

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 8B-104 as follows:

6 (775 ILCS 5/8B-104) (from Ch. 68, par. 8B-104)

7 Sec. 8B-104. Relief; Penalties. Upon finding a civil rights  
8 violation, a hearing officer may recommend and the Commission  
9 or any three-member panel thereof may provide for any relief or  
10 penalty identified in this Section, separately or in  
11 combination, by entering an order directing the respondent to:

12 (A) Cease and Desist Order. Cease and desist from any  
13 violation of this Act.

14 (B) Actual Damages. Pay actual damages, as reasonably  
15 determined by the Commission, for injury or loss suffered by  
16 the complainant.

17 (C) Civil Penalty. Pay a civil penalty to vindicate the  
18 public interest:

19 (i) in an amount not exceeding \$16,000 ~~\$10,000~~ if the  
20 respondent has not been adjudged to have committed any prior  
21 civil rights violation under Article 3;

22 (ii) in an amount not exceeding \$42,500 ~~\$25,000~~ if the  
23 respondent has been adjudged to have committed one other civil

1 rights violation under Article 3 during the 5-year period  
2 ending on the date of the filing of this charge; and

3 (iii) in an amount not exceeding \$70,000 ~~\$50,000~~ if the  
4 respondent has been adjudged to have committed 2 or more civil  
5 rights violations under Article 3 during the 7-year period  
6 ending on the date of the filing of this charge; except that if  
7 the acts constituting the civil rights violation that is the  
8 object of the charge are committed by the same natural person  
9 who has been previously adjudged to have committed acts  
10 constituting a civil rights violation under Article 3, then the  
11 civil penalties set forth in subparagraphs (ii) and (iii) may  
12 be imposed without regard to the period of time within which  
13 any subsequent civil rights violation under Article 3 occurred.

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

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

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

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

5           (Source: P.A. 86-910.)