



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB0996

Introduced 2/8/2007, by Rep. Lisa M. Dugan

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Motorcyclist Public Accommodation Act. Prohibits any person from restricting an individual's access to, admission to, or use of a place of public accommodation solely because the individual operates a motorcycle. Provides that a violation is a petty offense and also provides for civil penalties. Provides that the Act does not prohibit a person from restricting an individual's access to, admission to, or use of a place of public accommodation because the individual's conduct poses a risk to the health, safety, or property of another.

LRB095 09897 AJ0 30108 b

1 AN ACT concerning public accommodations.

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 Motorcyclist Public Accommodation Act.

6 Section 5. Definition. As used in this Act, "place of  
7 public accommodation" means a business, accommodation,  
8 refreshment, entertainment, recreation, or transportation  
9 facility of any kind, whether licensed or not, whose goods,  
10 services, facilities, privileges, advantages, or  
11 accommodations are extended, offered, sold, or otherwise made  
12 available to the public. By way of example, but not of  
13 limitation, "place of public accommodation" includes  
14 facilities of the following types: inns, hotels, motels,  
15 restaurants, cafes, eating establishments, taverns,  
16 roadhouses, barber shops, department stores, clothing stores,  
17 shoe stores, bathrooms, restrooms, theaters, skating rinks,  
18 parking lots and garages, golf courses and driving ranges,  
19 concerts, cemeteries, railroads, buses, airplanes, street  
20 cars, boats, swimming pools, and other places of public  
21 accommodation and amusement.

22 Section 10. Violation.

1           (a) It is a violation of this Act for any person to  
2 restrict an individual's access to, admission to, or use of a  
3 place of public accommodation solely because the individual  
4 operates a motorcycle.

5           (b) This Section does not prohibit a person from  
6 restricting an individual's access to, admission to, or use of  
7 a place of public accommodation because the individual's  
8 conduct poses a risk to the health, safety, or property of  
9 another.

10           Section 15. Penalty.

11           (a) A person who violates this Act commits a petty offense.

12           (b) In addition to any other penalties that may be imposed  
13 for a violation of this Act, a person whose access to,  
14 admission to, or use of a place of public accommodation is  
15 restricted because of a violation of this Act is entitled to  
16 the following relief in a civil action against the person who  
17 committed the violation:

18                   (1) either (i) actual damages or (ii) statutory damages  
19 of \$500, whichever is greater, for each violation;

20                   (2) appropriate injunctive relief to enjoin future  
21 violations; and

22                   (3) costs and reasonable attorney's fees.

23           (c) Each day that a violation of this Act takes place  
24 constitutes a separate violation for purposes of assessing  
25 penalties or damages.