. 1-1-22;
14 102-558, eff. 8-20-21; 102-813, eff. 5-13-22; 102-896, eff.
15 1-1-23; 102-1102, eff. 1-1-23; 103-154, eff. 6-30-23; 103-785,
16 eff. 1-1-25.)

17 (775 ILCS 5/2-102)

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

20 (A) Employers. For any employer to refuse to hire, to
21 segregate, to engage in harassment as defined in
22 subsection (E-1) of Section 2-101, or to act with respect
23 to recruitment, hiring, promotion, renewal of employment,
24 selection for training or apprenticeship, discharge,
25 discipline, tenure or terms, privileges or conditions of

1 employment on the basis of unlawful discrimination,
2 citizenship status, work authorization status, or family
3 responsibilities. An employer is responsible for
4 harassment by the employer's nonmanagerial and
5 nonsupervisory employees only if the employer becomes
6 aware of the conduct and fails to take reasonable
7 corrective measures.

8 (A-5) Language. For an employer to impose a
9 restriction that has the effect of prohibiting a language
10 from being spoken by an employee in communications that
11 are unrelated to the employee's duties.

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

16 (A-10) Harassment of nonemployees. For any employer,
17 employment agency, or labor organization to engage in
18 harassment of nonemployees in the workplace. An employer
19 is responsible for harassment of nonemployees by the
20 employer's nonmanagerial and nonsupervisory employees only
21 if the employer becomes aware of the conduct and fails to
22 take reasonable corrective measures. For the purposes of
23 this subdivision (A-10), "nonemployee" means a person who
24 is not otherwise an employee of the employer and is
25 directly performing services for the employer pursuant to
26 a contract with that employer. "Nonemployee" includes

1 contractors and consultants. This subdivision applies to
2 harassment occurring on or after January 1, 2020 (the
3 effective date of Public Act 101-221).

4 (B) Employment agency. For any employment agency to
5 fail or refuse to classify properly, accept applications
6 and register for employment referral or apprenticeship
7 referral, refer for employment, or refer for
8 apprenticeship on the basis of unlawful discrimination,
9 citizenship status, work authorization status, or family
10 responsibilities or to accept from any person any job
11 order, requisition or request for referral of applicants
12 for employment or apprenticeship which makes or has the
13 effect of making unlawful discrimination or discrimination
14 on the basis of citizenship status, work authorization
15 status, or family responsibilities a condition of
16 referral.

17 (C) Labor organization. For any labor organization to
18 limit, segregate or classify its membership, or to limit
19 employment opportunities, selection and training for
20 apprenticeship in any trade or craft, or otherwise to
21 take, or fail to take, any action which affects adversely
22 any person's status as an employee or as an applicant for
23 employment or as an apprentice, or as an applicant for
24 apprenticeships, or wages, tenure, hours of employment or
25 apprenticeship conditions on the basis of unlawful
26 discrimination, citizenship status, work authorization

1 status, or family responsibilities.

2 (D) Sexual harassment. For any employer, employee,
3 agent of any employer, employment agency or labor
4 organization to engage in sexual harassment; provided,
5 that an employer shall be responsible for sexual
6 harassment of the employer's employees by nonemployees or
7 nonmanagerial and nonsupervisory employees only if the
8 employer becomes aware of the conduct and fails to take
9 reasonable corrective measures.

10 (D-5) Sexual harassment of nonemployees. For any
11 employer, employee, agent of any employer, employment
12 agency, or labor organization to engage in sexual
13 harassment of nonemployees in the workplace. An employer
14 is responsible for sexual harassment of nonemployees by
15 the employer's nonmanagerial and nonsupervisory employees
16 only if the employer becomes aware of the conduct and
17 fails to take reasonable corrective measures. For the
18 purposes of this subdivision (D-5), "nonemployee" means a
19 person who is not otherwise an employee of the employer
20 and is directly performing services for the employer
21 pursuant to a contract with that employer. "Nonemployee"
22 includes contractors and consultants. This subdivision
23 applies to sexual harassment occurring on or after January
24 1, 2020 (the effective date of Public Act 101-221).

25 (E) Public employers. For any public employer to
26 refuse to permit a public employee under its jurisdiction

1 who takes time off from work in order to practice his or
2 her religious beliefs to engage in work, during hours
3 other than such employee's regular working hours,
4 consistent with the operational needs of the employer and
5 in order to compensate for work time lost for such
6 religious reasons. Any employee who elects such deferred
7 work shall be compensated at the wage rate which he or she
8 would have earned during the originally scheduled work
9 period. The employer may require that an employee who
10 plans to take time off from work in order to practice his
11 or her religious beliefs provide the employer with a
12 notice of his or her intention to be absent from work not
13 exceeding 5 days prior to the date of absence.

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

1 conduct of the employer's business.

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

6 (F) Training and apprenticeship programs. For any
7 employer, employment agency or labor organization to
8 discriminate against a person on the basis of age in the
9 selection, referral for or conduct of apprenticeship or
10 training programs.

11 (G) Immigration-related practices.

12 (1) for an employer to request for purposes of
13 satisfying the requirements of Section 1324a(b) of
14 Title 8 of the United States Code, as now or hereafter
15 amended, more or different documents than are required
16 under such Section or to refuse to honor documents
17 tendered that on their face reasonably appear to be
18 genuine or to refuse to honor work authorization based
19 upon the specific status or term of status that
20 accompanies the authorization to work; or

21 (2) for an employer participating in the E-Verify
22 Program, as authorized by 8 U.S.C. 1324a, Notes, Pilot
23 Programs for Employment Eligibility Confirmation
24 (enacted by PL 104-208, div. C title IV, subtitle A) to
25 refuse to hire, to segregate, or to act with respect to
26 recruitment, hiring, promotion, renewal of employment,

1 selection for training or apprenticeship, discharge,
2 discipline, tenure or terms, privileges or conditions
3 of employment without following the procedures under
4 the E-Verify Program.

5 (H) (Blank).

6 (I) Pregnancy. For an employer to refuse to hire, to
7 segregate, or to act with respect to recruitment, hiring,
8 promotion, renewal of employment, selection for training
9 or apprenticeship, discharge, discipline, tenure or terms,
10 privileges or conditions of employment on the basis of
11 pregnancy, childbirth, or medical or common conditions
12 related to pregnancy or childbirth. Women affected by
13 pregnancy, childbirth, or medical or common conditions
14 related to pregnancy or childbirth shall be treated the
15 same for all employment-related purposes, including
16 receipt of benefits under fringe benefit programs, as
17 other persons not so affected but similar in their ability
18 or inability to work, regardless of the source of the
19 inability to work or employment classification or status.

20 (J) Pregnancy; reasonable accommodations.

21 (1) If after a job applicant or employee,
22 including a part-time, full-time, or probationary
23 employee, requests a reasonable accommodation, for an
24 employer to not make reasonable accommodations for any
25 medical or common condition of a job applicant or
26 employee related to pregnancy or childbirth, unless

1 the employer can demonstrate that the accommodation
2 would impose an undue hardship on the ordinary
3 operation of the business of the employer. The
4 employer may request documentation from the employee's
5 health care provider concerning the need for the
6 requested reasonable accommodation or accommodations
7 to the same extent documentation is requested for
8 conditions related to disability if the employer's
9 request for documentation is job-related and
10 consistent with business necessity. The employer may
11 require only the medical justification for the
12 requested accommodation or accommodations, a
13 description of the reasonable accommodation or
14 accommodations medically advisable, the date the
15 reasonable accommodation or accommodations became
16 medically advisable, and the probable duration of the
17 reasonable accommodation or accommodations. It is the
18 duty of the individual seeking a reasonable
19 accommodation or accommodations to submit to the
20 employer any documentation that is requested in
21 accordance with this paragraph. Notwithstanding the
22 provisions of this paragraph, the employer may require
23 documentation by the employee's health care provider
24 to determine compliance with other laws. The employee
25 and employer shall engage in a timely, good faith, and
26 meaningful exchange to determine effective reasonable

1 accommodations.

2 (2) For an employer to deny employment
3 opportunities or benefits to or take adverse action
4 against an otherwise qualified job applicant or
5 employee, including a part-time, full-time, or
6 probationary employee, if the denial or adverse action
7 is based on the need of the employer to make reasonable
8 accommodations to the known medical or common
9 conditions related to the pregnancy or childbirth of
10 the applicant or employee.

11 (3) For an employer to require a job applicant or
12 employee, including a part-time, full-time, or
13 probationary employee, affected by pregnancy,
14 childbirth, or medical or common conditions related to
15 pregnancy or childbirth to accept an accommodation
16 when the applicant or employee did not request an
17 accommodation and the applicant or employee chooses
18 not to accept the employer's accommodation.

19 (4) For an employer to require an employee,
20 including a part-time, full-time, or probationary
21 employee, to take leave under any leave law or policy
22 of the employer if another reasonable accommodation
23 can be provided to the known medical or common
24 conditions related to the pregnancy or childbirth of
25 an employee. No employer shall fail or refuse to
26 reinstate the employee affected by pregnancy,

1 childbirth, or medical or common conditions related to
2 pregnancy or childbirth to her original job or to an
3 equivalent position with equivalent pay and
4 accumulated seniority, retirement, fringe benefits,
5 and other applicable service credits upon her
6 signifying her intent to return or when her need for
7 reasonable accommodation ceases, unless the employer
8 can demonstrate that the accommodation would impose an
9 undue hardship on the ordinary operation of the
10 business of the employer.

11 For the purposes of this subdivision (J), "reasonable
12 accommodations" means reasonable modifications or
13 adjustments to the job application process or work
14 environment, or to the manner or circumstances under which
15 the position desired or held is customarily performed,
16 that enable an applicant or employee affected by
17 pregnancy, childbirth, or medical or common conditions
18 related to pregnancy or childbirth to be considered for
19 the position the applicant desires or to perform the
20 essential functions of that position, and may include, but
21 is not limited to: more frequent or longer bathroom
22 breaks, breaks for increased water intake, and breaks for
23 periodic rest; private non-bathroom space for expressing
24 breast milk and breastfeeding; seating; assistance with
25 manual labor; light duty; temporary transfer to a less
26 strenuous or hazardous position; the provision of an

1 accessible worksite; acquisition or modification of
2 equipment; job restructuring; a part-time or modified work
3 schedule; appropriate adjustment or modifications of
4 examinations, training materials, or policies; flexible
5 scheduling or modified work hours; temperature or
6 climate-adjusted workspace; reassignment to a vacant
7 position; time off to recover from conditions related to
8 childbirth; and leave necessitated by pregnancy,
9 childbirth, or medical or common conditions resulting from
10 pregnancy or childbirth.

11 For the purposes of this subdivision (J), "undue
12 hardship" means an action that is prohibitively expensive
13 or disruptive when considered in light of the following
14 factors: (i) the nature and cost of the accommodation
15 needed; (ii) the overall financial resources of the
16 facility or facilities involved in the provision of the
17 reasonable accommodation, the number of persons employed
18 at the facility, the effect on expenses and resources, or
19 the impact otherwise of the accommodation upon the
20 operation of the facility; (iii) the overall financial
21 resources of the employer, the overall size of the
22 business of the employer with respect to the number of its
23 employees, and the number, type, and location of its
24 facilities; and (iv) the type of operation or operations
25 of the employer, including the composition, structure, and
26 functions of the workforce of the employer, the geographic

1 separateness, administrative, or fiscal relationship of
2 the facility or facilities in question to the employer.
3 The employer has the burden of proving undue hardship. The
4 fact that the employer provides or would be required to
5 provide a similar accommodation to similarly situated
6 employees creates a rebuttable presumption that the
7 accommodation does not impose an undue hardship on the
8 employer.

9 No employer is required by this subdivision (J) to
10 create additional employment that the employer would not
11 otherwise have created, unless the employer does so or
12 would do so for other classes of employees who need
13 accommodation. The employer is not required to discharge
14 any employee, transfer any employee with more seniority,
15 or promote any employee who is not qualified to perform
16 the job, unless the employer does so or would do so to
17 accommodate other classes of employees who need it.

18 (K) Notice.

19 (1) For an employer to fail to post or keep posted
20 in a conspicuous location on the premises of the
21 employer where notices to employees are customarily
22 posted, or fail to include in any employee handbook
23 information concerning an employee's rights under this
24 Article, a notice, to be prepared or approved by the
25 Department, summarizing the requirements of this
26 Article and information pertaining to the filing of a

1 charge, including the right to be free from unlawful
2 discrimination, the right to be free from sexual
3 harassment, and the right to certain reasonable
4 accommodations, including the right to reasonable
5 accommodations for pregnancy, which includes the right
6 to reasonable accommodations for menopause-related
7 conditions. The Department shall make the documents
8 required under this paragraph available for retrieval
9 from the Department's website.

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

18 (L) Use of artificial intelligence.

19 (1) With respect to recruitment, hiring,
20 promotion, renewal of employment, selection for
21 training or apprenticeship, discharge, discipline,
22 tenure, or the terms, privileges, or conditions of
23 employment, for an employer to use artificial
24 intelligence that has the effect of subjecting
25 employees to discrimination on the basis of protected
26 classes under this Article or to use zip codes as a

1 proxy for protected classes under this Article.

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

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

11 (Source: P.A. 103-797, eff. 1-1-25; 103-804, eff. 1-1-26;
12 104-417, eff. 8-15-25.)

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

15 Section 99. Effective date. This Act takes effect January
16 1, 2027, except that the changes to Sections 356z.56 and
17 356z.74 of the Illinois Insurance Code take effect January 1,
18 2028.