



Rep. Yolonda Morris

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LRB104 18383 JRC 36541 a

1 AMENDMENT TO HOUSE BILL 5284

2 AMENDMENT NO. _____. Amend House Bill 5284 by replacing
3 everything after the enacting clause with the following:

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

1 amended by adding Section 2310-750 as follows:

2 (20 ILCS 2310/2310-750 new)

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

4 (a) The Department of Public Health must develop and make
5 publicly available educational materials regarding menopause
6 and perimenopause.

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

8 (1) common symptoms;

9 (2) evidence-based treatment options; and

10 (3) patient rights and available resources.

11 (c) The Department shall make materials available on its
12 website and may disseminate the materials through public
13 outreach efforts.

14 (d) The Department may designate and promote an annual
15 Menopause 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 conditions.

20 (a) Any individual or group plan of accident or health
21 insurance amended, delivered, issued, or renewed on or after
22 January 1, 2028, shall provide coverage for medically
23 necessary evaluation and treatment of menopause and

1 perimenopause conditions as determined by a licensed health
2 care provider in accordance with current evidence-based
3 guidelines.

4 (b) Covered treatment shall include, but is not limited
5 to: (i) hormone therapy; (ii) non-hormonal therapies for
6 vasomotor symptoms; (iii) medications for menopause-related
7 osteoporosis; or (iv) other treatments as recommended by a
8 licensed health care provider.

9 (c) Insurers may voluntarily report menopause-related
10 claims to the Department of Insurance for policy analysis.

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

13 (225 ILCS 60/20) (from Ch. 111, par. 4400-20)

14 (Section scheduled to be repealed on January 1, 2027)

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

1 specialty society board certification or for continuing
2 education requirements as a condition of membership in
3 societies representing the 2 categories of licensee under this
4 Act. These rules shall assure that licensees are given the
5 opportunity to participate in those programs sponsored by or
6 through their professional associations or hospitals which are
7 relevant to their practice. Each licensee is responsible for
8 maintaining records of completion of continuing education and
9 shall be prepared to produce the records when requested by the
10 Department.

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

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

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

20 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

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

23 (A) Age. "Age" means the chronological age of a person who
24 is at least 40 years old, except with regard to any practice

1 described in Section 2-102, insofar as that practice concerns
2 training or apprenticeship programs. In the case of training
3 or apprenticeship programs, for the purposes of Section 2-102,
4 "age" means the chronological age of a person who is 18 but not
5 yet 40 years old.

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

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

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

12 (2) a juvenile record; or

13 (3) criminal history record information ordered
14 expunged, sealed, or impounded under Section 5.2 of the
15 Criminal Identification Act.

16 (C) Charge. "Charge" means an allegation filed with the
17 Department by an aggrieved party or initiated by the
18 Department under its authority.

19 (D) Civil rights violation. "Civil rights violation"
20 includes and shall be limited to only those specific acts set
21 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-102.1, 3-103,
22 3-102.10, 3-104.1, 3-105, 3-105.1, 4-102, 4-103, 5-102,
23 5A-102, 6-101, 6-101.5, and 6-102 of this Act.

24 (E) Commission. "Commission" means the Human Rights
25 Commission created by this Act.

26 (F) Complaint. "Complaint" means the formal pleading filed

1 by the Department with the Commission following an
2 investigation and finding of substantial evidence of a civil
3 rights violation.

4 (G) Complainant. "Complainant" means a person including
5 the Department who files a charge of civil rights violation
6 with the Department or the Commission.

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

12 (H) Department. "Department" means the Department of Human
13 Rights created by this Act.

14 (I) Disability.

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

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

1 disability;

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

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

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

10 (e) For purposes of Article 5, also includes any
11 mental, psychological, or developmental disability,
12 including autism spectrum disorders.

13 (2) Discrimination based on disability includes unlawful
14 discrimination against an individual because of the
15 individual's association with a person with a disability.

16 (J) Marital status. "Marital status" means the legal
17 status of being married, single, separated, divorced, or
18 widowed.

19 (J-5) Menopause-related condition. "Menopause-related
20 condition" means perimenopause, menopause, and associated
21 medical or symptomatic conditions that include, but are not
22 limited to, vasomotor symptoms, sleep disruption, cognitive or
23 mood changes, and osteoporosis-related changes.

24 (J-1) Military status. "Military status" means a person's
25 status on active duty in or status as a veteran of the armed
26 forces of the United States, status as a current member or

1 veteran of any reserve component of the armed forces of the
2 United States, including the United States Army Reserve,
3 United States Marine Corps Reserve, United States Navy
4 Reserve, United States Air Force Reserve, and United States
5 Coast Guard Reserve, or status as a current member or veteran
6 of the Illinois Army National Guard or Illinois Air National
7 Guard.

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

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

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

24 (L-5) Pregnancy. "Pregnancy" means pregnancy, childbirth,
25 or medical or common conditions related to pregnancy or
26 childbirth.

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

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

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

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

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

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

25 (O-5) Source of income. "Source of income" means the
26 lawful manner by which an individual supports himself or

1 herself and his or her dependents.

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

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

16 (Source: P.A. 102-362, eff. 1-1-22; 102-419, eff. 1-1-22;
17 102-558, eff. 8-20-21; 102-813, eff. 5-13-22; 102-896, eff.
18 1-1-23; 102-1102, eff. 1-1-23; 103-154, eff. 6-30-23; 103-785,
19 eff. 1-1-25.)

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

22 (775 ILCS 5/2-102)

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

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

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

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

22 (A-10) Harassment of nonemployees. For any employer,
23 employment agency, or labor organization to engage in
24 harassment of nonemployees in the workplace. An employer
25 is responsible for harassment of nonemployees by the
26 employer's nonmanagerial and nonsupervisory employees only

1 if the employer becomes aware of the conduct and fails to
2 take reasonable corrective measures. For the purposes of
3 this subdivision (A-10), "nonemployee" means a person who
4 is not otherwise an employee of the employer and is
5 directly performing services for the employer pursuant to
6 a contract with that employer. "Nonemployee" includes
7 contractors and consultants. This subdivision applies to
8 harassment occurring on or after January 1, 2020 (the
9 effective date of Public Act 101-221).

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

23 (C) Labor organization. For any labor organization to
24 limit, segregate or classify its membership, or to limit
25 employment opportunities, selection and training for
26 apprenticeship in any trade or craft, or otherwise to

1 take, or fail to take, any action which affects adversely
2 any person's status as an employee or as an applicant for
3 employment or as an apprentice, or as an applicant for
4 apprenticeships, or wages, tenure, hours of employment or
5 apprenticeship conditions on the basis of unlawful
6 discrimination, citizenship status, work authorization
7 status, or family responsibilities.

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

16 (D-5) Sexual harassment of nonemployees. For any
17 employer, employee, agent of any employer, employment
18 agency, or labor organization to engage in sexual
19 harassment of nonemployees in the workplace. An employer
20 is responsible for sexual harassment of nonemployees by
21 the employer's nonmanagerial and nonsupervisory employees
22 only if the employer becomes aware of the conduct and
23 fails to take reasonable corrective measures. For the
24 purposes of this subdivision (D-5), "nonemployee" means a
25 person who is not otherwise an employee of the employer
26 and is directly performing services for the employer

1 pursuant to a contract with that employer. "Nonemployee"
2 includes contractors and consultants. This subdivision
3 applies to sexual harassment occurring on or after January
4 1, 2020 (the effective date of Public Act 101-221).

5 (E) Public employers. For any public employer to
6 refuse to permit a public employee under its jurisdiction
7 who takes time off from work in order to practice his or
8 her religious beliefs to engage in work, during hours
9 other than such employee's regular working hours,
10 consistent with the operational needs of the employer and
11 in order to compensate for work time lost for such
12 religious reasons. Any employee who elects such deferred
13 work shall be compensated at the wage rate which he or she
14 would have earned during the originally scheduled work
15 period. The employer may require that an employee who
16 plans to take time off from work in order to practice his
17 or her religious beliefs provide the employer with a
18 notice of his or her intention to be absent from work not
19 exceeding 5 days prior to the date of absence.

20 (E-5) Religious discrimination. For any employer to
21 impose upon a person as a condition of obtaining or
22 retaining employment, including opportunities for
23 promotion, advancement, or transfer, any terms or
24 conditions that would require such person to violate or
25 forgo a sincerely held practice of his or her religion
26 including, but not limited to, the wearing of any attire,

1 clothing, or facial hair in accordance with the
2 requirements of his or her religion, unless, after
3 engaging in a bona fide effort, the employer demonstrates
4 that it is unable to reasonably accommodate the employee's
5 or prospective employee's sincerely held religious belief,
6 practice, or observance without undue hardship on the
7 conduct of the employer's business.

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

12 (F) Training and apprenticeship programs. For any
13 employer, employment agency or labor organization to
14 discriminate against a person on the basis of age in the
15 selection, referral for or conduct of apprenticeship or
16 training programs.

17 (G) Immigration-related practices.

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

1 (2) for an employer participating in the E-Verify
2 Program, as authorized by 8 U.S.C. 1324a, Notes, Pilot
3 Programs for Employment Eligibility Confirmation
4 (enacted by PL 104-208, div. C title IV, subtitle A) to
5 refuse to hire, to segregate, or to act with respect to
6 recruitment, hiring, promotion, renewal of employment,
7 selection for training or apprenticeship, discharge,
8 discipline, tenure or terms, privileges or conditions
9 of employment without following the procedures under
10 the E-Verify Program.

11 (H) (Blank).

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

26 (J) Pregnancy; reasonable accommodations.

1 (1) If after a job applicant or employee,
2 including a part-time, full-time, or probationary
3 employee, requests a reasonable accommodation, for an
4 employer to not make reasonable accommodations for any
5 medical or common condition of a job applicant or
6 employee related to pregnancy or childbirth, unless
7 the employer can demonstrate that the accommodation
8 would impose an undue hardship on the ordinary
9 operation of the business of the employer. The
10 employer may request documentation from the employee's
11 health care provider concerning the need for the
12 requested reasonable accommodation or accommodations
13 to the same extent documentation is requested for
14 conditions related to disability if the employer's
15 request for documentation is job-related and
16 consistent with business necessity. The employer may
17 require only the medical justification for the
18 requested accommodation or accommodations, a
19 description of the reasonable accommodation or
20 accommodations medically advisable, the date the
21 reasonable accommodation or accommodations became
22 medically advisable, and the probable duration of the
23 reasonable accommodation or accommodations. It is the
24 duty of the individual seeking a reasonable
25 accommodation or accommodations to submit to the
26 employer any documentation that is requested in

1 accordance with this paragraph. Notwithstanding the
2 provisions of this paragraph, the employer may require
3 documentation by the employee's health care provider
4 to determine compliance with other laws. The employee
5 and employer shall engage in a timely, good faith, and
6 meaningful exchange to determine effective reasonable
7 accommodations.

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

17 (3) For an employer to require a job applicant or
18 employee, including a part-time, full-time, or
19 probationary employee, affected by pregnancy,
20 childbirth, or medical or common conditions related to
21 pregnancy or childbirth to accept an accommodation
22 when the applicant or employee did not request an
23 accommodation and the applicant or employee chooses
24 not to accept the employer's accommodation.

25 (4) For an employer to require an employee,
26 including a part-time, full-time, or probationary

1 employee, to take leave under any leave law or policy
2 of the employer if another reasonable accommodation
3 can be provided to the known medical or common
4 conditions related to the pregnancy or childbirth of
5 an employee. No employer shall fail or refuse to
6 reinstate the employee affected by pregnancy,
7 childbirth, or medical or common conditions related to
8 pregnancy or childbirth to her original job or to an
9 equivalent position with equivalent pay and
10 accumulated seniority, retirement, fringe benefits,
11 and other applicable service credits upon her
12 signifying her intent to return or when her need for
13 reasonable accommodation ceases, unless the employer
14 can demonstrate that the accommodation would impose an
15 undue hardship on the ordinary operation of the
16 business of the employer.

17 For the purposes of this subdivision (J), "reasonable
18 accommodations" means reasonable modifications or
19 adjustments to the job application process or work
20 environment, or to the manner or circumstances under which
21 the position desired or held is customarily performed,
22 that enable an applicant or employee affected by
23 pregnancy, childbirth, or medical or common conditions
24 related to pregnancy or childbirth to be considered for
25 the position the applicant desires or to perform the
26 essential functions of that position, and may include, but

1 is not limited to: more frequent or longer bathroom
2 breaks, breaks for increased water intake, and breaks for
3 periodic rest; private non-bathroom space for expressing
4 breast milk and breastfeeding; seating; assistance with
5 manual labor; light duty; temporary transfer to a less
6 strenuous or hazardous position; the provision of an
7 accessible worksite; acquisition or modification of
8 equipment; job restructuring; a part-time or modified work
9 schedule; appropriate adjustment or modifications of
10 examinations, training materials, or policies;
11 reassignment to a vacant position; time off to recover
12 from conditions related to childbirth; and leave
13 necessitated by pregnancy, childbirth, or medical or
14 common conditions resulting from pregnancy or childbirth.

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

1 employees, and the number, type, and location of its
2 facilities; and (iv) the type of operation or operations
3 of the employer, including the composition, structure, and
4 functions of the workforce of the employer, the geographic
5 separateness, administrative, or fiscal relationship of
6 the facility or facilities in question to the employer.
7 The employer has the burden of proving undue hardship. The
8 fact that the employer provides or would be required to
9 provide a similar accommodation to similarly situated
10 employees creates a rebuttable presumption that the
11 accommodation does not impose an undue hardship on the
12 employer.

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

22 (J-1) Menopause-related condition. For an employer to
23 discriminate in any way or refuse or fail to provide
24 reasonable accommodations for an employee because of a
25 menopause-related condition is a civil rights violation
26 under this Act. Reasonable accommodations may include, but

1 are not limited to, flexible scheduling or modified work
2 hours; temperature control or climate-adjusted workspace;
3 private spaces for rest or symptom management; remote work
4 options; and light-duty assignments if safe and feasible.
5 Employers must engage in a timely, good-faith interactive
6 process with employees who request accommodations under
7 this subsection. Employers must post notices of the rights
8 provided in this subsection and provide them to employees
9 on beginning employment or on request.

10 (K) Notice.

11 (1) For an employer to fail to post or keep posted
12 in a conspicuous location on the premises of the
13 employer where notices to employees are customarily
14 posted, or fail to include in any employee handbook
15 information concerning an employee's rights under this
16 Article, a notice, to be prepared or approved by the
17 Department, summarizing the requirements of this
18 Article and information pertaining to the filing of a
19 charge, including the right to be free from unlawful
20 discrimination, the right to be free from sexual
21 harassment, and the right to certain reasonable
22 accommodations. The Department shall make the
23 documents required under this paragraph available for
24 retrieval from the Department's website.

25 (2) Upon notification of a violation of paragraph
26 (1) of this subdivision (K), the Department may launch

1 a preliminary investigation. If the Department finds a
2 violation, the Department may issue a notice to show
3 cause giving the employer 30 days to correct the
4 violation. If the violation is not corrected, the
5 Department may initiate a charge of a civil rights
6 violation.

7 (L) Use of artificial intelligence.

8 (1) With respect to recruitment, hiring,
9 promotion, renewal of employment, selection for
10 training or apprenticeship, discharge, discipline,
11 tenure, or the terms, privileges, or conditions of
12 employment, for an employer to use artificial
13 intelligence that has the effect of subjecting
14 employees to discrimination on the basis of protected
15 classes under this Article or to use zip codes as a
16 proxy for protected classes under this Article.

17 (2) For an employer to fail to provide notice to an
18 employee that the employer is using artificial
19 intelligence for the purposes described in paragraph
20 (1).

21 The Department shall adopt any rules necessary for the
22 implementation and enforcement of this subdivision,
23 including, but not limited to, rules on the circumstances
24 and conditions that require notice, the time period for
25 providing notice, and the means for providing notice.

26 (Source: P.A. 103-797, eff. 1-1-25; 103-804, eff. 1-1-26;

1 104-417, eff. 8-15-25.)

2 Section 97. Severability. The provisions of this Act are
3 severable under Section 1.31 of the Statute on Statutes.".