



Rep. Jennifer Gong-Gershowitz

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10400HB5461ham001

LRB104 19332 SPS 35761 a

1 AMENDMENT TO HOUSE BILL 5461

2 AMENDMENT NO. _____. Amend House Bill 5461 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Freedom to Work Act is amended by
5 adding Section 13 as follows:

6 (820 ILCS 90/13 new)

7 Sec. 13. Prohibition of contracts requiring payment upon
8 termination by either party.

9 (a) Except as provided in subsection (d), it is unlawful
10 to include in any employment contract, or to require an
11 employee to execute as a condition of employment or a work
12 relationship, a contract that:

13 (1) requires the employee to pay an employer or third
14 party for a debt if the employee's employment or work
15 relationship with a specific employer is terminated by
16 either party;

1 (2) authorizes the employer or third party to resume
2 or initiate collection of or to end forbearance on a debt
3 if the employee's employment or work relationship with a
4 specific employer is terminated by either party; or

5 (3) imposes any penalty, fee, or cost on an employee
6 if the employee's employment or work relationship with a
7 specific employer is terminated by either party.

8 (b) This Section applies to contracts entered into on or
9 after the effective date of this amendatory Act of the 104th
10 General Assembly.

11 (c) A contract entered into in violation of this Section
12 is void and unenforceable. Any payments made or wages or other
13 payments deducted or otherwise withheld in violation of this
14 Section may be recovered as unpaid wages under the Illinois
15 Wage Payment and Collection Act.

16 (d) This Section does not apply to any wage deduction
17 authorized under Section 9 of the Illinois Wage Payment and
18 Collection Act or any contracts with an apprenticeship program
19 registered with the Office of Apprenticeship within the U.S.
20 Department of Labor's Employment and Training
21 Administration."