



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB5582

Introduced 2/9/2024, by Rep. Hoan Huynh

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Gender-Neutral Toy Act. Provides that a retail department store that offers childcare items or toys for sale shall maintain a gender-neutral section or area, to be labeled at the discretion of the retailer, in which a reasonable selection of the items and toys for children that it sells shall be displayed, regardless of whether they have been traditionally marketed for either girls or for boys. Provides that the provision shall apply only to retail department stores that are physically located in the State that have a total of 500 or more employees across all retail department store locations in the State. Provides that, beginning on January 1, 2025, a retail department store that fails to comply with the Act is subject to a civil penalty not to exceed \$250 for a first violation and not to exceed \$500 for any subsequent violation, that may be assessed and recovered in a civil action by the Attorney General in circuit court.

LRB103 38120 SPS 68252 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Gender-Neutral Toy Act.

6 Section 5. Findings.

7 (a) Unjustified differences in similar products that are  
8 traditionally marketed either for girls or for boys can be  
9 more easily identified by the consumer if similar items are  
10 displayed closer to one another in one, undivided area of the  
11 retail sales floor.

12 (b) Keeping similar items that are traditionally marketed  
13 either for girls or for boys separated makes it more difficult  
14 for the consumer to compare the products and incorrectly  
15 implies that their use by one gender is inappropriate.

16 Section 10. Definitions. As used in this Act:

17 "Childcare item" means any product designed or intended by  
18 the manufacturer to facilitate sleep, relaxation, or the  
19 feeding of children, or to help children with sucking or  
20 teething.

21 "Children" means persons 12 years of age or less.

22 "Toy" means a product designed or intended by the

1 manufacturer to be used by children when they play.

2 Section 15. Gender-neutral toy requirements.

3 (a) A retail department store that offers childcare items  
4 or toys for sale shall maintain a gender-neutral section or  
5 area, to be labeled at the discretion of the retailer, in which  
6 a reasonable selection of the items and toys for children that  
7 it sells shall be displayed, regardless of whether they have  
8 been traditionally marketed for either girls or for boys.

9 (b) This Section shall apply only to retail department  
10 stores that are physically located in this State that have a  
11 total of 500 or more employees across all retail department  
12 store locations in this State. This Section shall not apply to  
13 retail department stores that are physically located outside  
14 of this State.

15 Section 20. Enforcement by Attorney General. Beginning on  
16 January 1, 2025, a retail department store that fails to  
17 comply with this Act is subject to a civil penalty not to  
18 exceed \$250 for a first violation and not to exceed \$500 for  
19 any subsequent violation, that may be assessed and recovered  
20 in a civil action by the Attorney General in circuit court. If  
21 the Attorney General prevails in an action under this Section,  
22 the court shall award to the Attorney General reasonable fees  
23 and costs.