

1 AN ACT concerning human rights.

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

4 Section 5. The Illinois Human Rights Act is amended by  
5 changing Section 1-103 as follows:

6 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

7 Sec. 1-103. General Definitions. When used in this Act,  
8 unless the context requires otherwise, the term:

9 (A) Age. "Age" means the chronological age of a person  
10 who is at least 40 years old, except with regard to any  
11 practice described in Section 2-102, insofar as that practice  
12 concerns training or apprenticeship programs. In the case of  
13 training or apprenticeship programs, for the purposes of  
14 Section 2-102, "age" means the chronological age of a person  
15 who is 18 but not yet 40 years old.

16 (B) Aggrieved Party. "Aggrieved party" means a person  
17 who is alleged or proved to have been injured by a civil  
18 rights violation or believes he or she will be injured by a  
19 civil rights violation under Article 3 that is about to  
20 occur.

21 (C) Charge. "Charge" means an allegation filed with the  
22 Department by an aggrieved party or initiated by the  
23 Department under its authority.

24 (D) Civil Rights Violation. "Civil rights violation"  
25 includes and shall be limited to only those specific acts set  
26 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-103, 3-104,  
27 3-104.1, 3-105, 4-102, 4-103, 5-102, 5A-102 and 6-101 of this  
28 Act.

29 (E) Commission. "Commission" means the Human Rights  
30 Commission created by this Act.

31 (F) Complaint. "Complaint" means the formal pleading

1 filed by the Department with the Commission following an  
2 investigation and finding of substantial evidence of a civil  
3 rights violation.

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

7 (H) Department. "Department" means the Department of  
8 Human Rights created by this Act.

9 (I) Handicap. "Handicap" means a determinable physical  
10 or mental characteristic of a person, including, but not  
11 limited to, a determinable physical characteristic which  
12 necessitates the person's use of a guide, hearing or support  
13 dog, the history of such characteristic, or the perception of  
14 such characteristic by the person complained against, which  
15 may result from disease, injury, congenital condition of  
16 birth or functional disorder and which characteristic:

17 (1) For purposes of Article 2 is unrelated to the  
18 person's ability to perform the duties of a particular  
19 job or position and, pursuant to Section 2-104 of this  
20 Act, a person's illegal use of drugs or alcohol is not a  
21 handicap;

22 (2) For purposes of Article 3, is unrelated to the  
23 person's ability to acquire, rent or maintain a housing  
24 accommodation;

25 (3) For purposes of Article 4, is unrelated to a  
26 person's ability to repay;

27 (4) For purposes of Article 5, is unrelated to a  
28 person's ability to utilize and benefit from a place of  
29 public accommodation.

30 (J) Marital Status. "Marital status" means the legal  
31 status of being married, single, separated, divorced or  
32 widowed.

33 (J-1) Military Status. "Military status" means a  
34 person's status on active duty in the armed forces of the

1 United States.

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

4 (L) Person. "Person" includes one or more individuals,  
5 partnerships, associations or organizations, labor  
6 organizations, labor unions, joint apprenticeship committees,  
7 or union labor associations, corporations, the State of  
8 Illinois and its instrumentalities, political subdivisions,  
9 units of local government, legal representatives, trustees in  
10 bankruptcy or receivers.

11 (M) Public Contract. "Public contract" includes every  
12 contract to which the State, any of its political  
13 subdivisions or any municipal corporation is a party.

14 (N) Religion. "Religion" includes all aspects of  
15 religious observance and practice, as well as belief, except  
16 that with respect to employers, for the purposes of Article  
17 2, "religion" has the meaning ascribed to it in paragraph (F)  
18 of Section 2-101.

19 (O) Sex. "Sex" means the status of being male or female.  
20 "Because of sex" includes, but is not limited to, because of  
21 pregnancy, childbirth, or related medical conditions; and  
22 women affected by pregnancy, childbirth, or related medical  
23 conditions shall be treated the same for all  
24 employment-related purposes, including receipt of benefits  
25 under fringe benefit programs, as other persons not so  
26 affected but similar in their ability or inability to work.

27 (P) Unfavorable Military Discharge. "Unfavorable  
28 military discharge" includes discharges from the Armed Forces  
29 of the United States, their Reserve components or any  
30 National Guard or Naval Militia which are classified as RE-3  
31 or the equivalent thereof, but does not include those  
32 characterized as RE-4 or "Dishonorable".

33 (Q) Unlawful Discrimination. "Unlawful discrimination"  
34 means discrimination against a person because of his or her

1 race, color, religion, national origin, ancestry, age, sex,  
2 marital status, handicap, military status, or unfavorable  
3 discharge from military service as those terms are defined in  
4 this Section.

5 (Source: P.A. 88-178; 88-180; 88-670, eff. 12-2-94.)