



Rep. Eva-Dina Delgado

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10400SB2487ham001

LRB104 10317 JRC 25524 a

1 AMENDMENT TO SENATE BILL 2487

2 AMENDMENT NO. _____. Amend Senate Bill 2487 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 7A-102 and 8A-104 as follows:

6 (775 ILCS 5/7A-102) (from Ch. 68, par. 7A-102)

7 Sec. 7A-102. Procedures.

8 (A) Charge.

9 (1) Within 2 years after the date that a civil rights
10 violation allegedly has been committed, a charge in
11 writing under oath or affirmation may be filed with the
12 Department by an aggrieved party or issued by the
13 Department itself under the signature of the Director.

14 (2) The charge shall be in such detail as to
15 substantially apprise any party properly concerned as to
16 the time, place, and facts surrounding the alleged civil

1 rights violation.

2 (3) Charges deemed filed with the Department pursuant
3 to subsection (A-1) of this Section shall be deemed to be
4 in compliance with this subsection.

5 (A-1) Equal Employment Opportunity Commission Charges.

6 (1) If a charge is filed with the Equal Employment
7 Opportunity Commission (EEOC) within 300 calendar days
8 after the date of the alleged civil rights violation, the
9 charge shall be deemed filed with the Department on the
10 date filed with the EEOC. If the EEOC is the governmental
11 agency designated to investigate the charge first, the
12 Department shall take no action until the EEOC makes a
13 determination on the charge and after the complainant
14 notifies the Department of the EEOC's determination. In
15 such cases, after receiving notice from the EEOC that a
16 charge was filed, the Department shall notify the parties
17 that (i) a charge has been received by the EEOC and has
18 been sent to the Department for dual filing purposes; (ii)
19 the EEOC is the governmental agency responsible for
20 investigating the charge and that the investigation shall
21 be conducted pursuant to the rules and procedures adopted
22 by the EEOC; (iii) it will take no action on the charge
23 until the EEOC issues its determination; (iv) the
24 complainant must submit a copy of the EEOC's determination
25 within 30 days after service of the determination by the
26 EEOC on the complainant; and (v) that the time period to

1 investigate the charge contained in subsection (G) of this
2 Section is tolled from the date on which the charge is
3 filed with the EEOC until the EEOC issues its
4 determination.

5 (2) If the EEOC finds reasonable cause to believe that
6 there has been a violation of federal law and if the
7 Department is timely notified of the EEOC's findings by
8 the complainant, the Department shall notify the
9 complainant that the Department has adopted the EEOC's
10 determination of reasonable cause and that the complainant
11 has the right, within 90 days after receipt of the
12 Department's notice, to either file the complainant's own
13 complaint with the Illinois Human Rights Commission or
14 commence a civil action in the appropriate circuit court
15 or other appropriate court of competent jurisdiction. This
16 notice shall be provided to the complainant within 10
17 business days after the Department's receipt of the EEOC's
18 determination. The Department's notice to the complainant
19 that the Department has adopted the EEOC's determination
20 of reasonable cause shall constitute the Department's
21 Report for purposes of subparagraph (D) of this Section.

22 (3) For those charges alleging violations within the
23 jurisdiction of both the EEOC and the Department and for
24 which the EEOC either (i) does not issue a determination,
25 but does issue the complainant a notice of a right to sue,
26 including when the right to sue is issued at the request of

1 the complainant, or (ii) determines that it is unable to
2 establish that illegal discrimination has occurred and
3 issues the complainant a right to sue notice, and if the
4 Department is timely notified of the EEOC's determination
5 by the complainant, the Department shall notify the
6 parties, within 10 business days after receipt of the
7 EEOC's determination, that the Department will adopt the
8 EEOC's determination as a dismissal for lack of
9 substantial evidence unless the complainant requests in
10 writing within 35 days after receipt of the Department's
11 notice that the Department review the EEOC's
12 determination.

13 (a) If the complainant does not file a written
14 request with the Department to review the EEOC's
15 determination within 35 days after receipt of the
16 Department's notice, the Department shall notify the
17 complainant, within 10 business days after the
18 expiration of the 35-day period, that the decision of
19 the EEOC has been adopted by the Department as a
20 dismissal for lack of substantial evidence and that
21 the complainant has the right, within 90 days after
22 receipt of the Department's notice, to commence a
23 civil action in the appropriate circuit court or other
24 appropriate court of competent jurisdiction. The
25 Department's notice to the complainant that the
26 Department has adopted the EEOC's determination shall

1 constitute the Department's report for purposes of
2 subparagraph (D) of this Section.

3 (b) If the complainant does file a written request
4 with the Department to review the EEOC's
5 determination, the Department shall review the EEOC's
6 determination and any evidence obtained by the EEOC
7 during its investigation. If, after reviewing the
8 EEOC's determination and any evidence obtained by the
9 EEOC, the Department determines there is no need for
10 further investigation of the charge, the Department
11 shall issue a report and the Director shall determine
12 whether there is substantial evidence that the alleged
13 civil rights violation has been committed pursuant to
14 subsection (D) of this Section. If, after reviewing
15 the EEOC's determination and any evidence obtained by
16 the EEOC, the Department determines there is a need
17 for further investigation of the charge, the
18 Department may conduct any further investigation it
19 deems necessary. After reviewing the EEOC's
20 determination, the evidence obtained by the EEOC, and
21 any additional investigation conducted by the
22 Department, the Department shall issue a report and
23 the Director shall determine whether there is
24 substantial evidence that the alleged civil rights
25 violation has been committed pursuant to subsection
26 (D) of this Section.

1 (4) Pursuant to this Section, if the EEOC dismisses
2 the charge or a portion of the charge of discrimination
3 because, under federal law, the EEOC lacks jurisdiction
4 over the charge, and if, under this Act, the Department
5 has jurisdiction over the charge of discrimination, the
6 Department shall investigate the charge or portion of the
7 charge dismissed by the EEOC for lack of jurisdiction
8 pursuant to subsections (A), (A-1), (B), (B-1), (C), (D),
9 (E), (F), (G), (H), (I), (J), and (K) of this Section.

10 (5) The time limit set out in subsection (G) of this
11 Section is tolled from the date on which the charge is
12 filed with the EEOC to the date on which the EEOC issues
13 its determination.

14 (6) The failure of the Department to meet the
15 10-business-day notification deadlines set out in
16 paragraph (2) of this subsection shall not impair the
17 rights of any party.

18 (B) Notice and Response to Charge. The Department shall,
19 within 10 days of the date on which the charge was filed, serve
20 a copy of the charge on the respondent and provide all parties
21 with a notice of the complainant's right to opt out of the
22 investigation within 60 days as set forth in subsection (C-1).
23 This period shall not be construed to be jurisdictional. The
24 charging party and the respondent may each file a position
25 statement and other materials with the Department regarding
26 the charge of alleged discrimination within 60 days of receipt

1 of the notice of the charge. The position statements and other
2 materials filed shall remain confidential unless otherwise
3 agreed to by the party providing the information and shall not
4 be served on or made available to the other party during the
5 pendency of a charge with the Department. The Department may
6 require the respondent to file a response to the allegations
7 contained in the charge. Upon the Department's request, the
8 respondent shall file a response to the charge within 60 days
9 and shall serve a copy of its response on the complainant or
10 the complainant's representative. Notwithstanding any request
11 from the Department, the respondent may elect to file a
12 response to the charge within 60 days of receipt of notice of
13 the charge, provided the respondent serves a copy of its
14 response on the complainant or the complainant's
15 representative. All allegations contained in the charge not
16 denied by the respondent within 60 days of the Department's
17 request for a response may be deemed admitted, unless the
18 respondent states that it is without sufficient information to
19 form a belief with respect to such allegation. The Department
20 may issue a notice of default directed to any respondent who
21 fails to file a response to a charge within 60 days of receipt
22 of the Department's request, unless the respondent can
23 demonstrate good cause as to why such notice should not issue.
24 The term "good cause" shall be defined by rule promulgated by
25 the Department. Within 30 days of receipt of the respondent's
26 response, the complainant may file a reply to said response

1 and shall serve a copy of said reply on the respondent or the
2 respondent's representative. A party shall have the right to
3 supplement the party's response or reply at any time that the
4 investigation of the charge is pending. The Department shall,
5 within 10 days of the date on which the charge was filed, and
6 again no later than 335 days thereafter, send by certified or
7 registered mail, or electronic mail if elected by the party,
8 written notice to the complainant and to the respondent
9 informing the complainant of the complainant's rights to
10 either file a complaint with the Human Rights Commission or
11 commence a civil action in the appropriate circuit court under
12 subparagraph (2) of paragraph (G), including in such notice
13 the dates within which the complainant may exercise these
14 rights. In the notice the Department shall notify the
15 complainant that the charge of civil rights violation will be
16 dismissed with prejudice and with no right to further proceed
17 if a written complaint is not timely filed with the Commission
18 or with the appropriate circuit court by the complainant
19 pursuant to subparagraph (2) of paragraph (G) or by the
20 Department pursuant to subparagraph (1) of paragraph (G).

21 (B-1) Mediation. The complainant and respondent may agree
22 to voluntarily submit the charge to mediation without waiving
23 any rights that are otherwise available to either party
24 pursuant to this Act and without incurring any obligation to
25 accept the result of the mediation process. Nothing occurring
26 in mediation shall be disclosed by the Department or

1 admissible in evidence in any subsequent proceeding unless the
2 complainant and the respondent agree in writing that such
3 disclosure be made.

4 (C) Investigation.

5 (1) The Department shall conduct an investigation
6 sufficient to determine whether the allegations set forth
7 in the charge are supported by substantial evidence unless
8 the complainant elects to opt out of an investigation
9 pursuant to subsection (C-1).

10 (2) The Director or the Director's designated
11 representatives shall have authority to request any member
12 of the Commission to issue subpoenas to compel the
13 attendance of a witness or the production for examination
14 of any books, records or documents whatsoever.

15 (3) If any witness whose testimony is required for any
16 investigation resides outside the State, or through
17 illness or any other good cause as determined by the
18 Director is unable to be interviewed by the investigator
19 or appear at a fact finding conference, the witness'
20 testimony or deposition may be taken, within or without
21 the State, in the same manner as is provided for in the
22 taking of depositions in civil cases in circuit courts.

23 (4) Upon reasonable notice to the complainant and the
24 respondent, the Department may ~~shall~~ conduct a fact
25 finding conference. A complainant or respondent's ~~, unless~~
26 ~~prior to 365 days after the date on which the charge was~~

1 ~~filed the Director has determined whether there is~~
2 ~~substantial evidence that the alleged civil rights~~
3 ~~violation has been committed, the charge has been~~
4 ~~dismissed for lack of jurisdiction, or the parties~~
5 ~~voluntarily and in writing agree to waive the fact finding~~
6 ~~conference. Any party's~~ failure to attend the conference
7 without good cause shall result in dismissal or default.
8 The term "good cause" shall be defined by rule promulgated
9 by the Department. A notice of dismissal or default shall
10 be issued by the Director. The notice of default issued by
11 the Director shall notify the respondent that a request
12 for review may be filed in writing with the Commission
13 within 30 days of receipt of notice of default. The notice
14 of dismissal issued by the Director shall give the
15 complainant notice of the complainant's right to seek
16 review of the dismissal before the Human Rights Commission
17 or commence a civil action in the appropriate circuit
18 court. If the complainant chooses to have the Human Rights
19 Commission review the dismissal order, the complainant
20 shall file a request for review with the Commission within
21 90 days after receipt of the Director's notice. If the
22 complainant chooses to file a request for review with the
23 Commission, the complainant may not later commence a civil
24 action in a circuit court. If the complainant chooses to
25 commence a civil action in a circuit court, the
26 complainant must do so within 90 days after receipt of the

1 Director's notice.

2 (C-1) Opt out of Department's investigation. At any time
3 within 60 days after receipt of notice of the right to opt out,
4 a complainant may submit a written request seeking notice from
5 the Director indicating that the complainant has opted out of
6 the investigation and may commence a civil action in the
7 appropriate circuit court or other appropriate court of
8 competent jurisdiction. Within 10 business days of receipt of
9 the complainant's request to opt out of the investigation, the
10 Director shall issue a notice to the parties stating that: (i)
11 the complainant has exercised the right to opt out of the
12 investigation; (ii) the complainant has 90 days after receipt
13 of the Director's notice to commence an action in the
14 appropriate circuit court or other appropriate court of
15 competent jurisdiction; and (iii) the Department has ceased
16 its investigation and is administratively closing the charge.
17 The complainant shall notify the Department that a complaint
18 has been filed with the appropriate circuit court by serving a
19 copy of the complaint on the chief legal counsel of the
20 Department within 21 days from the date that the complaint is
21 filed with the appropriate circuit court. This 21-day period
22 for service on the chief legal counsel shall not be construed
23 to be jurisdictional. Once a complainant has opted out of the
24 investigation under this subsection, the complainant may not
25 file or refile a substantially similar charge with the
26 Department arising from the same incident of unlawful

1 discrimination or harassment.

2 (D) Report.

3 (1) Each charge investigated under subsection (C)
4 shall be the subject of a report to the Director. The
5 report shall be a confidential document subject to review
6 by the Director, authorized Department employees, the
7 parties, and, where indicated by this Act, members of the
8 Commission or their designated hearing officers.

9 (2) Upon review of the report, the Director shall
10 determine whether there is substantial evidence that the
11 alleged civil rights violation has been committed. The
12 determination of substantial evidence is limited to
13 determining the need for further consideration of the
14 charge pursuant to this Act and includes, but is not
15 limited to, findings of fact and conclusions, as well as
16 the reasons for the determinations on all material issues.
17 Substantial evidence is evidence which a reasonable mind
18 accepts as sufficient to support a particular conclusion
19 and which consists of more than a mere scintilla but may be
20 somewhat less than a preponderance.

21 (3) If the Director determines that there is no
22 substantial evidence, the charge shall be dismissed by the
23 Director and the Director shall give the complainant
24 notice of the complainant's right to seek review of the
25 notice of dismissal before the Commission or commence a
26 civil action in the appropriate circuit court. If the

1 complainant chooses to have the Human Rights Commission
2 review the notice of dismissal, the complainant shall file
3 a request for review with the Commission within 90 days
4 after receipt of the Director's notice. If the complainant
5 chooses to file a request for review with the Commission,
6 the complainant may not later commence a civil action in a
7 circuit court. If the complainant chooses to commence a
8 civil action in a circuit court, the complainant must do
9 so within 90 days after receipt of the Director's notice.
10 The complainant shall notify the Department that a
11 complaint has been filed by serving a copy of the
12 complaint on the chief legal counsel of the Department
13 within 21 days from the date that the complaint is filed in
14 circuit court. This 21-day period for service on the chief
15 legal counsel shall not be construed to be jurisdictional.

16 (4) If the Director determines that there is
17 substantial evidence, the Director shall notify the
18 complainant and respondent of that determination. The
19 Director shall also notify the parties that the
20 complainant has the right to either commence a civil
21 action in the appropriate circuit court or request that
22 the Department of Human Rights file a complaint with the
23 Human Rights Commission on the complainant's behalf. Any
24 such complaint shall be filed within 90 days after receipt
25 of the Director's notice. If the complainant chooses to
26 have the Department file a complaint with the Human Rights

1 Commission on the complainant's behalf, the complainant
2 must, within 30 days after receipt of the Director's
3 notice, request in writing that the Department file the
4 complaint. If the complainant timely requests that the
5 Department file the complaint, the Department shall file
6 the complaint on the complainant's behalf. If the
7 complainant fails to timely request that the Department
8 file the complaint, the complainant may file the
9 complainant's complaint with the Commission or commence a
10 civil action in the appropriate circuit court. If the
11 complainant files a complaint with the Human Rights
12 Commission, the complainant shall notify the Department
13 that a complaint has been filed by serving a copy of the
14 complaint on the chief legal counsel of the Department
15 within 21 days from the date that the complaint is filed
16 with the Human Rights Commission. This 21-day period for
17 service on the chief legal counsel shall not be construed
18 to be jurisdictional.

19 (E) Conciliation.

20 (1) When there is a finding of substantial evidence,
21 the Department may designate a Department employee who is
22 an attorney licensed to practice in Illinois to endeavor
23 to eliminate the effect of the alleged civil rights
24 violation and to prevent its repetition by means of
25 conference and conciliation.

26 (2) When the Department determines that a formal

1 conciliation conference is necessary, the complainant and
2 respondent shall be notified of the time and place of the
3 conference by registered or certified mail at least 10
4 days prior thereto and either or both parties shall appear
5 at the conference in person or by attorney.

6 (3) The place fixed for the conference shall be within
7 35 miles of the place where the civil rights violation is
8 alleged to have been committed.

9 (4) Nothing occurring at the conference shall be
10 disclosed by the Department unless the complainant and
11 respondent agree in writing that such disclosure be made.

12 (5) The Department's efforts to conciliate the matter
13 shall not stay or extend the time for filing the complaint
14 with the Commission or the circuit court.

15 (F) Complaint.

16 (1) When the complainant requests that the Department
17 file a complaint with the Commission on the complainant's
18 behalf, the Department shall prepare a written complaint,
19 under oath or affirmation, stating the nature of the civil
20 rights violation substantially as alleged in the charge
21 previously filed and the relief sought on behalf of the
22 aggrieved party. The Department shall file the complaint
23 with the Commission.

24 (1.5) If the complainant chooses to file a complaint
25 with the Commission without the Department's assistance,
26 the complainant shall notify the Department that a

1 complaint has been filed by serving a copy of the
2 complaint on the chief legal counsel of the Department
3 within 21 days from the date that the complaint is filed
4 with the Human Rights Commission. This 21-day period for
5 service on the chief legal counsel shall not be construed
6 to be jurisdictional.

7 (2) If the complainant chooses to commence a civil
8 action in a circuit court:

9 (i) The complainant shall file the civil action in
10 the circuit court in the county wherein the civil
11 rights violation was allegedly committed.

12 (ii) The form of the complaint in any such civil
13 action shall be in accordance with the Code of Civil
14 Procedure.

15 (iii) The complainant shall notify the Department
16 that a complaint has been filed by serving a copy of
17 the complaint on the chief legal counsel of the
18 Department within 21 days from date that the complaint
19 is filed in circuit court. This 21-day period for
20 service on the chief legal counsel shall not be
21 construed to be jurisdictional.

22 (G) Time Limit.

23 (1) When a charge of a civil rights violation has been
24 properly filed, the Department, within 365 days thereof or
25 within any extension of that period agreed to in writing
26 by all parties, shall issue its report as required by

1 subparagraph (D). Any such report shall be duly served
2 upon both the complainant and the respondent.

3 (2) If the Department has not issued its report within
4 365 days after the charge is filed, or any such longer
5 period agreed to in writing by all the parties, the
6 complainant shall have 90 days to either file the
7 complainant's own complaint with the Human Rights
8 Commission or commence a civil action in the appropriate
9 circuit court. If the complainant files a complaint with
10 the Commission, the form of the complaint shall be in
11 accordance with the provisions of paragraph (F)(1). If the
12 complainant commences a civil action in a circuit court,
13 the form of the complaint shall be in accordance with the
14 Code of Civil Procedure. The aggrieved party shall notify
15 the Department that a complaint has been filed by serving
16 a copy of the complaint on the chief legal counsel of the
17 Department with 21 days from the date that the complaint
18 is filed with the Commission or in circuit court. This
19 21-day period for service on the chief legal counsel shall
20 not be construed to be jurisdictional. If the complainant
21 files a complaint with the Commission, the complainant may
22 not later commence a civil action in circuit court.

23 (3) If an aggrieved party files a complaint with the
24 Human Rights Commission or commences a civil action in
25 circuit court pursuant to paragraph (2) of this
26 subsection, or if the time period for filing a complaint

1 has expired, the Department shall immediately cease its
2 investigation and dismiss the charge of civil rights
3 violation. Any final order entered by the Commission under
4 this Section is appealable in accordance with paragraph
5 (B)(1) of Section 8-111. Failure to immediately cease an
6 investigation and dismiss the charge of civil rights
7 violation as provided in this paragraph (3) constitutes
8 grounds for entry of an order by the circuit court
9 permanently enjoining the investigation. The Department
10 may also be liable for any costs and other damages
11 incurred by the respondent as a result of the action of the
12 Department.

13 (4) (Blank).

14 (H) Public Act 89-370 applies to causes of action filed on
15 or after January 1, 1996.

16 (I) Public Act 89-520 applies to causes of action filed on
17 or after January 1, 1996.

18 (J) The changes made to this Section by Public Act 95-243
19 apply to charges filed on or after the effective date of those
20 changes.

21 (K) The changes made to this Section by Public Act 96-876
22 apply to charges filed on or after the effective date of those
23 changes.

24 (L) The changes made to this Section by Public Act
25 100-1066 apply to charges filed on or after August 24, 2018
26 (the effective date of Public Act 100-1066).

1 (M) The changes made to this Section by this amendatory
2 Act of the 104th General Assembly apply to charges pending or
3 filed on or after the effective date this amendatory Act of the
4 104th General Assembly.

5 (Source: P.A. 102-558, eff. 8-20-21; 103-335, eff. 1-1-24;
6 103-973, eff. 1-1-25.)

7 (775 ILCS 5/8A-104) (from Ch. 68, par. 8A-104)

8 Sec. 8A-104. Relief; Penalties. Upon finding a civil
9 rights violation, a hearing officer may recommend and the
10 Commission or any three-member panel thereof may provide for
11 any relief or penalty identified in this Section, separately
12 or in combination, by entering an order directing the
13 respondent to:

14 (A) Cease and Desist Order. Cease and desist from any
15 violation of this Act.

16 (B) Actual Damages. Pay actual damages, as reasonably
17 determined by the Commission, for injury or loss suffered by
18 the complainant.

19 (C) Hiring; Reinstatement; Promotion; Backpay; Fringe
20 Benefits. Hire, reinstate or upgrade the complainant with or
21 without back pay or provide such fringe benefits as the
22 complainant may have been denied.

23 (D) Restoration of Membership; Admission To Programs.
24 Admit or restore the complainant to labor organization
25 membership, to a guidance program, apprenticeship training

1 program, on the job training program, or other occupational
2 training or retraining program.

3 (E) Public Accommodations. Admit the complainant to a
4 public accommodation.

5 (F) Services. Extend to the complainant the full and equal
6 enjoyment of the goods, services, facilities, privileges,
7 advantages, or accommodations of the respondent.

8 (G) Attorneys Fees; Costs. Pay to the complainant all or a
9 portion of the costs of maintaining the action, including
10 reasonable attorney fees and expert witness fees incurred in
11 maintaining this action before the Department, the Commission
12 and in any judicial review and judicial enforcement
13 proceedings. Provided, however, that no award of attorney fees
14 or costs shall be made pursuant to this amendatory Act of 1987
15 with respect to any charge for which the complaint before the
16 Commission was filed prior to December 1, 1987. With respect
17 to all charges for which complaints were filed with the
18 Commission prior to December 1, 1987, attorney fees and costs
19 shall be awarded pursuant to the terms of this subsection as it
20 existed prior to revision by this amendatory Act of 1987.

21 (H) Compliance Report. Report as to the manner of
22 compliance.

23 (I) Posting of Notices. Post notices in a conspicuous
24 place which the Commission may publish or cause to be
25 published setting forth requirements for compliance with this
26 Act or other relevant information which the Commission

1 determines necessary to explain this Act.

2 (J) Make Complainant Whole. Take such action as may be
3 necessary to make the individual complainant whole, including,
4 but not limited to, awards of interest on the complainant's
5 actual damages and backpay from the date of the civil rights
6 violation. Provided, however, that no award of prejudgment
7 interest shall be made pursuant to this amendatory Act of 1987
8 with respect to any charge in which the complaint before the
9 Commission was filed prior to December 1, 1987. With respect
10 to all charges for which complaints were filed with the
11 Commission prior to December 1, 1987, make whole relief shall
12 be awarded pursuant to this subsection as it existed prior to
13 revision by this amendatory Act of 1987.

14 (K) Civil Penalty. Pay a civil penalty per violation to
15 vindicate the public interest. In imposing a civil penalty to
16 vindicate the public interest, a separate penalty may be
17 imposed for each specific act constituting a civil rights
18 violation as defined in Section 1-103, and for each aggrieved
19 party injured by the civil rights violation:

20 (1) in an amount not exceeding \$16,000 if the
21 respondent has not been adjudged to have committed any
22 prior civil rights violation under this Act;

23 (2) in an amount not exceeding \$42,500 if the
24 respondent has been adjudged to have committed one other
25 civil rights violation under this Act during the 5-year
26 period ending on the date of the filing of this charge; and

1 (3) in an amount not exceeding \$70,000 if the
2 respondent has been adjudged to have committed 2 or more
3 civil rights violations under this Act during the 7-year
4 period ending on the date of the filing of this charge;
5 except that if the acts constituting the civil rights
6 violation that is the object of the charge are committed
7 by the same natural person who has been previously
8 adjudged to have committed acts constituting a civil
9 rights violation under this Act, then the civil penalties
10 set forth in subparagraphs (2) and (3) may be imposed
11 without regard to the period of time within which any
12 subsequent civil rights violation under this Act occurred.

13 There shall be no distinction made under this Section
14 between complaints filed by the Department and those filed by
15 the aggrieved party.

16 (Source: P.A. 86-910.)".