



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3364

Introduced 2/4/2026, by Sen. Rachel Ventura

SYNOPSIS AS INTRODUCED:

775 ILCS 5/3-101	from Ch. 68, par. 3-101
775 ILCS 5/3-102	from Ch. 68, par. 3-102
775 ILCS 5/4-101	from Ch. 68, par. 4-101
775 ILCS 5/4-102	from Ch. 68, par. 4-102
775 ILCS 5/4-103	from Ch. 68, par. 4-103
775 ILCS 5/4-105 new	
775 ILCS 5/5-101	from Ch. 68, par. 5-101
775 ILCS 5/5-102	from Ch. 68, par. 5-102

Amends the Illinois Human Rights Act. Makes it a civil rights violation under the Act to use artificial intelligence in a real estate transaction without providing notice to the other person engaging in the real estate transaction that the owner, real estate broker or salesman, or agent of one of them is using artificial intelligence to conduct the real estate transaction. Makes it a civil rights violation to fail to inform an applicant for a loan or credit card if the financial institution used artificial intelligence to process the application. Makes it a civil rights violation to fail to inform a person seeking a place of public accommodation that the place of public accommodation uses artificial intelligence to determine whether the person seeking a place of public accommodation is permitted to enjoy the full and equal enjoyment of its facilities, goods, and services. Requires that the Department of Human Rights adopt any rules necessary for the implementation and enforcement of the Act.

LRB104 20240 JRC 33691 b

1 AN ACT concerning civil law.

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

4 Section 5. The Illinois Human Rights Act is amended by
5 changing Sections 3-101, 3-102, 4-101, 4-102, 4-103, 5-101,
6 and 5-102 and by adding Section 4-105 as follows:

7 (775 ILCS 5/3-101) (from Ch. 68, par. 3-101)

8 Sec. 3-101. Definitions. The following definitions are
9 applicable strictly in the context of this Article:

10 (A) Real Property. "Real property" includes buildings,
11 structures, real estate, lands, tenements, leaseholds,
12 interests in real estate cooperatives, condominiums, and
13 hereditaments, corporeal and incorporeal, or any interest
14 therein.

15 (B) Real Estate Transaction. "Real estate transaction"
16 includes the sale, exchange, rental or lease of real property,
17 or any act that otherwise makes available such a transaction
18 or alters a person's rights to real property. "Real estate
19 transaction" also includes the brokering or appraising of
20 residential real property and the making or purchasing of
21 loans or providing other financial assistance:

22 (1) for purchasing, constructing, improving, repairing
23 or maintaining a dwelling; or

1 (2) secured by residential real estate.

2 (C) Housing Accommodations. "Housing accommodation"
3 includes any improved or unimproved real property, or part
4 thereof, which is used or occupied, or is intended, arranged
5 or designed to be used or occupied, as the home or residence of
6 one or more individuals.

7 (D) Real Estate Broker or Salesman. "Real estate broker or
8 salesman" means a person, whether licensed or not, who, for or
9 with the expectation of receiving a consideration, lists,
10 sells, purchases, exchanges, rents, or leases real property,
11 or who negotiates or attempts to negotiate any of these
12 activities, or who holds oneself out as engaged in these.

13 (E) Familial Status. "Familial status" means one or more
14 individuals (who have not attained the age of 18 years) being
15 domiciled with:

16 (1) a parent or person having legal custody of such
17 individual or individuals; or

18 (2) the designee of such parent or other person having
19 such custody, with the written permission of such parent
20 or other person.

21 The protections afforded by this Article against
22 discrimination on the basis of familial status apply to any
23 person who is pregnant or is in the process of securing legal
24 custody of any individual who has not attained the age of 18
25 years.

26 (F) Conciliation. "Conciliation" means the attempted

1 resolution of issues raised by a charge, or by the
2 investigation of such charge, through informal negotiations
3 involving the aggrieved party, the respondent and the
4 Department.

5 (G) Conciliation Agreement. "Conciliation agreement" means
6 a written agreement setting forth the resolution of the issues
7 in conciliation.

8 (H) Covered Multifamily Dwellings. As used in Section
9 3-102.1, "covered multifamily dwellings" means:

10 (1) buildings consisting of 4 or more units if such
11 buildings have one or more elevators; and

12 (2) ground floor units in other buildings consisting
13 of 4 or more units.

14 (I) Immigration Status. "Immigration status" means a
15 person's actual or perceived citizenship or immigration
16 status.

17 (J) Artificial Intelligence. "Artificial intelligence" has
18 the same meaning as used in Article 2 of this Act.

19 (Source: P.A. 103-232, eff. 1-1-24; 103-859, eff. 1-1-25.)

20 (775 ILCS 5/3-102) (from Ch. 68, par. 3-102)

21 Sec. 3-102. Civil rights violations; real estate
22 transactions and other prohibited acts. It is a civil rights
23 violation for an owner or any other person, or for a real
24 estate broker or salesman, because of unlawful discrimination,
25 familial status, immigration status, source of income, or an

1 arrest record, as defined under subsection (B-5) of Section
2 1-103, to:

3 (A) Transactions. Refuse to engage in a real estate
4 transaction or deny real property, or to discriminate in
5 making available such a transaction;

6 (B) Terms. Alter the terms, conditions or privileges
7 of a real estate transaction or in the furnishing of
8 facilities or services in connection therewith;

9 (C) Offers. Refuse to receive or to fail to transmit a
10 bona fide offer in a real estate transaction from a
11 person;

12 (D) Negotiation. Refuse to negotiate a real estate
13 transaction with a person;

14 (E) Representations. Represent to a person that real
15 property is not available for inspection, sale, rental, or
16 lease when in fact it is so available, or to fail to bring
17 a property listing to the person's attention, or to refuse
18 to permit the person to inspect real property;

19 (F) Publication of Intent. Make, print, circulate,
20 post, mail, publish or cause to be made, printed,
21 circulated, posted, mailed, or published any notice,
22 statement, advertisement or sign, or use a form of
23 application for a real estate transaction, or make a
24 record or inquiry in connection with a prospective real
25 estate transaction, that indicates any preference,
26 limitation, or discrimination based on unlawful

1 discrimination or unlawful discrimination based on
2 familial status, immigration status, source of income, or
3 an arrest record, or an intention to make any such
4 preference, limitation, or discrimination;

5 (G) Listings. Offer, solicit, accept, use or retain a
6 listing of real property with knowledge that unlawful
7 discrimination or discrimination on the basis of familial
8 status, immigration status, source of income, or an arrest
9 record in a real estate transaction is intended.

10 (H) Criteria. Use criteria or methods that have the
11 effect of subjecting individuals to unlawful
12 discrimination or discrimination based on familial status,
13 immigration status, source of income, or an arrest record
14 in a real estate transaction. Such criteria or methods are
15 unlawful under this subsection if they are not necessary
16 to achieve a substantial, legitimate, non-discriminatory
17 interest; or if the substantial, legitimate,
18 non-discriminatory interest could be served by another
19 practice that has a less discriminatory effect.

20 (I) Artificial intelligence. Use artificial
21 intelligence in a real estate transaction without
22 providing notice to the other person engaging in the real
23 estate transaction that the owner, real estate broker or
24 salesman, or agent of one of them is using artificial
25 intelligence to conduct the real estate transaction. The
26 Department shall adopt any rules necessary for the

1 implementation and enforcement of this subdivision,
2 including, but not limited to, rules on the circumstances
3 and conditions that require notice, the time period for
4 providing notice, and the means for providing notice.

5 (Source: P.A. 102-896, eff. 1-1-23; 103-232, eff. 1-1-24;
6 103-859, eff. 1-1-25.)

7 (775 ILCS 5/4-101) (from Ch. 68, par. 4-101)

8 Sec. 4-101. Definitions. The following definitions are
9 applicable strictly in the context of this Article:

10 (A) Credit Card. "Credit card" has the meaning set forth
11 in Section 17-0.5 of the Criminal Code of 2012.

12 (B) Financial Institution. "Financial institution" means
13 any bank, credit union, insurance company, mortgage banking
14 company or savings and loan association which operates or has
15 a place of business in this State.

16 (C) Loan. "Loan" includes, but is not limited to, the
17 providing of funds, for consideration, which are sought for:
18 (1) the purpose of purchasing, constructing, improving,
19 repairing, or maintaining a housing accommodation as that term
20 is defined in paragraph (C) of Section 3-101; or (2) any
21 commercial or industrial purposes.

22 (D) Varying Terms. "Varying the terms of a loan" includes,
23 but is not limited to, the following practices:

24 (1) Requiring a greater down payment than is usual for
25 the particular type of a loan involved.

1 (2) Requiring a shorter period of amortization than is
2 usual for the particular type of loan involved.

3 (3) Charging a higher interest rate than is usual for
4 the particular type of loan involved.

5 (4) An under appraisal of real estate or other item of
6 property offered as security.

7 (E) Artificial Intelligence. "Artificial intelligence" has
8 the same meaning as used in Article 2 of this Act.

9 (Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

10 (775 ILCS 5/4-102) (from Ch. 68, par. 4-102)

11 Sec. 4-102. Civil Rights Violations: Loans. It shall be a
12 civil rights violation for any financial institution, on the
13 grounds of unlawful discrimination, to:

14 (A) Denial of Services. Deny any person any of the
15 services normally offered by such an institution.

16 (B) Modification of Services. Provide any person with any
17 service which is different from, or provided in a different
18 manner than, that which is provided to other persons similarly
19 situated.

20 (C) Loan Terms. Deny or vary the terms of a loan.

21 (D) Property Location. Deny or vary the terms of a loan on
22 the basis that a specific parcel of real estate offered as
23 security is located in a specific geographical area.

24 (E) Consideration of Income. Deny or vary the terms of a
25 loan without having considered all of the regular and

1 dependable income of each person who would be liable for
2 repayment of the loan.

3 (F) Lending Standards. Utilize lending standards that have
4 no economic basis and which constitute unlawful
5 discrimination.

6 (G) Use of artificial intelligence. To fail to inform an
7 applicant for a loan if the financial institution used
8 artificial intelligence to process the application.

9 (Source: P.A. 81-1216.)

10 (775 ILCS 5/4-103) (from Ch. 68, par. 4-103)

11 Sec. 4-103. Credit Cards. It is a civil rights violation
12 for a person who offers credit cards to the public in this
13 State:

14 (A) Denial. To refuse to issue a credit card, upon
15 proper application, on the basis of unlawful
16 discrimination.

17 (B) Reasons for Rejection. To fail to inform an
18 applicant for a credit card, upon request, of the reason
19 that his or her application for a credit card has been
20 rejected.

21 (C) Use of artificial intelligence. To fail to inform
22 an applicant for a credit card, upon request, if the
23 person used artificial intelligence to process the
24 application.

25 (Source: P.A. 81-1216.)

1 (775 ILCS 5/4-105 new)

2 Sec. 4-105. Rules. The Department shall adopt any rules
3 necessary for the implementation and enforcement of the notice
4 provision in Sections 4-102 and 4-103, including, but not
5 limited to, rules on the circumstances and conditions that
6 require notice, the time period for providing notice, and the
7 means for providing notice.

8 (775 ILCS 5/5-101) (from Ch. 68, par. 5-101)

9 Sec. 5-101. Definitions. The following definitions are
10 applicable strictly in the context of this Article:

11 (A) Place of Public Accommodation. "Place of public
12 accommodation" includes, but is not limited to:

13 (1) an inn, hotel, motel, or other place of lodging,
14 except for an establishment located within a building that
15 contains not more than 5 units for rent or hire and that is
16 actually occupied by the proprietor of such establishment
17 as the residence of such proprietor;

18 (2) a restaurant, bar, or other establishment serving
19 food or drink;

20 (3) a motion picture house, theater, concert hall,
21 stadium, or other place of exhibition or entertainment;

22 (4) an auditorium, convention center, lecture hall, or
23 other place of public gathering;

24 (5) a bakery, grocery store, clothing store, hardware

1 store, shopping center, or other sales or rental
2 establishment;

3 (6) a laundromat, dry-cleaner, bank, barber shop,
4 beauty shop, travel service, shoe repair service, funeral
5 parlor, gas station, office of an accountant or lawyer,
6 pharmacy, insurance office, professional office of a
7 health care provider, hospital, or other service
8 establishment;

9 (7) public conveyances on air, water, or land;

10 (8) a terminal, depot, or other station used for
11 specified public transportation;

12 (9) a museum, library, gallery, or other place of
13 public display or collection;

14 (10) a park, zoo, amusement park, or other place of
15 recreation;

16 (11) a non-sectarian nursery, day care center,
17 elementary, secondary, undergraduate, or postgraduate
18 school, or other place of education;

19 (12) a senior citizen center, homeless shelter, food
20 bank, non-sectarian adoption agency, or other social
21 service center establishment; and

22 (13) a gymnasium, health spa, bowling alley, golf
23 course, or other place of exercise or recreation.

24 (B) Operator. "Operator" means any owner, lessee,
25 proprietor, manager, superintendent, agent, or occupant of a
26 place of public accommodation or an employee of any such

1 person or persons.

2 (C) Public Official. "Public official" means any officer
3 or employee of the state or any agency thereof, including
4 state political subdivisions, municipal corporations, park
5 districts, forest preserve districts, educational
6 institutions, and schools.

7 (D) Artificial Intelligence. "Artificial intelligence" has
8 the same meaning as used in Article 2 of this Act.

9 (Source: P.A. 100-863, eff. 8-14-18.)

10 (775 ILCS 5/5-102) (from Ch. 68, par. 5-102)

11 Sec. 5-102. Civil Rights Violations: Public
12 Accommodations. It is a civil rights violation for any person
13 on the basis of unlawful discrimination to:

14 (A) Enjoyment of Facilities, Goods, and Services. Deny or
15 refuse to another the full and equal enjoyment of the
16 facilities, goods, and services of any public place of
17 accommodation;

18 (B) Written Communications. Directly or indirectly, as the
19 operator of a place of public accommodation, publish,
20 circulate, display or mail any written communication, except a
21 private communication sent in response to a specific inquiry,
22 which the operator knows is to the effect that any of the
23 facilities of the place of public accommodation will be denied
24 to any person or that any person is unwelcome, objectionable
25 or unacceptable because of unlawful discrimination;

1 (C) Public Officials. Deny or refuse to another, as a
2 public official, the full and equal enjoyment of the
3 accommodations, advantage, facilities or privileges of the
4 official's office or services or of any property under the
5 official's care because of unlawful discrimination.

6 (D) Use of Artificial Intelligence. To fail to inform a
7 person seeking a place of public accommodation that the place
8 of public accommodation uses artificial intelligence to
9 determine whether the person seeking a place of public
10 accommodation is permitted to enjoy the full and equal
11 enjoyment of its facilities, goods, and services.

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

17 (Source: P.A. 95-668, eff. 10-10-07.)