

SB3461



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3461

Introduced 2/5/2026, by Sen. Graciela Guzmán

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

Amends the Illinois Human Rights Act. Provides that it is a civil rights violation in the Real Estate Article to unlawfully discriminate because of a person's history of experiencing domestic or sexual violence. Defines "domestic violence" and "sexual violence".

LRB104 18900 JRC 32345 b

A BILL FOR

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 and 3-102 as follows:

6 (775 ILCS 5/3-101) (from Ch. 68, par. 3-101)

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

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

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

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

23 (2) secured by residential real estate.

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

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

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

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

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

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

25 (F) Conciliation. "Conciliation" means the attempted
26 resolution of issues raised by a charge, or by the

1 investigation of such charge, through informal negotiations
2 involving the aggrieved party, the respondent and the
3 Department.

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

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

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

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

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

16 (J) "Domestic violence" means "abuse", as defined in
17 Section 103 of the Illinois Domestic Violence Act of 1986, by a
18 "family or household member", as defined in Section 103 of the
19 Illinois Domestic Violence Act of 1986.

20 (K) "Sexual violence" means any act of sexual assault,
21 sexual abuse, or stalking of an adult or minor child,
22 including, but not limited to, non-consensual sexual conduct
23 or non-consensual sexual penetration as defined in the Civil
24 No Contact Order Act and the offenses of stalking, aggravated
25 stalking, criminal sexual assault, aggravated criminal sexual
26 assault, predatory criminal sexual assault of a child,

1 criminal sexual abuse, and aggravated criminal sexual abuse as
2 those offenses are described in the Criminal Code of 2012.

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

4 (775 ILCS 5/3-102) (from Ch. 68, par. 3-102)

5 Sec. 3-102. Civil rights violations; real estate
6 transactions and other prohibited acts. It is a civil rights
7 violation for an owner or any other person, or for a real
8 estate broker or salesman, because of unlawful discrimination,
9 familial status, immigration status, source of income, history
10 of experiencing domestic or sexual violence, or an arrest
11 record, as defined under subsection (B-5) of Section 1-103,
12 to:

13 (A) Transactions. Refuse to engage in a real estate
14 transaction or deny real property, or to discriminate in
15 making available such a transaction;

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

19 (C) Offers. Refuse to receive or to fail to transmit a
20 bona fide offer in a real estate transaction from a
21 person;

22 (D) Negotiation. Refuse to negotiate a real estate
23 transaction with a person;

24 (E) Representations. Represent to a person that real
25 property is not available for inspection, sale, rental, or

1 lease when in fact it is so available, or to fail to bring
2 a property listing to the person's attention, or to refuse
3 to permit the person to inspect real property;

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

16 (G) Listings. Offer, solicit, accept, use or retain a
17 listing of real property with knowledge that unlawful
18 discrimination or discrimination on the basis of familial
19 status, immigration status, source of income, or an arrest
20 record in a real estate transaction is intended.

21 (H) Criteria. Use criteria or methods that have the
22 effect of subjecting individuals to unlawful
23 discrimination or discrimination based on familial status,
24 immigration status, source of income, or an arrest record
25 in a real estate transaction. Such criteria or methods are
26 unlawful under this subsection if they are not necessary

1 to achieve a substantial, legitimate, non-discriminatory
2 interest; or if the substantial, legitimate,
3 non-discriminatory interest could be served by another
4 practice that has a less discriminatory effect.

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