

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 3. The Freedom of Information Act is amended by  
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

7 (Text of Section before amendment by P.A. 103-472)

8 Sec. 7.5. Statutory exemptions. To the extent provided for  
9 by the statutes referenced below, the following shall be  
10 exempt from inspection and copying:

11 (a) All information determined to be confidential  
12 under Section 4002 of the Technology Advancement and  
13 Development Act.

14 (b) Library circulation and order records identifying  
15 library users with specific materials under the Library  
16 Records Confidentiality Act.

17 (c) Applications, related documents, and medical  
18 records received by the Experimental Organ Transplantation  
19 Procedures Board and any and all documents or other  
20 records prepared by the Experimental Organ Transplantation  
21 Procedures Board or its staff relating to applications it  
22 has received.

23 (d) Information and records held by the Department of

1 Public Health and its authorized representatives relating  
2 to known or suspected cases of sexually transmissible  
3 disease or any information the disclosure of which is  
4 restricted under the Illinois Sexually Transmissible  
5 Disease Control Act.

6 (e) Information the disclosure of which is exempted  
7 under Section 30 of the Radon Industry Licensing Act.

8 (f) Firm performance evaluations under Section 55 of  
9 the Architectural, Engineering, and Land Surveying  
10 Qualifications Based Selection Act.

11 (g) Information the disclosure of which is restricted  
12 and exempted under Section 50 of the Illinois Prepaid  
13 Tuition Act.

14 (h) Information the disclosure of which is exempted  
15 under the State Officials and Employees Ethics Act, and  
16 records of any lawfully created State or local inspector  
17 general's office that would be exempt if created or  
18 obtained by an Executive Inspector General's office under  
19 that Act.

20 (i) Information contained in a local emergency energy  
21 plan submitted to a municipality in accordance with a  
22 local emergency energy plan ordinance that is adopted  
23 under Section 11-21.5-5 of the Illinois Municipal Code.

24 (j) Information and data concerning the distribution  
25 of surcharge moneys collected and remitted by carriers  
26 under the Emergency Telephone System Act.

1           (k) Law enforcement officer identification information  
2           or driver identification information compiled by a law  
3           enforcement agency or the Department of Transportation  
4           under Section 11-212 of the Illinois Vehicle Code.

5           (l) Records and information provided to a residential  
6           health care facility resident sexual assault and death  
7           review team or the Executive Council under the Abuse  
8           Prevention Review Team Act.

9           (m) Information provided to the predatory lending  
10          database created pursuant to Article 3 of the Residential  
11          Real Property Disclosure Act, except to the extent  
12          authorized under that Article.

13          (n) Defense budgets and petitions for certification of  
14          compensation and expenses for court appointed trial  
15          counsel as provided under Sections 10 and 15 of the  
16          Capital Crimes Litigation Act (repealed). This subsection  
17          (n) shall apply until the conclusion of the trial of the  
18          case, even if the prosecution chooses not to pursue the  
19          death penalty prior to trial or sentencing.

20          (o) Information that is prohibited from being  
21          disclosed under Section 4 of the Illinois Health and  
22          Hazardous Substances Registry Act.

23          (p) Security portions of system safety program plans,  
24          investigation reports, surveys, schedules, lists, data, or  
25          information compiled, collected, or prepared by or for the  
26          Department of Transportation under Sections 2705-300 and

1 2705-616 of the Department of Transportation Law of the  
2 Civil Administrative Code of Illinois, the Regional  
3 Transportation Authority under Section 2.11 of the  
4 Regional Transportation Authority Act, or the St. Clair  
5 County Transit District under the Bi-State Transit Safety  
6 Act (repealed).

7 (q) Information prohibited from being disclosed by the  
8 Personnel Record Review Act.

9 (r) Information prohibited from being disclosed by the  
10 Illinois School Student Records Act.

11 (s) Information the disclosure of which is restricted  
12 under Section 5-108 of the Public Utilities Act.

13 (t) (Blank).

14 (u) Records and information provided to an independent  
15 team of experts under the Developmental Disability and  
16 Mental Health Safety Act (also known as Brian's Law).

17 (v) Names and information of people who have applied  
18 for or received Firearm Owner's Identification Cards under  
19 the Firearm Owners Identification Card Act or applied for  
20 or received a concealed carry license under the Firearm  
21 Concealed Carry Act, unless otherwise authorized by the  
22 Firearm Concealed Carry Act; and databases under the  
23 Firearm Concealed Carry Act, records of the Concealed  
24 Carry Licensing Review Board under the Firearm Concealed  
25 Carry Act, and law enforcement agency objections under the  
26 Firearm Concealed Carry Act.

1 (v-5) Records of the Firearm Owner's Identification  
2 Card Review Board that are exempted from disclosure under  
3 Section 10 of the Firearm Owners Identification Card Act.

4 (w) Personally identifiable information which is  
5 exempted from disclosure under subsection (g) of Section  
6 19.1 of the Toll Highway Act.

7 (x) Information which is exempted from disclosure  
8 under Section 5-1014.3 of the Counties Code or Section  
9 8-11-21 of the Illinois Municipal Code.

10 (y) Confidential information under the Adult  
11 Protective Services Act and its predecessor enabling  
12 statute, the Elder Abuse and Neglect Act, including  
13 information about the identity and administrative finding  
14 against any caregiver of a verified and substantiated  
15 decision of abuse, neglect, or financial exploitation of  
16 an eligible adult maintained in the Registry established  
17 under Section 7.5 of the Adult Protective Services Act.

18 (z) Records and information provided to a fatality  
19 review team or the Illinois Fatality Review Team Advisory  
20 Council under Section 15 of the Adult Protective Services  
21 Act.

22 (aa) Information which is exempted from disclosure  
23 under Section 2.37 of the Wildlife Code.

24 (bb) Information which is or was prohibited from  
25 disclosure by the Juvenile Court Act of 1987.

26 (cc) Recordings made under the Law Enforcement

1 Officer-Worn Body Camera Act, except to the extent  
2 authorized under that Act.

3 (dd) Information that is prohibited from being  
4 disclosed under Section 45 of the Condominium and Common  
5 Interest Community Ombudsperson Act.

6 (ee) Information that is exempted from disclosure  
7 under Section 30.1 of the Pharmacy Practice Act.

8 (ff) Information that is exempted from disclosure  
9 under the Revised Uniform Unclaimed Property Act.

10 (gg) Information that is prohibited from being  
11 disclosed under Section 7-603.5 of the Illinois Vehicle  
12 Code.

13 (hh) Records that are exempt from disclosure under  
14 Section 1A-16.7 of the Election Code.

15 (ii) Information which is exempted from disclosure  
16 under Section 2505-800 of the Department of Revenue Law of  
17 the Civil Administrative Code of Illinois.

18 (jj) Information and reports that are required to be  
19 submitted to the Department of Labor by registering day  
20 and temporary labor service agencies but are exempt from  
21 disclosure under subsection (a-1) of Section 45 of the Day  
22 and Temporary Labor Services Act.

23 (kk) Information prohibited from disclosure under the  
24 Seizure and Forfeiture Reporting Act.

25 (ll) Information the disclosure of which is restricted  
26 and exempted under Section 5-30.8 of the Illinois Public

1 Aid Code.

2 (mm) Records that are exempt from disclosure under  
3 Section 4.2 of the Crime Victims Compensation Act.

4 (nn) Information that is exempt from disclosure under  
5 Section 70 of the Higher Education Student Assistance Act.

6 (oo) Communications, notes, records, and reports  
7 arising out of a peer support counseling session  
8 prohibited from disclosure under the First Responders  
9 Suicide Prevention Act.

10 (pp) Names and all identifying information relating to  
11 an employee of an emergency services provider or law  
12 enforcement agency under the First Responders Suicide  
13 Prevention Act.

14 (qq) Information and records held by the Department of  
15 Public Health and its authorized representatives collected  
16 under the Reproductive Health Act.

17 (rr) Information that is exempt from disclosure under  
18 the Cannabis Regulation and Tax Act.

19 (ss) Data reported by an employer to the Department of  
20 Human Rights pursuant to Section 2-108 of the Illinois  
21 Human Rights Act.

22 (tt) Recordings made under the Children's Advocacy  
23 Center Act, except to the extent authorized under that  
24 Act.

25 (uu) Information that is exempt from disclosure under  
26 Section 50 of the Sexual Assault Evidence Submission Act.

1           (vv) Information that is exempt from disclosure under  
2 subsections (f) and (j) of Section 5-36 of the Illinois  
3 Public Aid Code.

4           (wv) Information that is exempt from disclosure under  
5 Section 16.8 of the State Treasurer Act.

6           (xx) Information that is exempt from disclosure or  
7 information that shall not be made public under the  
8 Illinois Insurance Code.

9           (yy) Information prohibited from being disclosed under  
10 the Illinois Educational Labor Relations Act.

11           (zz) Information prohibited from being disclosed under  
12 the Illinois Public Labor Relations Act.

13           (aaa) Information prohibited from being disclosed  
14 under Section 1-167 of the Illinois Pension Code.

15           (bbb) Information that is prohibited from disclosure  
16 by the Illinois Police Training Act and the Illinois State  
17 Police Act.

18           (ccc) Records exempt from disclosure under Section  
19 2605-304 of the Illinois State Police Law of the Civil  
20 Administrative Code of Illinois.

21           (ddd) Information prohibited from being disclosed  
22 under Section 35 of the Address Confidentiality for  
23 Victims of Domestic Violence, Sexual Assault, Human  
24 Trafficking, or Stalking Act.

25           (eee) Information prohibited from being disclosed  
26 under subsection (b) of Section 75 of the Domestic



1 Violence Fatality Review Act.

2 (fff) Images from cameras under the Expressway Camera  
3 Act. This subsection (fff) is inoperative on and after  
4 July 1, 2025.

5 (ggg) Information prohibited from disclosure under  
6 paragraph (3) of subsection (a) of Section 14 of the Nurse  
7 Agency Licensing Act.

8 (hhh) Information submitted to the Illinois State  
9 Police in an affidavit or application for an assault  
10 weapon endorsement, assault weapon attachment endorsement,  
11 .50 caliber rifle endorsement, or .50 caliber cartridge  
12 endorsement under the Firearm Owners Identification Card  
13 Act.

14 (iii) Data exempt from disclosure under Section 50 of  
15 the School Safety Drill Act.

16 (jjj) ~~(hhh)~~ Information exempt from disclosure under  
17 Section 30 of the Insurance Data Security Law.

18 (kkk) ~~(iii)~~ Confidential business information  
19 prohibited from disclosure under Section 45 of the Paint  
20 Stewardship Act.

21 (lll) (Reserved).

22 (mmm) ~~(iii)~~ Information prohibited from being  
23 disclosed under subsection (e) of Section 1-129 of the  
24 Illinois Power Agency Act.

25 (nnn) Information that is exempt from disclosure under  
26 Section 7-101 of the Illinois Human Rights Act.

1 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;  
2 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.  
3 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;  
4 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.  
5 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,  
6 eff. 1-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23;  
7 revised 1-2-24.)

8 (Text of Section after amendment by P.A. 103-472)

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4 Interest Community Ombudsperson Act.

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6 arising out of a peer support counseling session  
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20 Human Rights Act.

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22 Center Act, except to the extent authorized under that  
23 Act.

24 (uu) Information that is exempt from disclosure under  
25 Section 50 of the Sexual Assault Evidence Submission Act.

26 (vv) Information that is exempt from disclosure under



1 subsections (f) and (j) of Section 5-36 of the Illinois  
2 Public Aid Code.

3 (ww) Information that is exempt from disclosure under  
4 Section 16.8 of the State Treasurer Act.

5 (xx) Information that is exempt from disclosure or  
6 information that shall not be made public under the  
7 Illinois Insurance Code.

8 (yy) Information prohibited from being disclosed under  
9 the Illinois Educational Labor Relations Act.

10 (zz) Information prohibited from being disclosed under  
11 the Illinois Public Labor Relations Act.

12 (aaa) Information prohibited from being disclosed  
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14 (bbb) Information that is prohibited from disclosure  
15 by the Illinois Police Training Act and the Illinois State  
16 Police Act.

17 (ccc) Records exempt from disclosure under Section  
18 2605-304 of the Illinois State Police Law of the Civil  
19 Administrative Code of Illinois.

20 (ddd) Information prohibited from being disclosed  
21 under Section 35 of the Address Confidentiality for  
22 Victims of Domestic Violence, Sexual Assault, Human  
23 Trafficking, or Stalking Act.

24 (eee) Information prohibited from being disclosed  
25 under subsection (b) of Section 75 of the Domestic  
26 Violence Fatality Review Act.

1 (fff) Images from cameras under the Expressway Camera  
2 Act. This subsection (fff) is inoperative on and after  
3 July 1, 2025.

4 (ggg) Information prohibited from disclosure under  
5 paragraph (3) of subsection (a) of Section 14 of the Nurse  
6 Agency Licensing Act.

7 (hhh) Information submitted to the Illinois State  
8 Police in an affidavit or application for an assault  
9 weapon endorsement, assault weapon attachment endorsement,  
10 .50 caliber rifle endorsement, or .50 caliber cartridge  
11 endorsement under the Firearm Owners Identification Card  
12 Act.

13 (iii) Data exempt from disclosure under Section 50 of  
14 the School Safety Drill Act.

15 (jjj) ~~(hhh)~~ Information exempt from disclosure under  
16 Section 30 of the Insurance Data Security Law.

17 (kkk) ~~(iii)~~ Confidential business information  
18 prohibited from disclosure under Section 45 of the Paint  
19 Stewardship Act.

20 (lll) ~~(iii)~~ Data exempt from disclosure under Section  
21 2-3.196 of the School Code.

22 (mmm) ~~(iii)~~ Information prohibited from being  
23 disclosed under subsection (e) of Section 1-129 of the  
24 Illinois Power Agency Act.

25 (nnn) Information that is exempt from disclosure under  
26 Section 7-101 of the Illinois Human Rights Act.

1 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;  
2 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.  
3 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;  
4 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.  
5 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,  
6 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;  
7 103-580, eff. 12-8-23; revised 1-2-24.)

8 Section 5. The Illinois Human Rights Act is amended by  
9 changing Sections 3-101, 3-102, 8-101, 8-111, 8B-104, 10-103,  
10 and 10-104 as follows:

11 (775 ILCS 5/3-101) (from Ch. 68, par. 3-101)

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

14 (A) Real Property. "Real property" includes buildings,  
15 structures, real estate, lands, tenements, leaseholds,  
16 interests in real estate cooperatives, condominiums, and  
17 hereditaments, corporeal and incorporeal, or any interest  
18 therein.

19 (B) Real Estate Transaction. "Real estate transaction"  
20 includes the sale, exchange, rental or lease of real property,  
21 or any act that otherwise makes available such a transaction  
22 or alters a person's rights to real property. "Real estate  
23 transaction" also includes the brokering or appraising of  
24 residential real property and the making or purchasing of

1 loans or providing other financial assistance:

2 (1) for purchasing, constructing, improving, repairing  
3 or maintaining a dwelling; or

4 (2) secured by residential real estate.

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

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

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

19 (1) a parent or person having legal custody of such  
20 individual or individuals; or

21 (2) the designee of such parent or other person having  
22 such custody, with the written permission of such parent  
23 or other person.

24 The protections afforded by this Article against  
25 discrimination on the basis of familial status apply to any  
26 person who is pregnant or is in the process of securing legal

1 custody of any individual who has not attained the age of 18  
2 years.

3 (F) Conciliation. "Conciliation" means the attempted  
4 resolution of issues raised by a charge, or by the  
5 investigation of such charge, through informal negotiations  
6 involving the aggrieved party, the respondent and the  
7 Department.

8 (G) Conciliation Agreement. "Conciliation agreement" means  
9 a written agreement setting forth the resolution of the issues  
10 in conciliation.

11 (H) Covered Multifamily Dwellings. As used in Section  
12 3-102.1, "covered multifamily dwellings" means:

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

15 (2) ground floor units in other buildings consisting  
16 of 4 or more units.

17 (I) Immigration Status. "Immigration status" means a  
18 person's actual or perceived citizenship or immigration  
19 status.

20 (Source: P.A. 103-232, eff. 1-1-24.)

21 (775 ILCS 5/3-102) (from Ch. 68, par. 3-102)

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

1 familial status, immigration status, source of income, or an  
2 arrest record, as defined under subsection (B-5) of Section  
3 1-103, to:

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

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

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

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

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

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

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

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

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

21 (Source: P.A. 102-896, eff. 1-1-23; 103-232, eff. 1-1-24.)

22 (775 ILCS 5/8-101)

23 Sec. 8-101. Illinois Human Rights Commission.

24 (A) Creation; appointments. The Human Rights Commission is  
25 created to consist of 7 members appointed by the Governor with

1 the advice and consent of the Senate. No more than 4 members  
2 shall be of the same political party. The Governor shall  
3 designate one member as chairperson. All appointments shall be  
4 in writing and filed with the Secretary of State as a public  
5 record.

6 (B) Terms. Of the members first appointed, 4 shall be  
7 appointed for a term to expire on the third Monday of January~~7~~  
8 2021, and 3 (including the Chairperson) shall be appointed for  
9 a term to expire on the third Monday of January~~7~~ 2023.

10 Notwithstanding any provision of this Section to the  
11 contrary, the term of office of each member of the Illinois  
12 Human Rights Commission is abolished on January 19, 2019.  
13 Incumbent members holding a position on the Commission that  
14 was created by Public Act 84-115 and whose terms, if not for  
15 Public Act 100-1066 ~~this amendatory Act of the 100th General~~  
16 ~~Assembly~~, would have expired January 18, 2021 shall continue  
17 to exercise all of the powers and be subject to all of the  
18 duties of members of the Commission until June 30, 2019 or  
19 until their respective successors are appointed and qualified,  
20 whichever is earlier.

21 Thereafter, each member shall serve for a term of 4 years  
22 and until the member's successor is appointed and qualified;  
23 except that any member chosen to fill a vacancy occurring  
24 otherwise than by expiration of a term shall be appointed only  
25 for the unexpired term of the member whom the member shall  
26 succeed and until the member's successor is appointed and



1 qualified.

2 (C) Vacancies.

3 (1) In the case of vacancies on the Commission during  
4 a recess of the Senate, the Governor shall make a  
5 temporary appointment until the next meeting of the Senate  
6 when the Governor shall appoint a person to fill the  
7 vacancy. Any person so nominated and confirmed by the  
8 Senate shall hold office for the remainder of the term and  
9 until the person's successor is appointed and qualified.

10 (2) If the Senate is not in session at the time this  
11 Act takes effect, the Governor shall make temporary  
12 appointments to the Commission as in the case of  
13 vacancies.

14 (3) Vacancies in the Commission shall not impair the  
15 right of the remaining members to exercise all the powers  
16 of the Commission. Except when authorized by this Act to  
17 proceed through a 3 member panel, a majority of the  
18 members of the Commission then in office shall constitute  
19 a quorum.

20 (D) Compensation. On and after January 19, 2019, the  
21 Chairperson of the Commission shall be compensated at the rate  
22 of \$125,000 per year, or as set by the Compensation Review  
23 Board, whichever is greater, during the Chairperson's service  
24 as Chairperson, and each other member shall be compensated at  
25 the rate of \$119,000 per year, or as set by the Compensation  
26 Review Board, whichever is greater. In addition, all members

1 of the Commission shall be reimbursed for expenses actually  
2 and necessarily incurred by them in the performance of their  
3 duties.

4 (E) (Blank). ~~Notwithstanding the general supervisory~~  
5 ~~authority of the Chairperson, each commissioner, unless~~  
6 ~~appointed to the special temporary panel created under~~  
7 ~~subsection (H), has the authority to hire and supervise a~~  
8 ~~staff attorney. The staff attorney shall report directly to~~  
9 ~~the individual commissioner.~~

10 (F) A formal training program for newly appointed  
11 commissioners shall be implemented. The training program shall  
12 include the following:

13 (1) substantive and procedural aspects of the office  
14 of commissioner;

15 (2) current issues in employment and housing  
16 discrimination and public accommodation law and practice;

17 (3) orientation to each operational unit of the Human  
18 Rights Commission;

19 (4) observation of experienced hearing officers and  
20 commissioners conducting hearings of cases, combined with  
21 the opportunity to discuss evidence presented and rulings  
22 made;

23 (5) the use of hypothetical cases requiring the newly  
24 appointed commissioner to issue judgments as a means of  
25 evaluating knowledge and writing ability;

26 (6) writing skills; and

1 (7) professional and ethical standards.

2 A formal and ongoing professional development program  
3 including, but not limited to, the above-noted areas shall be  
4 implemented to keep commissioners informed of recent  
5 developments and issues and to assist them in maintaining and  
6 enhancing their professional competence. Each commissioner  
7 shall complete 20 hours of training in the above-noted areas  
8 during every 2 years the commissioner remains in office.

9 (G) Commissioners must meet one of the following  
10 qualifications:

11 (1) licensed to practice law in the State of Illinois;

12 (2) at least 3 years of experience as a hearing  
13 officer at the Human Rights Commission; or

14 (3) at least 4 years of professional experience  
15 working for or dealing with individuals or corporations  
16 affected by this Act or similar laws in other  
17 jurisdictions, including, but not limited to, experience  
18 with a civil rights advocacy group, a fair housing group,  
19 a community organization, a trade association, a union, a  
20 law firm, a legal aid organization, an employer's human  
21 resources department, an employment discrimination  
22 consulting firm, a community affairs organization, or a  
23 municipal human relations agency.

24 The Governor's appointment message, filed with the  
25 Secretary of State and transmitted to the Senate, shall state  
26 specifically how the experience of a nominee for commissioner

1 meets the requirement set forth in this subsection. The  
2 Chairperson must have public or private sector management and  
3 budget experience, as determined by the Governor.

4 Each commissioner shall devote full time to the  
5 commissioner's duties and any commissioner who is an attorney  
6 shall not engage in the practice of law, nor shall any  
7 commissioner hold any other office or position of profit under  
8 the United States or this State or any municipal corporation  
9 or political subdivision of this State, nor engage in any  
10 other business, employment, or vocation.

11 (H) (Blank).

12 (Source: P.A. 102-1129, eff. 2-10-23; 103-326, eff. 1-1-24;  
13 revised 12-15-23.)

14 (775 ILCS 5/8-111) (from Ch. 68, par. 8-111)

15 Sec. 8-111. Court Proceedings.

16 (A) Civil Actions Commenced in Circuit Court.

17 (1) Venue. Civil actions commenced in a circuit court  
18 pursuant to Section 7A-102 or 8B-102 shall be commenced in  
19 the circuit court in the county in which the civil rights  
20 violation was allegedly committed.

21 (2) If a civil action is commenced in a circuit court,  
22 the form of the complaint shall be in accordance with the  
23 Code of Civil Procedure.

24 (3) Jury Trial. If a civil action is commenced in a  
25 circuit court under Section 7A-102 or 8B-102, the

1 plaintiff or defendant may demand trial by jury.

2 (4) Remedies. Upon the finding of a civil rights  
3 violation, the circuit court or jury may award any of the  
4 remedies set forth in Section 8A-104 or 8B-104.

5 (B) Judicial Review.

6 (1) Any complainant or respondent may apply for and  
7 obtain judicial review of a final order of the Commission  
8 entered under this Act by filing a petition for review in  
9 the Appellate Court within 35 days from the date that a  
10 copy of the decision sought to be reviewed was served upon  
11 the party affected by the decision. If a 3-member panel or  
12 the full Commission finds that an interlocutory order  
13 involves a question of law as to which there is  
14 substantial ground for difference of opinion and that an  
15 immediate appeal from the order may materially advance the  
16 ultimate termination of the litigation, any party may  
17 petition the Appellate Court for permission to appeal the  
18 order. The procedure for obtaining the required Commission  
19 findings and the permission of the Appellate Court shall  
20 be governed by Supreme Court Rule 308, except the  
21 references to the "trial court" shall be understood as  
22 referring to the Commission.

23 (2) In any proceeding brought for judicial review, the  
24 Commission's findings of fact shall be sustained unless  
25 the court determines that such findings are contrary to  
26 the manifest weight of the evidence.

1           (3) Venue. Proceedings for judicial review shall be  
2 commenced in the appellate court for the district wherein  
3 the civil rights violation which is the subject of the  
4 Commission's order was allegedly committed.

5           (C) Judicial Enforcement.

6           (1) When the Commission, at the instance of the  
7 Department or an aggrieved party, concludes that any  
8 person has violated a valid order of the Commission issued  
9 pursuant to this Act, and the violation and its effects  
10 are not promptly corrected, the Commission, through a  
11 panel of 3 members, shall order the Department to commence  
12 an action in the name of the People of the State of  
13 Illinois by complaint, alleging the violation, attaching a  
14 copy of the order of the Commission and praying for the  
15 issuance of an order directing such person, his or her or  
16 its officers, agents, servants, successors and assigns to  
17 comply with the order of the Commission.

18           (2) An aggrieved party may file a complaint for  
19 enforcement of a valid order of the Commission directly in  
20 Circuit Court.

21           (3) Upon the commencement of an action filed under  
22 paragraphs (1) or (2) of this subsection, the court shall  
23 have jurisdiction over the proceedings and power to grant  
24 or refuse, in whole or in part, the relief sought or impose  
25 such other remedy as the court may deem proper.

26           (4) The court may stay an order of the Commission in

1           accordance with the applicable Supreme Court rules,  
2           pending disposition of the proceedings.

3           (5) The court may punish for any violation of its  
4           order as in the case of civil contempt.

5           (6) Venue. Proceedings for judicial enforcement of a  
6           Commission order shall be commenced in the circuit court  
7           in the county wherein the civil rights violation which is  
8           the subject of the Commission's order was committed.

9           (7) Enforcement of judicial order. An aggrieved party  
10          may take action to collect on a judicial order issued by  
11          the Circuit Court in an enforcement action initiated by  
12          the State, regardless of whether or not the aggrieved  
13          party intervened in an enforcement action.

14          (D) Limitation. Except as otherwise provided by law, no  
15          court of this state shall have jurisdiction over the subject  
16          of an alleged civil rights violation other than as set forth in  
17          this Act.

18          (E) This amendatory Act of 1996 applies to causes of  
19          action filed on or after January 1, 1996.

20          (F) The changes made to this Section by this amendatory  
21          Act of the 95th General Assembly apply to charges or  
22          complaints filed with the Department or the Commission on or  
23          after the effective date of those changes.

24          (Source: P.A. 101-661, eff. 4-2-21; 102-706, eff. 4-22-22.)

25                   (775 ILCS 5/8B-104) (from Ch. 68, par. 8B-104)

1           Sec. 8B-104. Relief; penalties. Upon finding a civil  
2 rights violation, a hearing officer may recommend and the  
3 Commission or any three-member panel thereof may provide for  
4 any relief or penalty identified in this Section, separately  
5 or in combination, by entering an order directing the  
6 respondent to:

7           (A) Cease and Desist Order. Cease and desist from any  
8 violation of this Act.

9           (B) Actual Damages. Pay actual damages, as reasonably  
10 determined by the Commission, for injury or loss suffered  
11 by the complainant.

12           (C) Civil Penalty. Pay a civil penalty per violation  
13 to vindicate the public interest. In imposing a civil  
14 penalty to vindicate the public interest, a separate  
15 penalty may be imposed for each specific act constituting  
16 a civil rights violation as defined in Section 1-103, and  
17 for each aggrieved party injured by the civil rights  
18 violation:

19           (i) in an amount not exceeding \$16,000 if the  
20 respondent has not been adjudged to have committed any  
21 prior civil rights violation under Article 3;

22           (ii) in an amount not exceeding \$42,500 if the  
23 respondent has been adjudged to have committed one  
24 other civil rights violation under Article 3 during  
25 the 5-year period ending on the date of the filing of  
26 this charge; and



1 (iii) in an amount not exceeding \$70,000 if the  
2 respondent has been adjudged to have committed 2 or  
3 more civil rights violations under Article 3 during  
4 the 7-year period ending on the date of the filing of  
5 this charge; except that if the acts constituting the  
6 civil rights violation that is the object of the  
7 charge are committed by the same natural person who  
8 has been previously adjudged to have committed acts  
9 constituting a civil rights violation under Article 3,  
10 then the civil penalties set forth in subparagraphs  
11 (ii) and (iii) may be imposed without regard to the  
12 period of time within which any subsequent civil  
13 rights violation under Article 3 occurred.

14 (D) Attorney Fees; Costs. Pay to the complainant all  
15 or a portion of the costs of maintaining the action,  
16 including reasonable attorneys fees and expert witness  
17 fees incurred in maintaining this action before the  
18 Department, the Commission and in any judicial review and  
19 judicial enforcement proceedings.

20 (E) Compliance Report. Report as to the manner of  
21 compliance.

22 (F) Posting of Notices. Post notices in a conspicuous  
23 place which the Commission may publish or cause to be  
24 published setting forth requirements for compliance with  
25 this Act or other relevant information which the  
26 Commission determines necessary to explain this Act.

1           (G) Make Complainant Whole. Take such action as may be  
2           necessary to make the individual complainant whole,  
3           including, but not limited to, awards of interest on the  
4           complainant's actual damages from the date of the civil  
5           rights violation.

6           (Source: P.A. 99-548, eff. 1-1-17.)

7           (775 ILCS 5/10-103) (from Ch. 68, par. 10-103)

8           Sec. 10-103. Circuit court actions pursuant to election.

9           (A) If an election is made under Section 8B-102, the  
10          Department shall authorize and, not later than 30 days after  
11          ~~the entry of~~ the administrative closure order is entered by  
12          the Commission and served on the Department, the Attorney  
13          General shall commence and maintain a civil action on behalf  
14          of the aggrieved party in a circuit court of Illinois seeking  
15          relief under this Section. Venue for such civil action shall  
16          be determined under Section 8-111(A)(1).

17          (B) Any aggrieved party with respect to the issues to be  
18          determined in a civil action under this Section may intervene  
19          as of right in that civil action.

20          (C) In a civil action under this Section, if the court  
21          finds that a civil rights violation has occurred or is about to  
22          occur the court may grant as relief any relief which a court  
23          could grant with respect to such civil rights violation in a  
24          civil action under Section 10-102. Any relief so granted that  
25          would accrue to an aggrieved party in a civil action commenced

1 by that aggrieved party under Section 10-102 shall also accrue  
2 to that aggrieved party in a civil action under this Section.  
3 If monetary relief is sought for the benefit of an aggrieved  
4 party who does not intervene in the civil action, the court  
5 shall not award such relief if that aggrieved party has not  
6 complied with discovery orders entered by the court.

7 (Source: P.A. 101-530, eff. 1-1-20; 101-661, eff. 4-2-21.)

8 (775 ILCS 5/10-104)

9 Sec. 10-104. Circuit Court Actions by the Illinois  
10 Attorney General.

11 (A) Standing, venue, limitations on actions, preliminary  
12 investigations, notice, and Assurance of Voluntary Compliance.

13 (1) Whenever the Illinois Attorney General has  
14 reasonable cause to believe that any person or group of  
15 persons is engaged in a pattern and practice of  
16 discrimination prohibited by this Act, the Illinois  
17 Attorney General may commence a civil action in the name  
18 of the People of the State, as *parens patriae* on behalf of  
19 persons within the State to enforce the provisions of this  
20 Act in any appropriate circuit court. Venue for this civil  
21 action shall be determined under paragraph (1) of  
22 subsection (A) of Section 8-111. Such actions shall be  
23 commenced no later than 2 years after the occurrence or  
24 the termination of an alleged civil rights violation or  
25 the breach of a conciliation agreement or Assurance of

1 Voluntary Compliance entered into under this Act,  
2 whichever occurs last, to obtain relief with respect to  
3 the alleged civil rights violation or breach.

4 (2) Prior to initiating a civil action, the Attorney  
5 General shall conduct a preliminary investigation to  
6 determine whether there is reasonable cause to believe  
7 that any person or group of persons is engaged in a pattern  
8 and practice of discrimination declared unlawful by this  
9 Act and whether the dispute can be resolved without  
10 litigation. In conducting this investigation, the Attorney  
11 General may:

12 (a) require the individual or entity to file a  
13 statement or report in writing under oath or  
14 otherwise, as to all information the Attorney General  
15 may consider necessary;

16 (b) examine under oath any person alleged to have  
17 participated in or with knowledge of the alleged  
18 pattern and practice violation; or

19 (c) issue subpoenas or conduct hearings in aid of  
20 any investigation.

21 (3) Service by the Attorney General of any notice  
22 requiring a person to file a statement or report, or of a  
23 subpoena upon any person, shall be made:

24 (a) personally by delivery of a duly executed copy  
25 thereof to the person to be served or, if a person is  
26 not a natural person, in the manner provided in the

1 Code of Civil Procedure when a complaint is filed; or

2 (b) by mailing by certified mail a duly executed  
3 copy thereof to the person to be served at his or her  
4 last known abode or principal place of business within  
5 this State.

6 (4) In lieu of a civil action, the individual or  
7 entity alleged to have engaged in a pattern or practice of  
8 discrimination deemed violative of this Act may enter into  
9 an Assurance of Voluntary Compliance with respect to the  
10 alleged pattern or practice violation.

11 (5) The Illinois Attorney General may commence a civil  
12 action under this subsection (A) whether or not a charge  
13 has been filed under Sections 7A-102 or 7B-102 and without  
14 regard to the status of any charge, however, if the  
15 Department or local agency has obtained a conciliation or  
16 settlement agreement or if the parties have entered into  
17 an Assurance of Voluntary Compliance no action may be  
18 filed under this subsection (A) with respect to the  
19 alleged civil rights violation practice that forms the  
20 basis for the complaint except for the purpose of  
21 enforcing the terms of the conciliation or settlement  
22 agreement or the terms of the Assurance of Voluntary  
23 Compliance.

24 (6) Subpoenas.

25 (a) Petition for enforcement. Whenever any person  
26 fails to comply with any subpoena issued under

1 paragraph (2) of this subsection (A), or whenever  
2 satisfactory copying or reproduction of any material  
3 requested in an investigation cannot be done and the  
4 person refuses to surrender the material, the Attorney  
5 General may file in any appropriate circuit court, and  
6 serve upon the person, a petition for a court order for  
7 the enforcement of the subpoena or other request.  
8 Venue for this enforcement action shall be determined  
9 under paragraph (E) (1) of Section 8-104.

10 (b) Petition to modify or set aside a subpoena.

11 (i) Any person who has received a subpoena  
12 issued under paragraph (2) of this subsection (A)  
13 may file in the appropriate circuit court, and  
14 serve upon the Attorney General, a petition for a  
15 court order to modify or set aside the subpoena or  
16 other request. The petition must be filed either  
17 (I) within 20 days after the date of service of the  
18 subpoena or at any time before the return date  
19 specified in the subpoena, whichever date is  
20 earlier, or (II) within such longer period as may  
21 be prescribed in writing by the Attorney General.

22 (ii) The petition shall specify each ground  
23 upon which the petitioner relies in seeking relief  
24 under subdivision (i) and may be based upon any  
25 failure of the subpoena to comply with the  
26 provisions of this Section or upon any

1 constitutional or other legal right or privilege  
2 of the petitioner. During the pendency of the  
3 petition in the court, the court may stay, as it  
4 deems proper, the running of the time allowed for  
5 compliance with the subpoena or other request, in  
6 whole or in part, except that the petitioner shall  
7 comply with any portion of the subpoena or other  
8 request not sought to be modified or set aside.

9 (c) Jurisdiction. Whenever any petition is filed  
10 in any circuit court under this paragraph (6), the  
11 court shall have jurisdiction to hear and determine  
12 the matter so presented and to enter such orders as may  
13 be required to carry out the provisions of this  
14 Section. Any final order so entered shall be subject  
15 to appeal in the same manner as appeals of other final  
16 orders in civil matters. Any disobedience of any final  
17 order entered under this paragraph (6) by any court  
18 shall be punished as a contempt of the court.

19 (B) Relief which may be granted.

20 (1) In any civil action brought pursuant to subsection  
21 (A) of this Section, the Attorney General may obtain as a  
22 remedy, equitable relief (including any permanent or  
23 preliminary injunction, temporary restraining order, or  
24 other order, including an order enjoining the defendant  
25 from engaging in such civil rights violation or ordering  
26 any action as may be appropriate). In addition, the

1 Attorney General may request and the Court may impose  
2 restitution to any aggrieved party injured by the pattern  
3 or practice of discrimination, to the extent not covered  
4 by other sources, and a civil penalty per civil rights  
5 violation to vindicate the public interest. In imposing a  
6 civil penalty to vindicate the public interest, each  
7 instance in which a provision of this Act is violated as  
8 part of a pattern or practice of discrimination may be  
9 considered to constitute a separate violation or  
10 violations, as may each aggrieved party harmed:

11 (a) for violations of this Act ~~Article 3 and~~  
12 ~~Article 4~~ in an amount not exceeding \$50,000 ~~\$25,000~~  
13 per violation, ~~and in the case of violations of all~~  
14 ~~other Articles in an amount not exceeding \$10,000~~ if  
15 the defendant has not been adjudged to have committed  
16 any prior civil rights violations under any ~~the~~  
17 provision of the Act that is the basis of the  
18 complaint;

19 (b) for violations of this Act ~~Article 3 and~~  
20 ~~Article 4~~ in an amount not exceeding \$75,000 ~~\$50,000~~  
21 per violation, ~~and in the case of violations of all~~  
22 ~~other Articles in an amount not exceeding \$25,000~~ if  
23 the defendant has been adjudged to have committed one  
24 other civil rights violation under any ~~the~~ provision  
25 of the Act within 5 years of the occurrence of the  
26 civil rights violation that is the basis of the



1 complaint; and

2 (c) for violations of this Act ~~Article 3 and~~  
3 ~~Article 4~~ in an amount not exceeding \$100,000 ~~\$75,000~~  
4 per violation, ~~and in the case of violations of all~~  
5 ~~other Articles in an amount not exceeding \$50,000~~ if  
6 the defendant has been adjudged to have committed 2 or  
7 more civil rights violations under any ~~the~~ provision  
8 of the Act within 5 years of the occurrence of the  
9 civil rights violation that is the basis of the  
10 complaint.

11 (2) A civil penalty imposed under subdivision (B)(1)  
12 of this Section shall be deposited into the Attorney  
13 General Court Ordered and Voluntary Compliance Payment  
14 Projects Fund, which is a special fund in the State  
15 Treasury. Moneys in the Fund shall be used, subject to  
16 appropriation, for the performance of any function  
17 pertaining to the exercise of the duties of the Attorney  
18 General including but not limited to enforcement of any  
19 law of this State and conducting public education  
20 programs; however, any moneys in the Fund that are  
21 required by the court or by an agreement to be used for a  
22 particular purpose shall be used for that purpose.

23 (3) Aggrieved parties seeking actual damages must  
24 follow the procedure set out in Sections 7A-102 or 7B-102  
25 for filing a charge. An action brought by the Illinois  
26 Attorney General pursuant to this Section is independent

1       of any other action, remedy, or procedure that may be  
2       available to an aggrieved party under any other provision  
3       of law, including, but not limited to, an action, remedy,  
4       or procedure brought pursuant to the procedures set out in  
5       Section 7A-102 or 7B-102.

6       (Source: P.A. 101-661, eff. 4-2-21.)

7       Section 6. The Illinois Human Rights Act is amended by  
8       changing Section 7-101 as follows:

9             (775 ILCS 5/7-101) (from Ch. 68, par. 7-101)

10       Sec. 7-101. Powers and duties. In addition to other powers  
11       and duties prescribed in this Act, the Department shall have  
12       the following powers:

13             (A) Rules and Regulations. To adopt, promulgate, amend,  
14       and rescind rules and regulations not inconsistent with the  
15       provisions of this Act pursuant to the Illinois Administrative  
16       Procedure Act.

17             (B) Charges. To issue, receive, investigate, conciliate,  
18       settle, and dismiss charges filed in conformity with this Act.

19             (C) Compulsory Process. To request subpoenas as it deems  
20       necessary for its investigations.

21             (D) Complaints. To file complaints with the Commission in  
22       conformity with this Act and to intervene in complaints  
23       pending before the Commission filed under Article 2, 4, 5, 5A,  
24       or 6.

1           (E) Judicial Enforcement. To seek temporary relief and to  
2 enforce orders of the Commission in conformity with this Act.

3           (F) Equal Employment Opportunities. To take such action as  
4 may be authorized to provide for equal employment  
5 opportunities and affirmative action.

6           (G) Recruitment; Research; Public Communication; Advisory  
7 Councils. To engage in such recruitment, research and public  
8 communication and create such advisory councils as may be  
9 authorized to effectuate the purposes of this Act.

10          (H) Coordination with other Agencies. To coordinate its  
11 activities with federal, state, and local agencies in  
12 conformity with this Act.

13          (I) Grants; Private Gifts.

14               (1) To accept public grants and private gifts as may  
15 be authorized.

16               (2) To design grant programs and award grants to  
17 eligible recipients.

18          (J) Education and Training. To implement a formal and  
19 unbiased program of education and training for all employees  
20 assigned to investigate and conciliate charges under Articles  
21 7A and 7B. The training program shall include the following:

22               (1) substantive and procedural aspects of the  
23 investigation and conciliation positions;

24               (2) current issues in human rights law and practice;

25               (3) lectures by specialists in substantive areas  
26 related to human rights matters;

1 (4) orientation to each operational unit of the  
2 Department and Commission;

3 (5) observation of experienced Department  
4 investigators and attorneys conducting conciliation  
5 conferences, combined with the opportunity to discuss  
6 evidence presented and rulings made;

7 (6) the use of hypothetical cases requiring the  
8 Department investigator and conciliation conference  
9 attorney to issue judgments as a means to evaluating  
10 knowledge and writing ability;

11 (7) writing skills;

12 (8) computer skills, including but not limited to word  
13 processing and document management.

14 A formal, unbiased and ongoing professional development  
15 program including, but not limited to, the above-noted areas  
16 shall be implemented to keep Department investigators and  
17 attorneys informed of recent developments and issues and to  
18 assist them in maintaining and enhancing their professional  
19 competence.

20 (K) Hotlines. To establish and maintain hotlines and  
21 helplines to aid in effectuating the purposes of this Act  
22 including the confidential reporting of discrimination,  
23 harassment, and bias incidents. All communications received or  
24 sent via the hotlines and helplines are exempt from disclosure  
25 under the Freedom of Information Act.

26 (Source: P.A. 102-1115, eff. 1-9-23; 103-335, eff. 1-1-24.)

1 (775 ILCS 5/8-113 rep.)

2 Section 10. The Illinois Human Rights Act is amended by  
3 repealing Section 8-113.

4 Section 95. No acceleration or delay. Where this Act makes  
5 changes in a statute that is represented in this Act by text  
6 that is not yet or no longer in effect (for example, a Section  
7 represented by multiple versions), the use of that text does  
8 not accelerate or delay the taking effect of (i) the changes  
9 made by this Act or (ii) provisions derived from any other  
10 Public Act.

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law except that Sections 5 and 10 take effect January  
13 1, 2025.

1 INDEX

2 Statutes amended in order of appearance

3 775 ILCS 5/2-102 from Ch. 68, par. 2-102

4 775 ILCS 5/3-101 from Ch. 68, par. 3-101

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

6 775 ILCS 5/8-101

7 775 ILCS 5/8-111 from Ch. 68, par. 8-111

8 775 ILCS 5/8B-104 from Ch. 68, par. 8B-104

9 775 ILCS 5/10-103 from Ch. 68, par. 10-103

10 775 ILCS 5/10-104

11 775 ILCS 5/8-113 rep.