



Rep. Justin Slaughter

Filed: 5/29/2026

10400SB3777ham001

LRB104 19012 LNS 38569 a

1 AMENDMENT TO SENATE BILL 3777

2 AMENDMENT NO. _____. Amend Senate Bill 3777 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. This Act may be referred to as the Civil Rights
5 Safeguard Act.

6 Section 5. The Illinois Human Rights Act is amended by
7 changing Sections 1-103, 4-102, 4-103, and 5-102 and by adding
8 Sections 2-103.5 and 4-105 as follows:

9 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

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

12 (A) Age. "Age" means the chronological age of a person who
13 is at least 40 years old, except with regard to any practice
14 described in Section 2-102, insofar as that practice concerns
15 training or apprenticeship programs. In the case of training

1 or apprenticeship programs, for the purposes of Section 2-102,
2 "age" means the chronological age of a person who is 18 but not
3 yet 40 years old.

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

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

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

10 (2) a juvenile record; or

11 (3) criminal history record information ordered
12 expunged, sealed, or impounded under Section 5.2 of the
13 Criminal Identification Act.

14 (C) Charge. "Charge" means an allegation filed with the
15 Department by an aggrieved party or initiated by the
16 Department under its authority.

17 (D) Civil rights violation. "Civil rights violation"
18 includes and shall be limited to only those specific acts set
19 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-102.1, 3-103,
20 3-102.10, 3-104.1, 3-105, 3-105.1, 4-102, 4-103, 5-102,
21 5A-102, 6-101, 6-101.5, and 6-102 of this Act.

22 (E) Commission. "Commission" means the Human Rights
23 Commission created by this Act.

24 (F) Complaint. "Complaint" means the formal pleading filed
25 by the Department with the Commission following an
26 investigation and finding of substantial evidence of a civil

1 rights violation.

2 (G) Complainant. "Complainant" means a person including
3 the Department who files a charge of civil rights violation
4 with the Department or the Commission.

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

10 (G-10) Criteria or methods. "Criteria or methods" include
11 practices, policies, and groups of practices or policies that
12 may have the effect of subjecting individuals to
13 discrimination prohibited under this Act.

14 (H) Department. "Department" means the Department of Human
15 Rights created by this Act.

16 (I) Disability.

17 (1) "Disability" means a determinable physical or mental
18 characteristic of a person, including, but not limited to, a
19 determinable physical characteristic which necessitates the
20 person's use of a guide, hearing or support dog, the history of
21 such characteristic, or the perception of such characteristic
22 by the person complained against, which may result from
23 disease, injury, congenital condition of birth or functional
24 disorder and which characteristic:

25 (a) For purposes of Article 2, is unrelated to the
26 person's ability to perform the duties of a particular job

1 or position and, pursuant to Section 2-104 of this Act, a
2 person's illegal use of drugs or alcohol is not a
3 disability;

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

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

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

12 (e) For purposes of Article 5, also includes any
13 mental, psychological, or developmental disability,
14 including autism spectrum disorders.

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

18 (J) Marital status. "Marital status" means the legal
19 status of being married, single, separated, divorced, or
20 widowed.

21 (J-1) Military status. "Military status" means a person's
22 status on active duty in or status as a veteran of the armed
23 forces of the United States, status as a current member or
24 veteran of any reserve component of the armed forces of the
25 United States, including the United States Army Reserve,
26 United States Marine Corps Reserve, United States Navy

1 Reserve, United States Air Force Reserve, and United States
2 Coast Guard Reserve, or status as a current member or veteran
3 of the Illinois Army National Guard or Illinois Air National
4 Guard.

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

7 (K-5) "Order of protection status" means a person's status
8 as being a person protected under an order of protection
9 issued pursuant to the Illinois Domestic Violence Act of 1986,
10 Article 112A of the Code of Criminal Procedure of 1963, the
11 Stalking No Contact Order Act, or the Civil No Contact Order
12 Act, or an order of protection issued by a court of another
13 state.

14 (L) Person. "Person" includes one or more individuals,
15 partnerships, associations or organizations, labor
16 organizations, labor unions, joint apprenticeship committees,
17 or union labor associations, corporations, the State of
18 Illinois and its instrumentalities, political subdivisions,
19 units of local government, legal representatives, trustees in
20 bankruptcy or receivers.

21 (L-5) Pregnancy. "Pregnancy" means pregnancy, childbirth,
22 or medical or common conditions related to pregnancy or
23 childbirth.

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

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

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

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

10 (O-1) Sexual orientation. "Sexual orientation" means
11 actual or perceived heterosexuality, homosexuality,
12 bisexuality, or gender-related identity, whether or not
13 traditionally associated with the person's designated sex at
14 birth. "Sexual orientation" does not include a physical or
15 sexual attraction to a minor by an adult.

16 (O-2) Reproductive Health Decisions. "Reproductive Health
17 Decisions" means a person's decisions regarding the person's
18 use of: contraception; fertility or sterilization care;
19 assisted reproductive technologies; miscarriage management
20 care; healthcare related to the continuation or termination of
21 pregnancy; or prenatal, intranatal, or postnatal care.

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

25 (P) Unfavorable military discharge. "Unfavorable military
26 discharge" includes discharges from the Armed Forces of the

1 United States, their Reserve components, or any National Guard
2 or Naval Militia which are classified as RE-3 or the
3 equivalent thereof, but does not include those characterized
4 as RE-4 or "Dishonorable".

5 (Q) Unlawful discrimination. "Unlawful discrimination"
6 means discrimination against a person, whether by purpose or
7 effect, because of his or her actual or perceived: race,
8 color, religion, national origin, ancestry, age, sex, marital
9 status, order of protection status, disability, military
10 status, sexual orientation, pregnancy, reproductive health
11 decisions, or unfavorable discharge from military service as
12 those terms are defined in this Section.

13 (Source: P.A. 102-362, eff. 1-1-22; 102-419, eff. 1-1-22;
14 102-558, eff. 8-20-21; 102-813, eff. 5-13-22; 102-896, eff.
15 1-1-23; 102-1102, eff. 1-1-23; 103-154, eff. 6-30-23; 103-785,
16 eff. 1-1-25.)

17 (775 ILCS 5/2-103.5 new)

18 Sec. 2-103.5. Criteria or methods. It is a civil rights
19 violation for any employer, employment agency, or labor
20 organization to use criteria or methods in any act as set forth
21 in Section 2-102 that have the effect of subjecting
22 individuals to discrimination on the basis of unlawful
23 discrimination, citizenship status, family responsibilities,
24 work authorization status, arrest record, or conviction
25 record. Such criteria or methods are unlawful under this

1 Section if (i) the respondent fails to demonstrate that the
2 criteria or methods are job related for the position in
3 question and consistent with business necessity or (ii) the
4 respondent demonstrates that the criteria or methods are job
5 related for the position in question and consistent with
6 business necessity and the complainant demonstrates that the
7 business necessity could be served by another employment
8 practice that has a less discriminatory effect.

9 (775 ILCS 5/4-102) (from Ch. 68, par. 4-102)

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

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

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

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

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

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

1 repayment of the loan.

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

5 (G) Criteria or methods. Use criteria or methods that have
6 the effect of subjecting individuals to unlawful
7 discrimination under this Section. Such criteria or methods
8 are unlawful under this subsection if they are not necessary
9 to achieve a substantial, legitimate, nondiscriminatory
10 interest or if the substantial, legitimate, nondiscriminatory
11 interest could be served by another practice that has a less
12 discriminatory effect.

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

14 (775 ILCS 5/4-103) (from Ch. 68, par. 4-103)

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

18 (A) Denial. To refuse to issue a credit card, upon
19 proper application, on the basis of unlawful
20 discrimination.

21 (B) Reasons for Rejection. To fail to inform an
22 applicant for a credit card, upon request, of the reason
23 that his or her application for a credit card has been
24 rejected.

25 (C) Criteria or methods. Use criteria or methods that

1 have the effect of subjecting individuals to unlawful
2 discrimination under this Section. Such criteria or
3 methods are unlawful under this subsection if they are not
4 necessary to achieve a substantial, legitimate,
5 nondiscriminatory interest or if the substantial,
6 legitimate, nondiscriminatory interest could be served by
7 another practice that has a less discriminatory effect.

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

9 (775 ILCS 5/4-105 new)

10 Sec. 4-105. Consultation.

11 (A) The Department may consult with the Secretary of
12 Financial and Professional Regulation or a financial
13 institution's primary prudential regulator for purposes of
14 investigating a charge involving a financial institution.

15 (B) Nothing in this Section shall be construed to prohibit
16 the Department from investigating a charge involving a
17 financial institution pursuant to this Act. Nothing in this
18 Act shall be construed to limit the authority of the
19 Department of Financial and Professional Regulation, Office of
20 the Comptroller of the Currency, or National Credit Union
21 Administration to examine any financial institution.

22 (775 ILCS 5/5-102) (from Ch. 68, par. 5-102)

23 Sec. 5-102. Civil Rights Violations: Public
24 Accommodations. It is a civil rights violation for any person

1 on the basis of unlawful discrimination to:

2 (A) Enjoyment of Facilities, Goods, and Services. Deny or
3 refuse to another the full and equal enjoyment of the
4 facilities, goods, and services of any public place of
5 accommodation;

6 (B) Written Communications. Directly or indirectly, as the
7 operator of a place of public accommodation, publish,
8 circulate, display or mail any written communication, except a
9 private communication sent in response to a specific inquiry,
10 which the operator knows is to the effect that any of the
11 facilities of the place of public accommodation will be denied
12 to any person or that any person is unwelcome, objectionable
13 or unacceptable because of unlawful discrimination;

14 (C) Public Officials. Deny or refuse to another, as a
15 public official, the full and equal enjoyment of the
16 accommodations, advantage, facilities or privileges of the
17 official's office or services or of any property under the
18 official's care because of unlawful discrimination.

19 (D) Criteria or methods. Use criteria or methods that have
20 the effect of subjecting individuals to unlawful
21 discrimination under this Section. Such criteria or methods
22 are unlawful under this subsection if they are not necessary
23 to achieve a substantial, legitimate, nondiscriminatory
24 interest or if the substantial, legitimate, nondiscriminatory
25 interest could be served by another practice that has a less
26 discriminatory effect.

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