



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB3504

Introduced 2/5/2026, by Sen. Mike Porfirio

#### SYNOPSIS AS INTRODUCED:

765 ILCS 705/35 new

Amends the Landlord and Tenant Act. Provides that any landlord of a dwelling unit of residential real property must offer any tenant the option of having the tenant's rental payment information reported to at least one nationwide consumer reporting agency as long as the consumer reporting agency resells or otherwise furnishes rental payment information to a nationwide consumer reporting agency. "Rental payment information" means information regarding a tenant's complete, timely payments of rent. Requires that before reporting a tenant's rental history information, the landlord must first provide written notice of the offer and obtain written authorization from the tenant electing to have the rent reported. Specifies what information the notice must contain. Provides that if a tenant elects to have that tenant's rental payment information reported to a consumer reporting agency, the landlord may require that the tenant pay a fee not to exceed the actual cost to the landlord to provide the service plus \$5 per month. Provides that the payment or nonpayment of this fee by the tenant may not be reported to a consumer reporting agency. Exempts a landlord of a residential rental building that contains 15 or fewer dwelling units, unless the landlord: (1) owns more than one residential rental building, regardless of the number of units in each building; and (2) is a corporation, limited liability company in which at least one member is a corporation or a real estate investment trust. Makes other changes.

LRB104 19597 JRC 33046 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 Landlord and Tenant Act is amended by  
5 adding Section 35 as follows:

6 (765 ILCS 705/35 new)

7 Sec. 35. Reporting of tenants' rental payment history.

8 (a) A landlord of a dwelling unit of residential real property  
9 must offer any tenant obligated on the lease the option of  
10 having the tenant's rental payment information reported to at  
11 least one nationwide consumer reporting agency that meets the  
12 definition in Section 603(p) of the federal Fair Credit  
13 Reporting Act or any other consumer reporting agency that  
14 meets the definition in Section 603(f) of that Act as long as  
15 the consumer reporting agency resells or otherwise furnishes  
16 rental payment information to a nationwide consumer reporting  
17 agency that meets the definition in Section 603(p) of that  
18 Act. As used in this Section, "rental payment information"  
19 means information regarding a tenant's complete, timely  
20 payments of rent.

21 (b) Before reporting a tenant's rental history information  
22 to a consumer reporting agency in accordance with this  
23 Section, the landlord must first provide written notice of the

1 offer as described in subsection (d) and obtain written  
2 authorization from the tenant electing to have the rent  
3 reported.

4 (c) The offer of rental payment information reporting must  
5 be made at the time of the lease agreement and at least once  
6 annually thereafter and for any renewal of a lease. A landlord  
7 may provide the offer of rental payment reporting to the  
8 tenant by first-class United States mail, email, or the same  
9 medium used by the landlord to provide the tenant with the  
10 lease agreement.

11 (d) The landlord's notice of the option of rent reporting  
12 must include all of the following:

13 (1) a statement that reporting of the tenant's rental  
14 payment information is optional;

15 (2) identification of each consumer reporting agency  
16 to which rental payment information will be reported;

17 (3) a statement that many consumer reporting agencies  
18 consider any rental payment late if the payment is overdue  
19 by 30 days or more;

20 (4) a statement describing which rental payments will  
21 be reported and whether these payments are considered  
22 timely, late, or missed;

23 (5) the amount of any fee charged by the landlord for  
24 reporting the tenant's rental payment information;

25 (6) instructions on how to submit to the landlord the  
26 written election of rental payment information reporting;

1           (7) a statement that the tenant may opt into rental  
2           payment information reporting at any time following the  
3           initial offer by the landlord;

4           (8) a statement that the tenant may elect to stop  
5           rental payment information reporting at any time, but that  
6           the tenant will not be able to resume reporting for at  
7           least 6 months after the election to opt out;

8           (9) instructions on how to opt out of rental payment  
9           information reporting; and

10           (10) a signature block that the tenant must date and  
11           sign in order to accept the offer of rental payment  
12           information reporting.

13           (e) A tenant may submit the completed written election of  
14           rent reporting at any time after the tenant receives the offer  
15           from the landlord.

16           (f) (1) If a tenant elects to have that tenant's rental  
17           payment information reported to a consumer reporting agency,  
18           the landlord may require that the tenant pay a fee not to  
19           exceed the actual cost to the landlord to provide the service  
20           plus \$5 per month. The payment or nonpayment of this fee by the  
21           tenant may not be reported to a consumer reporting agency.

22           (2) If a tenant fails to pay any fee required by the  
23           landlord under this Section, all of the following apply:

24           (A) the failure to pay the fee is not a cause for  
25           termination of the tenancy;

26           (B) the landlord may not deduct the unpaid fee from

1 the tenant's security deposit or rental payment; and

2 (C) if the fee remains unpaid for 30 days or more, the  
3 landlord may stop reporting the tenant's rental payments,  
4 and the tenant may not elect rent reporting again for a  
5 period of 6 months from the date on which the fee first  
6 became due.

7 (g) A tenant who elects to have rent reported may  
8 subsequently file a written request with the landlord to stop  
9 that reporting with which the landlord must comply. A tenant  
10 who elects to stop reporting may not elect rent reporting  
11 again for a period of at least 6 months from the date of the  
12 tenant's written request to stop reporting.

13 (h) If a tenant makes deductions from rent or otherwise  
14 withholds rent as authorized by law, the deductions or  
15 withholding of rent do not constitute a late rental payment. A  
16 tenant invoking the right to repair and deduct or withhold  
17 rent must notify the landlord of the deduction or withholding  
18 before the date rent is due.

19 (i) This Section does not apply to a landlord of a  
20 residential rental building that contains 15 or fewer dwelling  
21 units, unless the landlord:

22 (1) owns more than one residential rental building,  
23 regardless of the number of units in each building; and

24 (2) is a corporation, limited liability company in  
25 which at least one member is a corporation or a real estate  
26 investment trust.