



Sen. Kimberly A. Lightford

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10400HB5284sam003

LRB104 18383 LNS 37875 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 changing Sections 356z.56 and 356z.74 as follows:

18 (215 ILCS 5/356z.56)

19 Sec. 356z.56. Coverage for hormonal and non-hormonal
20 therapy to treat menopause and perimenopause. A group or
21 individual policy of accident and health insurance or a
22 managed care plan that is amended, delivered, issued, or
23 renewed in this State shall provide coverage for medically

1 necessary hormone therapy treatment to treat menopause that
2 has been induced by a hysterectomy. This coverage applies only
3 to coverage provided on or after January 1, 2024 and before
4 January 1, 2026.

5 A group or individual policy of accident and health
6 insurance or a managed care plan that is amended, delivered,
7 issued, or renewed on or after January 1, 2026 shall provide
8 coverage for medically necessary hormonal and non-hormonal
9 therapy to treat menopausal and perimenopausal symptoms or
10 conditions if the therapy is recommended by a qualified health
11 care provider who is licensed, accredited, or certified under
12 Illinois law and the therapy has been proven safe and
13 effective in peer-reviewed scientific studies and is
14 prescribed in accordance with current evidence-based
15 guidelines. Coverage for therapy to treat menopausal and
16 perimenopausal symptoms or conditions shall include all
17 federal Food and Drug Administration-approved modalities of
18 hormonal and non-hormonal administration, including, but not
19 limited to, oral, transdermal, topical, and vaginal rings.
20 Coverage shall include medications for menopause-related
21 osteoporosis and non-hormonal therapies for vasomotor
22 symptoms.

23 (Source: P.A. 102-804, eff. 1-1-23; 103-154, eff. 6-30-23;
24 103-703, eff. 1-1-26.)

1 Sec. 356z.74. Coverage for annual menopause and
2 perimenopause health visit. A group or individual policy of
3 accident and health insurance providing coverage for more than
4 25 employees that is amended, delivered, issued, or renewed on
5 or after January 1, 2026 shall provide, for individuals 45
6 years of age and older, coverage for an annual menopause or
7 perimenopause health visit. A policy subject to this Section
8 shall not impose a deductible, coinsurance, copayment, or any
9 other cost-sharing requirement on the coverage provided;
10 except that this Section does not apply to this coverage to the
11 extent such coverage would disqualify a high-deductible health
12 plan from eligibility for a health savings account pursuant to
13 Section 223 of the Internal Revenue Code.

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

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

17 (225 ILCS 60/20) (from Ch. 111, par. 4400-20)

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

19 Sec. 20. Continuing education. The Department shall
20 promulgate rules of continuing education for persons licensed
21 under this Act that require an average of 50 hours of
22 continuing education per license year. These rules shall be
23 consistent with requirements of relevant professional
24 associations, specialty societies, or boards. The rules shall

1 also address variances in part or in whole for good cause,
2 including, but not limited to, temporary illness or hardship.
3 In establishing these rules, the Department shall consider
4 educational requirements for medical staffs, requirements for
5 specialty society board certification or for continuing
6 education requirements as a condition of membership in
7 societies representing the 2 categories of licensee under this
8 Act. These rules shall assure that licensees are given the
9 opportunity to participate in those programs sponsored by or
10 through their professional associations or hospitals which are
11 relevant to their practice. Each licensee is responsible for
12 maintaining records of completion of continuing education and
13 shall be prepared to produce the records when requested by the
14 Department.

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

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

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

24 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

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

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

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

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

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

16 (2) a juvenile record; or

17 (3) criminal history record information ordered
18 expunged, sealed, or impounded under Section 5.2 of the
19 Criminal Identification Act.

20 (C) Charge. "Charge" means an allegation filed with the
21 Department by an aggrieved party or initiated by the
22 Department under its authority.

23 (D) Civil rights violation. "Civil rights violation"
24 includes and shall be limited to only those specific acts set
25 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-102.1, 3-103,
26 3-102.10, 3-104.1, 3-105, 3-105.1, 4-102, 4-103, 5-102,

1 5A-102, 6-101, 6-101.5, and 6-102 of this Act.

2 (E) Commission. "Commission" means the Human Rights
3 Commission created by this Act.

4 (F) Complaint. "Complaint" means the formal pleading filed
5 by the Department with the Commission following an
6 investigation and finding of substantial evidence of a civil
7 rights violation.

8 (G) Complainant. "Complainant" means a person including
9 the Department who files a charge of civil rights violation
10 with the Department or the Commission.

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

16 (H) Department. "Department" means the Department of Human
17 Rights created by this Act.

18 (I) Disability.

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

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

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

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

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

14 (e) For purposes of Article 5, also includes any
15 mental, psychological, or developmental disability,
16 including autism spectrum disorders.

17 (2) Discrimination based on disability includes unlawful
18 discrimination against an individual because of the
19 individual's association with a person with a disability.

20 (J) Marital status. "Marital status" means the legal
21 status of being married, single, separated, divorced, or
22 widowed.

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

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

7 (J-5) Menopause-related condition. "Menopause-related
8 condition" means perimenopause, menopause, and associated
9 medical or symptomatic conditions that include, but are not
10 limited to, vasomotor symptoms, sleep disruption, cognitive or
11 mood changes, and osteoporosis-related changes.

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

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

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

1 bankruptcy or receivers.

2 (L-5) Pregnancy. "Pregnancy" means pregnancy, childbirth,
3 or medical or common conditions related to pregnancy or
4 childbirth, including menopause-related conditions.

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

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

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

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

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

23 (O-2) Reproductive Health Decisions. "Reproductive Health
24 Decisions" means a person's decisions regarding the person's
25 use of: contraception; fertility or sterilization care;
26 assisted reproductive technologies; miscarriage management

1 care; healthcare related to the continuation or termination of
2 pregnancy; or prenatal, intranatal, or postnatal care.

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

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

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

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

24 (775 ILCS 5/2-102)

25 Sec. 2-102. Civil rights violations; employment. It is a

1 civil rights violation:

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

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

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

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

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

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

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

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

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

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

1 and is directly performing services for the employer
2 pursuant to a contract with that employer. "Nonemployee"
3 includes contractors and consultants. This subdivision
4 applies to sexual harassment occurring on or after January
5 1, 2020 (the effective date of Public Act 101-221).

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

21 (E-5) Religious discrimination. For any employer to
22 impose upon a person as a condition of obtaining or
23 retaining employment, including opportunities for
24 promotion, advancement, or transfer, any terms or
25 conditions that would require such person to violate or
26 forgo a sincerely held practice of his or her religion

1 including, but not limited to, the wearing of any attire,
2 clothing, or facial hair in accordance with the
3 requirements of his or her religion, unless, after
4 engaging in a bona fide effort, the employer demonstrates
5 that it is unable to reasonably accommodate the employee's
6 or prospective employee's sincerely held religious belief,
7 practice, or observance without undue hardship on the
8 conduct of the employer's business.

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

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

18 (G) Immigration-related practices.

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

1 accompanies the authorization to work; or

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

12 (H) (Blank).

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

1 (J) Pregnancy; reasonable accommodations.

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

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

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

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

26 (4) For an employer to require an employee,

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

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

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

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

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

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

25 (K) Notice.

26 (1) For an employer to fail to post or keep posted

1 in a conspicuous location on the premises of the
2 employer where notices to employees are customarily
3 posted, or fail to include in any employee handbook
4 information concerning an employee's rights under this
5 Article, a notice, to be prepared or approved by the
6 Department, summarizing the requirements of this
7 Article and information pertaining to the filing of a
8 charge, including the right to be free from unlawful
9 discrimination, the right to be free from sexual
10 harassment, and the right to certain reasonable
11 accommodations, including the right to reasonable
12 accommodations for pregnancy, which includes the right
13 to reasonable accommodations for menopause-related
14 conditions. The Department shall make the documents
15 required under this paragraph available for retrieval
16 from the Department's website.

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

25 (L) Use of artificial intelligence.

26 (1) With respect to recruitment, hiring,

1 promotion, renewal of employment, selection for
2 training or apprenticeship, discharge, discipline,
3 tenure, or the terms, privileges, or conditions of
4 employment, for an employer to use artificial
5 intelligence that has the effect of subjecting
6 employees to discrimination on the basis of protected
7 classes under this Article or to use zip codes as a
8 proxy for protected classes under this Article.

9 (2) For an employer to fail to provide notice to an
10 employee that the employer is using artificial
11 intelligence for the purposes described in paragraph
12 (1).

13 The Department shall adopt any rules necessary for the
14 implementation and enforcement of this subdivision,
15 including, but not limited to, rules on the circumstances
16 and conditions that require notice, the time period for
17 providing notice, and the means for providing notice.

18 (Source: P.A. 103-797, eff. 1-1-25; 103-804, eff. 1-1-26;
19 104-417, eff. 8-15-25.)

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

22 Section 99. Effective date. This Act takes effect January
23 1, 2027, except that the changes to Sections 356z.56 and
24 356z.74 of the Illinois Insurance Code take effect January 1,

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1 2028.".