



Sen. Rachel Ventura

Filed: 3/6/2026

10400SB3364sam001

LRB104 20240 JRC 35299 a

1 AMENDMENT TO SENATE BILL 3364

2 AMENDMENT NO. _____. Amend Senate Bill 3364 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 1-103, 2-101, 3-102, 4-102, and 4-103 and by
6 adding Section 4-105 as follows:

7 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

8 Sec. 1-103. General definitions. When used in this Act,
9 unless the context requires otherwise, the term:

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

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

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

6 (1) an arrest not leading to a conviction;

7 (2) a juvenile record; or

8 (3) criminal history record information ordered
9 expunged, sealed, or impounded under Section 5.2 of the
10 Criminal Identification Act.

11 (B-10) Artificial intelligence. "Artificial intelligence"
12 means a machine-based system that, for explicit or implicit
13 objectives, infers, from the input it receives, how to
14 generate outputs such as predictions, content,
15 recommendations, or decisions that can influence physical or
16 virtual environments. "Artificial intelligence" includes
17 generative artificial intelligence.

18 (B-15) Generative artificial intelligence. "Generative
19 artificial intelligence" means an automated computing system
20 that, when prompted with human prompts, descriptions, or
21 queries, can produce outputs that simulate human-produced
22 content, including, but not limited to, the following: (1)
23 textual outputs, such as short answers, essays, poetry, or
24 longer compositions or answers; (2) image outputs, such as
25 fine art, photographs, conceptual art, diagrams, and other
26 images; (3) multimedia outputs, such as audio or video in the

1 form of compositions, songs, or short-form or long-form audio
2 or video; and (4) other content that would be otherwise
3 produced by human means.

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

7 (D) Civil rights violation. "Civil rights violation"
8 includes and shall be limited to only those specific acts set
9 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-102.1, 3-103,
10 3-102.10, 3-104.1, 3-105, 3-105.1, 4-102, 4-103, 5-102,
11 5A-102, 6-101, 6-101.5, and 6-102 of this Act.

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

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

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

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

26 (H) Department. "Department" means the Department of Human

1 Rights created by this Act.

2 (I) Disability.

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

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

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

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

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

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

1 (2) Discrimination based on disability includes unlawful
2 discrimination against an individual because of the
3 individual's association with a person with a disability.

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

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

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

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

26 (L) Person. "Person" includes one or more individuals,

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

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

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

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

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

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

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

1 sexual attraction to a minor by an adult.

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

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

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

17 (Q) Unlawful discrimination. "Unlawful discrimination"
18 means discrimination against a person because of his or her
19 actual or perceived: race, color, religion, national origin,
20 ancestry, age, sex, marital status, order of protection
21 status, disability, military status, sexual orientation,
22 pregnancy, reproductive health decisions, or unfavorable
23 discharge from military service as those terms are defined in
24 this Section.

25 (Source: P.A. 102-362, eff. 1-1-22; 102-419, eff. 1-1-22;
26 102-558, eff. 8-20-21; 102-813, eff. 5-13-22; 102-896, eff.

1 1-1-23; 102-1102, eff. 1-1-23; 103-154, eff. 6-30-23; 103-785,
2 eff. 1-1-25.)

3 (775 ILCS 5/2-101)

4 Sec. 2-101. Definitions. The following definitions are
5 applicable strictly in the context of this Article.

6 (A) Employee.

7 (1) "Employee" includes:

8 (a) Any individual performing services for
9 remuneration within this State for an employer;

10 (b) An apprentice;

11 (c) An applicant for any apprenticeship.

12 For purposes of subsection (D) of Section 2-102 of
13 this Act, "employee" also includes an unpaid intern. An
14 unpaid intern is a person who performs work for an
15 employer under the following circumstances:

16 (i) the employer is not committed to hiring the
17 person performing the work at the conclusion of the
18 intern's tenure;

19 (ii) the employer and the person performing the
20 work agree that the person is not entitled to wages for
21 the work performed; and

22 (iii) the work performed:

23 (I) supplements training given in an
24 educational environment that may enhance the
25 employability of the intern;

1 (II) provides experience for the benefit of
2 the person performing the work;

3 (III) does not displace regular employees;

4 (IV) is performed under the close supervision
5 of existing staff; and

6 (V) provides no immediate advantage to the
7 employer providing the training and may
8 occasionally impede the operations of the
9 employer.

10 (2) "Employee" does not include:

11 (a) (Blank);

12 (b) Individuals employed by persons who are not
13 "employers" as defined by this Act;

14 (c) Elected public officials or the members of
15 their immediate personal staffs;

16 (d) Principal administrative officers of the State
17 or of any political subdivision, municipal corporation
18 or other governmental unit or agency;

19 (e) A person in a vocational rehabilitation
20 facility certified under federal law who has been
21 designated an evaluatee, trainee, or work activity
22 client.

23 (B) Employer.

24 (1) "Employer" includes:

25 (a) Any person employing one or more employees
26 within Illinois during 20 or more calendar weeks

1 within the calendar year of or preceding the alleged
2 violation;

3 (b) Any person employing one or more employees
4 when a complainant alleges civil rights violation due
5 to unlawful discrimination based upon his or her
6 physical or mental disability unrelated to ability,
7 pregnancy, or sexual harassment;

8 (c) The State and any political subdivision,
9 municipal corporation or other governmental unit or
10 agency, without regard to the number of employees;

11 (d) Any party to a public contract without regard
12 to the number of employees;

13 (e) A joint apprenticeship or training committee
14 without regard to the number of employees.

15 (2) "Employer" does not include any place of worship,
16 religious corporation, association, educational
17 institution, society, or nonprofit nursing institution
18 conducted by and for those who rely upon treatment by
19 prayer through spiritual means in accordance with the
20 tenets of a recognized church or religious denomination
21 with respect to the employment of individuals of a
22 particular religion to perform work connected with the
23 carrying on by such place of worship, corporation,
24 association, educational institution, society, or
25 nonprofit nursing institution of its activities.

26 (C) Employment Agency. "Employment Agency" includes both

1 public and private employment agencies and any person, labor
2 organization, or labor union having a hiring hall or hiring
3 office regularly undertaking, with or without compensation, to
4 procure opportunities to work or to procure, recruit, refer,
5 or place employees.

6 (D) Labor Organization. "Labor Organization" includes any
7 organization, labor union, craft union, or any voluntary
8 unincorporated association designed to further the cause of
9 the rights of union labor which is constituted for the
10 purpose, in whole or in part, of collective bargaining or of
11 dealing with employers concerning grievances, terms or
12 conditions of employment, or apprenticeships or applications
13 for apprenticeships, or of other mutual aid or protection in
14 connection with employment, including apprenticeships or
15 applications for apprenticeships.

16 (E) Sexual Harassment. "Sexual harassment" means any
17 unwelcome sexual advances or requests for sexual favors or any
18 conduct of a sexual nature when (1) submission to such conduct
19 is made either explicitly or implicitly a term or condition of
20 an individual's employment, (2) submission to or rejection of
21 such conduct by an individual is used as the basis for
22 employment decisions affecting such individual, or (3) such
23 conduct has the purpose or effect of substantially interfering
24 with an individual's work performance or creating an
25 intimidating, hostile, or offensive working environment.

26 For purposes of this definition, the phrase "working

1 environment" is not limited to a physical location an employee
2 is assigned to perform his or her duties.

3 (E-1) Harassment. "Harassment" means any unwelcome conduct
4 on the basis of an individual's actual or perceived race,
5 color, religion, national origin, ancestry, age, sex, marital
6 status, order of protection status, disability, military
7 status, sexual orientation, pregnancy, unfavorable discharge
8 from military service, citizenship status, work authorization
9 status, or family responsibilities that has the purpose or
10 effect of substantially interfering with the individual's work
11 performance or creating an intimidating, hostile, or offensive
12 working environment. For purposes of this definition, the
13 phrase "working environment" is not limited to a physical
14 location an employee is assigned to perform his or her duties.

15 (F) Religion. "Religion" with respect to employers
16 includes all aspects of religious observance and practice, as
17 well as belief, unless an employer demonstrates that he is
18 unable to reasonably accommodate an employee's or prospective
19 employee's religious observance or practice without undue
20 hardship on the conduct of the employer's business.

21 (G) Public Employer. "Public employer" means the State, an
22 agency or department thereof, unit of local government, school
23 district, instrumentality or political subdivision.

24 (H) Public Employee. "Public employee" means an employee
25 of the State, agency or department thereof, unit of local
26 government, school district, instrumentality or political

1 subdivision. "Public employee" does not include public
2 officers or employees of the General Assembly or agencies
3 thereof.

4 (I) Public Officer. "Public officer" means a person who is
5 elected to office pursuant to the Constitution or a statute or
6 ordinance, or who is appointed to an office which is
7 established, and the qualifications and duties of which are
8 prescribed, by the Constitution or a statute or ordinance, to
9 discharge a public duty for the State, agency or department
10 thereof, unit of local government, school district,
11 instrumentality or political subdivision.

12 (J) Eligible Bidder. "Eligible bidder" means a person who,
13 prior to contract award or prior to bid opening for State
14 contracts for construction or construction-related services,
15 has filed with the Department a properly completed, sworn and
16 currently valid employer report form, pursuant to the
17 Department's regulations. The provisions of this Article
18 relating to eligible bidders apply only to bids on contracts
19 with the State and its departments, agencies, boards, and
20 commissions, and the provisions do not apply to bids on
21 contracts with units of local government or school districts.

22 (K) Citizenship Status. "Citizenship status" means the
23 status of being:

- 24 (1) a born U.S. citizen;
25 (2) a naturalized U.S. citizen;
26 (3) a U.S. national; or

1 (4) a person born outside the United States and not a
2 U.S. citizen who is lawfully present and who is protected
3 from discrimination under the provisions of Section 1324b
4 of Title 8 of the United States Code, as now or hereafter
5 amended.

6 (L) Work Authorization Status. "Work authorization status"
7 means the status of being a person born outside of the United
8 States, and not a U.S. citizen, who is authorized by the
9 federal government to work in the United States.

10 (M) Family Responsibilities. "Family responsibilities"
11 means an employee's actual or perceived provision of personal
12 care to a family member. As used in this definition:

13 (1) "Personal care" has the meaning given to that term
14 in the Employee Sick Leave Act.

15 (2) "Family member" has the meaning given to the term
16 "covered family member" in the Employee Sick Leave Act.

17 (N) (Blank). ~~Artificial Intelligence. "Artificial~~
18 ~~intelligence" means a machine based system that, for explicit~~
19 ~~or implicit objectives, infers, from the input it receives,~~
20 ~~how to generate outputs such as predictions, content,~~
21 ~~recommendations, or decisions that can influence physical or~~
22 ~~virtual environments. "Artificial intelligence" includes~~
23 ~~generative artificial intelligence.~~

24 (O) (Blank). ~~Generative Artificial Intelligence.~~
25 ~~"Generative artificial intelligence" means an automated~~
26 ~~computing system that, when prompted with human prompts,~~

1 ~~descriptions, or queries, can produce outputs that simulate~~
2 ~~human-produced content, including, but not limited to, the~~
3 ~~following: (1) textual outputs, such as short answers, essays,~~
4 ~~poetry, or longer compositions or answers; (2) image outputs,~~
5 ~~such as fine art, photographs, conceptual art, diagrams, and~~
6 ~~other images; (3) multimedia outputs, such as audio or video~~
7 ~~in the form of compositions, songs, or short form or long form~~
8 ~~audio or video; and (4) other content that would be otherwise~~
9 ~~produced by human means.~~

10 (Source: P.A. 103-797, eff. 1-1-25; 103-804, eff. 1-1-26;
11 104-417, eff. 8-15-25.)

12 (775 ILCS 5/3-102) (from Ch. 68, par. 3-102)

13 Sec. 3-102. Civil rights violations; real estate
14 transactions and other prohibited acts. It is a civil rights
15 violation for an owner or any other person, or for a real
16 estate broker or salesman, because of unlawful discrimination,
17 familial status, immigration status, source of income, or an
18 arrest record, as defined under subsection (B-5) of Section
19 1-103, to:

20 (A) Transactions. Refuse to engage in a real estate
21 transaction or deny real property, or to discriminate in
22 making available such a transaction;

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

1 (C) Offers. Refuse to receive or to fail to transmit a
2 bona fide offer in a real estate transaction from a
3 person;

4 (D) Negotiation. Refuse to negotiate a real estate
5 transaction with a person;

6 (E) Representations. Represent to a person that real
7 property is not available for inspection, sale, rental, or
8 lease when in fact it is so available, or to fail to bring
9 a property listing to the person's attention, or to refuse
10 to permit the person to inspect real property;

11 (F) Publication of Intent. Make, print, circulate,
12 post, mail, publish or cause to be made, printed,
13 circulated, posted, mailed, or published any notice,
14 statement, advertisement or sign, or use a form of
15 application for a real estate transaction, or make a
16 record or inquiry in connection with a prospective real
17 estate transaction, that indicates any preference,
18 limitation, or discrimination based on unlawful
19 discrimination or unlawful discrimination based on
20 familial status, immigration status, source of income, or
21 an arrest record, or an intention to make any such
22 preference, limitation, or discrimination;

23 (G) Listings. Offer, solicit, accept, use or retain a
24 listing of real property with knowledge that unlawful
25 discrimination or discrimination on the basis of familial
26 status, immigration status, source of income, or an arrest

1 record in a real estate transaction is intended.

2 (H) Criteria. Use criteria or methods that have the
3 effect of subjecting individuals to unlawful
4 discrimination or discrimination based on familial status,
5 immigration status, source of income, or an arrest record
6 in a real estate transaction. Such criteria or methods are
7 unlawful under this subsection if they are not necessary
8 to achieve a substantial, legitimate, non-discriminatory
9 interest; or if the substantial, legitimate,
10 non-discriminatory interest could be served by another
11 practice that has a less discriminatory effect.

12 (I) Artificial intelligence.

13 (1) With respect to transactions, terms, offers,
14 negotiations, representations, publication of intent,
15 listings, and criteria, for an owner, real estate
16 broker or salesman, or any other person, to use
17 artificial intelligence that has the effect of
18 subjecting another person to discrimination on the
19 basis of protected classes under this Article;

20 (2) For an owner, real estate broker or salesman,
21 or any person subject to this Article, to fail to
22 provide notice to a person that they are using
23 artificial intelligence with respect to a real estate
24 transaction, including with respect to transactions,
25 terms, offers, negotiations, representations,
26 publications of intent, listings, and criteria.

1 The Department shall adopt any rules necessary for the
2 implementation and enforcement of this subdivision, including,
3 but not limited to, rules on the circumstances and conditions
4 that require notice, the time period for providing notice, the
5 contents of such notice, and the means for providing notice.

6 (Source: P.A. 102-896, eff. 1-1-23; 103-232, eff. 1-1-24;
7 103-859, eff. 1-1-25.)

8 (775 ILCS 5/4-102) (from Ch. 68, par. 4-102)

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

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

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

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

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

22 (E) Consideration of Income. Deny or vary the terms of a
23 loan without having considered all of the regular and
24 dependable income of each person who would be liable for
25 repayment of the loan.

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

4 (G) Use of artificial intelligence.

5 (1) With respect to denial of services, modification
6 of services, loan terms, property location, consideration
7 of income, and lending standards, for a financial
8 institution to use artificial intelligence that has the
9 effect of subjecting a person to discrimination on the
10 basis of protected classes under this Article.

11 (2) For a financial institution to fail to provide
12 notice to a person that the financial institution is using
13 artificial intelligence for the purpose of denying
14 services, modifying services, denying or varying the terms
15 of a loan, or setting lending standards that could have
16 the effect of subjecting a person to discrimination on the
17 basis of protected classes under this Article.

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

19 (775 ILCS 5/4-103) (from Ch. 68, par. 4-103)

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

23 (A) Denial. To refuse to issue a credit card, upon
24 proper application, on the basis of unlawful
25 discrimination.

1 (B) Reasons for Rejection. To fail to inform an
2 applicant for a credit card, upon request, of the reason
3 that his or her application for a credit card has been
4 rejected.

5 (C) Use of artificial intelligence.

6 (1) With respect to denial and reasons for
7 rejection, for a person who offers credit cards to the
8 public in this State to use artificial intelligence
9 that has the effect of subjecting an applicant for a
10 credit card to discrimination on the basis of
11 protected classes under this Article.

12 (2) For a person who offers credit cards to the
13 public to fail to provide notice to an applicant for a
14 credit card that the person is using artificial
15 intelligence for the purpose of refusing to issue
16 credit cards or rejecting applications for credit
17 cards that could have the effect of subjecting an
18 applicant for a credit card to discrimination on the
19 basis of protected classes under this Article.

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

21 (775 ILCS 5/4-105 new)

22 Sec. 4-105. Rules. The Department shall adopt any rules
23 necessary for the implementation and enforcement of the notice
24 provision in Sections 4-102 and 4-103, including, but not
25 limited to, rules on the circumstances and conditions that

1 require notice, the time period for providing notice, the
2 contents of such notice, and the means for providing notice.".