



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/04/04, by Lisa M. Dugan, Michael P. McAuliffe,
Linda Chapa LaVia, Mike Bost, Robert F. Flider

SYNOPSIS AS INTRODUCED:

330 ILCS 60/6

from Ch. 126 1/2, par. 34

Amends the Service Men's Employment Tenure Act. Provides that an employer's violation of the Act is a business offense punishable by a fine of not less than \$5,000 and not more than \$10,000. Authorizes the taxing of fees and costs against an employer in a civil action. Effective immediately.

LRB093 18696 DRJ 44424 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning military personnel.

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

4 Section 5. The Service Men's Employment Tenure Act is
5 amended by changing Section 6 as follows:

6 (330 ILCS 60/6) (from Ch. 126 1/2, par. 34)

7 Sec. 6. Employer's violation of Act; penalty; employee's
8 remedies.

9 (a) An employer's violation of this Act is a business
10 offense punishable by a fine of not less than \$5,000 and not
11 more than \$10,000.

12 (b) In case any employer fails or refuses to comply with
13 this Act, the circuit court of the county in which such private
14 employer maintains a place of business, or of the county where
15 such State employee performs most of his duties, has power,
16 upon the filing of a complaint by the person entitled to the
17 benefits of this Act, to specifically require such employer to
18 comply with this Act and to compensate such person for any loss
19 of wages or benefits suffered by reason of such employer's
20 unlawful action, together with a reasonable attorney's fee and
21 the person's other fees and costs incurred in maintaining the
22 action. No fees or court costs shall be taxed against any
23 person applying for the benefits of this Act.

24 The court shall, in its sound discretion, give preference
25 to the hearing and disposition of such cases over other matters
26 then pending before it.

27 (Source: P.A. 79-1359; 79-1365.)

28 Section 99. Effective date. This Act takes effect upon
29 becoming law.