



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1860

Introduced 2/5/2025, by Sen. Graciela Guzmán

SYNOPSIS AS INTRODUCED:

New Act

Creates the State Disability Ombudsperson Act. Creates the State Disability Ombudsperson within the Department of Human Rights. Provides that on or before July 1, 2026, the Ombudsperson shall offer training, outreach, and educational materials and may arrange for the offering of courses open to the public in disability services and training and related topics. Requires the Ombudsperson to provide a toll-free number available during business hours to provide information and resources under the Act. Requires the Ombudsperson to develop a process for receiving and reviewing complaints. Provides that if the Ombudsperson believes that a complaint has reasonable grounds to have been made, establish a procedure for referral to disability rights organizations, community-based services, and legal and courtroom advocacy if those services are requested or deemed adequate. Requires the Ombudsperson to submit an annual report to the General Assembly. Authorizes the Department of Human Rights to adopt rules to implement the Act. Makes other changes.

LRB104 10514 JRC 20589 b

1 AN ACT concerning human rights.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the State
5 Disability Ombudsperson Act.

6 Section 5. Findings. Individuals with reported
7 disabilities make up an estimated nearly 12% of the population
8 of Illinois with another 10% estimated to be unreported.
9 People living with disabilities are entitled to the fair and
10 equal opportunities in society and all aspects of their lives.
11 Yet they routinely face barriers and discrimination that limit
12 their access to fair and equal opportunity in housing,
13 education, employment, health care, transportation, and other
14 daily activities. Therefore, the General Assembly finds that a
15 State Disability Ombudsperson dedicated to advocating for the
16 rights of disabled persons, in conjunction with the Long-term
17 Care Ombudsperson and Home Care Ombudsperson, advances the
18 goals of the State to ensure that all citizens can participate
19 in society fully and free from discrimination.

20 Section 10. Definitions. As used in this Act:

21 "Department" means the Department of Human Rights.

22 "Disabled person" means a person who has a physical or

1 mental impairment that substantially limits one or more major
2 life activities, a person who has a history or record of such
3 an impairment, or a person who is perceived by others as having
4 such an impairment.

5 Section 15. Office of the State Disability Ombudsperson.

6 (a) There is created in the Department of Human Rights,
7 under the supervision and control of the Director, the Office
8 of the State Disability Ombudsperson.

9 (b) The Department shall name an Ombudsperson and other
10 persons as necessary to discharge the requirements of this
11 Act. The Ombudsperson shall have the powers and duties as
12 delegated by the Department, in addition to the powers and
13 duties set forth in this Act.

14 (c) Information and advice provided by the Ombudsperson
15 has no binding legal effect and is not subject to the
16 provisions of the Illinois Administrative Code.

17 Section 20. Education. On or before July 1, 2026, the
18 Ombudsperson shall offer training, outreach, and educational
19 materials, and may arrange for the offering of courses open to
20 the public in subjects relevant to:

- 21 (1) disability services;
- 22 (2) disability rights training;
- 23 (3) disability rights laws;
- 24 (4) disability benefits;

- 1 (5) accessibility; and
- 2 (6) any other topic the Ombudsperson finds relevant
- 3 and beneficial to disabled persons and the broader
- 4 community.

5 Section 25. Website; toll-free number.

6 (a) The Office shall maintain on the Department's website

7 the following information:

8 (1) the text of this Act and all other Acts that the

9 Office determines relevant to the population it serves,

10 including, but not limited to, the American with

11 Disabilities Act, the Individuals with Disabilities

12 Education Act, the Disabilities Services Act of 2003, the

13 Environmental Barriers Act, and the Fair Housing Act;

14 (2) a description of the services provided by the

15 Ombudsperson and information on how to contact the

16 Ombudsperson for assistance; and

17 (3) any other information that the Ombudsperson

18 determines is useful to the population it serves.

19 (b) The Office shall make available during regular

20 business hours a statewide toll-free telephone number to

21 provide information and resources on matters relating to

22 disability rights and disability services.

23 Section 30. Duties and services.

24 (a) The Office of the Ombudsperson shall:

1 (1) prescribe a method by which complaints to the
2 office are made, reviewed, and acted upon;

3 (2) monitor the development and implementation of
4 federal, State, or local laws, rules, and policies
5 affecting the rights and benefits of disabled persons;

6 (3) comment on and recommend to public and private
7 agencies regarding laws, rules, and policies affecting
8 disabled persons;

9 (4) conduct public forums to obtain information about
10 and publicize issues affecting disabled persons; and

11 (5) investigate the quality of services provided to
12 disabled persons and determine the extent to which quality
13 assurance mechanisms within State and county government
14 work to promote the health, safety, and welfare of
15 disabled persons.

16 (b) Upon receiving a request, complaint, or other
17 information affording reasonable grounds to believe that the
18 rights of disabled persons have been violated or the health,
19 safety, welfare, or rights of disabled persons have been
20 adversely affected, the Office shall:

21 (1) gather information and evaluate any act, practice,
22 policy, procedure, or administrative action that may
23 violate the rights of disabled persons or adversely affect
24 the health, safety, welfare, or rights of disabled
25 persons; and

26 (2) mediate or advocate on behalf of disabled persons

1 on issues, including, but not limited to, education,
2 employment, health care, housing, and transportation;

3 (c) The Office shall assist in the application of public
4 benefits when services are requested;

5 (d) The Office shall provide assistance and education,
6 when requested, to disabled persons on matters, including, but
7 not limited to, education, employment, health care, housing,
8 and transportation; and

9 (e) The Office shall establish a procedure for referral to
10 disability rights organizations, community-based services, and
11 legal and court room advocacy when services are requested or
12 deemed necessary by the Ombudsperson.

13 Section 35. Confidentiality. All information related to
14 requests, complaints, concerns, and other communications
15 reported to the Ombudsperson shall be treated as confidential
16 to the extent permitted by law.

17 Section 40. Reports.

18 (a) The Office shall submit an annual written report on
19 the activities of the Office to the Governor, the President of
20 the Senate, the Minority Leader of the Senate, the Speaker of
21 the House of Representatives, and the Minority Leader of the
22 House of Representatives. The report shall summarize the
23 activities of the previous year, including, but not limited
24 to:

- 1 (1) annual workload and performance data, including:
- 2 (A) the number and type of complaints or concerns
- 3 reported to the Office and the manner in which such
- 4 complaints or concerns were handled;
- 5 (B) the number and type of requests for assistance
- 6 from the Office and the manner in which such
- 7 assistance was conducted;
- 8 (C) the types of training, education, or other
- 9 information provided and the manner in which it was
- 10 conducted; and
- 11 (D) the staff time required to provide the
- 12 assistance, training, education, or other information;
- 13 (2) analysis of identified trends in the issues
- 14 reported to and handled by the Office; and
- 15 (3) recommendations for statutory reform.
- 16 (b) The Office shall submit its report detailing the
- 17 previous year no later than January 15 of each year. The report
- 18 shall be made available to the public on the Office's official
- 19 website.
- 20 (c) Upon receipt of the report, the General Assembly shall
- 21 conduct a formal joint hearing as decided by the President of
- 22 the Senate and Speaker of the House of Representatives to be
- 23 briefed on the work of the Office and potential legislative
- 24 recommendations outlined in the report.

25 Section 45. Rules. The Department shall adopt such rules

1 as are necessary for the administration and enforcement of the
2 provisions of this Act. Any rule adopted under this Act is
3 subject to the rulemaking provisions of the Illinois
4 Administrative Procedure Act.