



Sen. Graciela Guzmán

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LRB104 06874 JRC 25977 a

1 AMENDMENT TO SENATE BILL 613

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 613 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Human Rights Act is amended by  
5 changing Sections 1-101.1, 1-102, and 1-103 as follows:

6 (775 ILCS 5/1-101.1)

7 Sec. 1-101.1. Construction. Nothing in this Act shall be  
8 construed as requiring any employer, employment agency, or  
9 labor organization to give preferential treatment or special  
10 rights based on sexual orientation or to implement affirmative  
11 action policies or programs based on sexual orientation.  
12 Nothing in this Act shall be construed as permitting an  
13 individual to be subjected to unlawful discrimination through  
14 the use of artificial intelligence as defined in Section 2-101  
15 of this Act.

16 (Source: P.A. 93-1078, eff. 1-1-06.)

1 (775 ILCS 5/1-102) (from Ch. 68, par. 1-102)

2 Sec. 1-102. Declaration of policy. It is the public policy  
3 of this State:

4 (A) Freedom from Unlawful Discrimination. To secure  
5 for all individuals within Illinois the freedom from  
6 discrimination based on race, color, religion, sex,  
7 national origin, ancestry, age, order of protection  
8 status, marital status, physical or mental disability,  
9 military status, sexual orientation, pregnancy,  
10 reproductive health decisions, or unfavorable discharge  
11 from military service in connection with employment, real  
12 estate transactions, access to financial credit, and the  
13 availability of public accommodations, including in  
14 elementary, secondary, and higher education. This includes  
15 the use of artificial intelligence as a means to  
16 accomplish or support the unlawful discrimination of an  
17 individual as defined in Section 2-101 of this Act.

18 (B) Freedom from Sexual Harassment-Employment and  
19 Elementary, Secondary, and Higher Education. To prevent  
20 sexual harassment in employment and sexual harassment in  
21 elementary, secondary, and higher education.

22 (C) Freedom from Discrimination Based on Citizenship  
23 Status-Employment. To prevent discrimination based on  
24 citizenship status in employment.

25 (C-5) Freedom from Discrimination Based on Work

1 Authorization Status-Employment. To prevent  
2 discrimination based on the specific status or term of  
3 status that accompanies a legal work authorization.

4 (D) Freedom from Discrimination Based on Familial  
5 Status or Source of Income-Real Estate Transactions. To  
6 prevent discrimination based on familial status or source  
7 of income in real estate transactions.

8 (E) Public Health, Welfare and Safety. To promote the  
9 public health, welfare and safety by protecting the  
10 interest of all people in Illinois in maintaining personal  
11 dignity, in realizing their full productive capacities,  
12 and in furthering their interests, rights and privileges  
13 as citizens of this State.

14 (F) Implementation of Constitutional Guarantees. To  
15 secure and guarantee the rights established by Sections  
16 17, 18 and 19 of Article I of the Illinois Constitution of  
17 1970.

18 (G) Equal Opportunity, Affirmative Action. To  
19 establish Equal Opportunity and Affirmative Action as the  
20 policies of this State in all of its decisions, programs  
21 and activities, and to assure that all State departments,  
22 boards, commissions and instrumentalities rigorously take  
23 affirmative action to provide equality of opportunity and  
24 eliminate the effects of past discrimination in the  
25 internal affairs of State government and in their  
26 relations with the public.

1           (H) Unfounded Charges. To protect citizens of this  
2           State against unfounded charges of prohibited  
3           discrimination in employment, real estate transactions,  
4           financial credit, and public accommodations, including in  
5           elementary, secondary, and higher education.

6           (Source: P.A. 102-233, eff. 8-2-21; 102-896, eff. 1-1-23;  
7           103-472, eff. 8-1-24; 103-785, eff. 1-1-25.)

8           (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)  
9           Sec. 1-103. General definitions. When used in this Act,  
10          unless the context requires otherwise, the term:

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

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

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

- 23               (1) an arrest not leading to a conviction;  
24               (2) a juvenile record; or  
25               (3) criminal history record information ordered

1 expunged, sealed, or impounded under Section 5.2 of the  
2 Criminal Identification Act.

3 (C) Charge. "Charge" means an allegation filed with the  
4 Department by an aggrieved party or initiated by the  
5 Department under its authority.

6 (D) Civil rights violation. "Civil rights violation"  
7 includes and shall be limited to only those specific acts set  
8 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-102.1, 3-103,  
9 3-102.10, 3-104.1, 3-105, 3-105.1, 4-102, 4-103, 5-102,  
10 5A-102, 6-101, 6-101.5, and 6-102 of this Act.

11 (E) Commission. "Commission" means the Human Rights  
12 Commission created by this Act.

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

17 (G) Complainant. "Complainant" means a person including  
18 the Department who files a charge of civil rights violation  
19 with the Department or the Commission.

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

25 (H) Department. "Department" means the Department of Human  
26 Rights created by this Act.

1 (I) Disability.

2 (1) "Disability" means a determinable physical or mental  
3 characteristic of a person, including, but not limited to, a  
4 determinable physical characteristic which necessitates the  
5 person's use of a guide, hearing or support dog, the history of  
6 such characteristic, or the perception of such characteristic  
7 by the person complained against, which may result from  
8 disease, injury, congenital condition of birth or functional  
9 disorder and which characteristic:

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

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

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

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

23 (e) For purposes of Article 5, also includes any  
24 mental, psychological, or developmental disability,  
25 including autism spectrum disorders.

26 (2) Discrimination based on disability includes unlawful

1 discrimination against an individual because of the  
2 individual's association with a person with a disability.

3 (J) Marital status. "Marital status" means the legal  
4 status of being married, single, separated, divorced, or  
5 widowed.

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

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

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

25 (L) Person. "Person" includes one or more individuals,  
26 partnerships, associations or organizations, labor

1 organizations, labor unions, joint apprenticeship committees,  
2 or union labor associations, corporations, the State of  
3 Illinois and its instrumentalities, political subdivisions,  
4 units of local government, legal representatives, trustees in  
5 bankruptcy or receivers.

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

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

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

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

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

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



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

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

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

16 (Q) Unlawful discrimination. "Unlawful discrimination"  
17 means discrimination against a person because of his or her  
18 actual or perceived: race, color, religion, national origin,  
19 ancestry, age, sex, marital status, order of protection  
20 status, disability, military status, sexual orientation,  
21 pregnancy, reproductive health decisions, or unfavorable  
22 discharge from military service as those terms are defined in  
23 this Section. "Unlawful discrimination" includes the use of  
24 artificial intelligence as defined in Section 2-101 of this  
25 Act as a means to accomplish or support the unlawful  
26 discrimination of the person.

1 (Source: P.A. 102-362, eff. 1-1-22; 102-419, eff. 1-1-22;  
2 102-558, eff. 8-20-21; 102-813, eff. 5-13-22; 102-896, eff.  
3 1-1-23; 102-1102, eff. 1-1-23; 103-154, eff. 6-30-23; 103-785,  
4 eff. 1-1-25.)".