



Sen. Michael Noland

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09500SB1099sam001

LRB095 06040 DRJ 34013 a

1 AMENDMENT TO SENATE BILL 1099

2 AMENDMENT NO. _____. Amend Senate Bill 1099 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Military Leave of Absence Act is amended by
5 adding Section 1.01 as follows:

6 (5 ILCS 325/1.01 new)

7 Sec. 1.01. Violation. A violation of this Act constitutes a
8 civil rights violation under the Illinois Human Rights Act.

9 Section 10. The Public Employee Armed Services Rights Act
10 is amended by adding Section 5.1 as follows:

11 (5 ILCS 330/5.1 new)

12 Sec. 5.1. Violation. A violation of this Act constitutes a
13 civil rights violation under the Illinois Human Rights Act.

1 Section 15. The Illinois Municipal Code is amended by
2 changing Section 11-117-12.2 as follows:

3 (65 ILCS 5/11-117-12.2)

4 Sec. 11-117-12.2. Military personnel on active duty; no
5 stoppage of gas or electricity; arrearage.

6 (a) In this Section:

7 "Active duty" means active duty pursuant to an executive
8 order of the President of the United States, an act of the
9 Congress of the United States, or an order of the Governor.

10 "Service member" means a member of the armed services or
11 reserve forces of the United States or a member of the Illinois
12 National Guard.

13 (b) No municipality owning a public utility shall stop gas
14 or electricity from entering the residential premises of which
15 a service member was a primary occupant immediately before the
16 service member was deployed on active duty for nonpayment for
17 gas or electricity supplied to the residential premises.

18 (c) Upon the return from active duty of a residential
19 consumer who is a service member, the municipality shall offer
20 the residential consumer a period equal to at least the period
21 of the residential consumer's deployment on active duty to pay
22 any arrearages incurred during the period of the residential
23 consumer's deployment. The municipality shall inform the
24 residential consumer that, if the period the municipality
25 offers presents a hardship to the consumer, the consumer may

1 request a longer period to pay the arrearages.

2 (d) In order to be eligible for the benefits granted to
3 service members under this Section, a service member must
4 provide the municipality with a copy of the military or
5 gubernatorial orders calling the service member to active duty
6 and of any orders further extending the service member's period
7 of active duty.

8 (e) A violation of this Section constitutes a civil rights
9 violation under the Illinois Human Rights Act. ~~In addition to~~
10 ~~any other penalty that may be provided by law, a municipality~~
11 ~~that wilfully violates this Section is subject to a civil~~
12 ~~penalty of \$1,000. The Attorney General may impose a civil~~
13 ~~penalty under this subsection only after he or she provides the~~
14 ~~following to the affected municipality:~~

15 ~~(1) Written notice of the alleged violation.~~

16 ~~(2) Written notice of the municipality's right to~~
17 ~~request an administrative hearing on the question of the~~
18 ~~alleged violation.~~

19 ~~(3) An opportunity to present evidence, orally or in~~
20 ~~writing or both, on the question of the alleged violation~~
21 ~~before an impartial hearing examiner appointed by the~~
22 ~~Attorney General.~~

23 ~~(4) A written decision from the Attorney General, based~~
24 ~~on the evidence introduced at the hearing and the hearing~~
25 ~~examiner's recommendations, finding that the municipality~~
26 ~~violated this Section and imposing the civil penalty.~~

1 ~~The Attorney General may bring an action in the circuit~~
2 ~~court to enforce the collection of a civil penalty imposed~~
3 ~~under this subsection.~~

4 All proceeds from the collection of any civil penalty
5 imposed under this subsection shall be deposited into the
6 Illinois Military Family Relief Fund.

7 (Source: P.A. 94-635, eff. 8-22-05; 94-802, eff. 5-26-06.)

8 Section 20. The Illinois Insurance Code is amended by
9 changing Section 224.05 as follows:

10 (215 ILCS 5/224.05)

11 Sec. 224.05. Military personnel on active duty; no lapse of
12 life insurance policy.

13 (a) Except as provided in subsection (b), this Section
14 shall apply to any individual life insurance policy insuring
15 the life of a member of the armed services or reserve forces of
16 the United States or a member of the Illinois National Guard
17 who is on active duty pursuant to an executive order of the
18 President of the United States, an act of the Congress of the
19 United States, or an order of the Governor, if the life
20 insurance policy meets both of the following conditions:

21 (1) The policy has been in force for at least 180 days.

22 (2) The policy has been brought within the
23 "Servicemembers Civil Relief Act," 117 Stat. 2835 (2003),
24 50 U.S.C. App. 541 and following.

1 (b) This Section does not apply to any policy that was
2 cancelled or that had lapsed for the nonpayment of premiums
3 prior to the commencement of the insured's period of military
4 service.

5 (c) An individual life insurance policy described in this
6 Section shall not lapse or be forfeited for the nonpayment of
7 premiums during the military service of a member of the armed
8 services or reserve forces of the United States or a member of
9 the Illinois National Guard or during the 2-year period
10 subsequent to the end of the member's period of military
11 service.

12 (d) In order to be eligible for the benefits granted to
13 service members under this Section, a service member must
14 provide the life insurance company with a copy of the military
15 or gubernatorial orders calling the service member to active
16 duty and of any orders further extending the service member's
17 period of active duty.

18 (e) This Section does not limit a life insurance company's
19 enforcement of provisions in the insured's policy relating to
20 naval or military service in time of war.

21 (f) A violation of this Section constitutes a civil rights
22 violation under the Illinois Human Rights Act. ~~In addition to~~
23 ~~any other penalty that may be provided by law, an insurance~~
24 ~~company that violates this Section is subject to a civil~~
25 ~~penalty of \$1,000. The Attorney General may impose a civil~~
26 ~~penalty under this subsection only after he or she provides the~~

1 ~~following to the affected insurance company:~~

2 ~~(1) Written notice of the alleged violation.~~

3 ~~(2) Written notice of the insurance company's right to~~
4 ~~request an administrative hearing on the question of the~~
5 ~~alleged violation.~~

6 ~~(3) An opportunity to present evidence, orally or in~~
7 ~~writing or both, on the question of the alleged violation~~
8 ~~before an impartial hearing examiner appointed by the~~
9 ~~Attorney General.~~

10 ~~(4) A written decision from the Attorney General, based~~
11 ~~on the evidence introduced at the hearing and the hearing~~
12 ~~examiner's recommendations, finding that the insurance~~
13 ~~company violated this Section and imposing the civil~~
14 ~~penalty.~~

15 ~~The Attorney General may bring an action in the circuit~~
16 ~~court to enforce the collection of a civil penalty imposed~~
17 ~~under this subsection.~~

18 All proceeds from the collection of any civil penalty
19 imposed under this subsection shall be deposited into the
20 Illinois Military Family Relief Fund.

21 (Source: P.A. 94-635, eff. 8-22-05; 94-802, eff. 5-26-06.)

22 Section 25. The Public Utilities Act is amended by changing
23 Section 8-201.5 as follows:

24 (220 ILCS 5/8-201.5)

1 Sec. 8-201.5. Military personnel on active duty; no
2 stoppage of gas or electricity; arrearage.

3 (a) In this Section:

4 "Active duty" means active duty pursuant to an executive
5 order of the President of the United States, an act of the
6 Congress of the United States, or an order of the Governor.

7 "Service member" means a member of the armed services or
8 reserve forces of the United States or a member of the Illinois
9 National Guard.

10 (b) No company or electric cooperative shall stop gas or
11 electricity from entering the residential premises of which a
12 service member was a primary occupant immediately before the
13 service member was deployed on active duty for nonpayment for
14 gas or electricity supplied to the residential premises.

15 (c) In order to be eligible for the benefits granted to
16 service members under this Section, a service member must
17 provide the company or electric cooperative with a copy of the
18 military or gubernatorial orders calling the service member to
19 active duty and of any orders further extending the service
20 member's period of active duty.

21 (d) Upon the return from active duty of a residential
22 consumer who is a service member, the company or electric
23 cooperative shall offer the residential consumer a period equal
24 to at least the period of deployment on active duty to pay any
25 arrearages incurred during the period of the residential
26 consumer's deployment. The company or electric cooperative

1 shall inform the residential consumer that, if the period that
2 the company or electric cooperative offers presents a hardship
3 to the consumer, the consumer may request a longer period to
4 pay the arrearages and, in the case of a company that is a
5 public utility, may request the assistance of the Illinois
6 Commerce Commission to obtain a longer period. No late payment
7 fees or interest shall be charged to the residential consumer
8 during the period of deployment or the repayment period.

9 (e) A violation of this Section constitutes a civil rights
10 violation under the Illinois Human Rights Act. ~~In addition to~~
11 ~~any other penalty that may be provided by law, a company or~~
12 ~~electric cooperative that wilfully violates this Section is~~
13 ~~subject to a civil penalty of \$1,000. The Attorney General may~~
14 ~~impose a civil penalty under this subsection only after he or~~
15 ~~she provides the following to the affected company or electric~~
16 ~~cooperative:~~

17 ~~(1) Written notice of the alleged violation.~~

18 ~~(2) Written notice of the company or electric~~
19 ~~cooperative's right to request an administrative hearing~~
20 ~~on the question of the alleged violation.~~

21 ~~(3) An opportunity to present evidence, orally or in~~
22 ~~writing or both, on the question of the alleged violation~~
23 ~~before an impartial hearing examiner appointed by the~~
24 ~~Attorney General.~~

25 ~~(4) A written decision from the Attorney General, based~~
26 ~~on the evidence introduced at the hearing and the hearing~~

1 ~~examiner's recommendations, finding that the company or~~
2 ~~electric cooperative violated this Section and imposing~~
3 ~~the civil penalty.~~

4 ~~The Attorney General may bring an action in the circuit~~
5 ~~court to enforce the collection of a civil penalty imposed~~
6 ~~under this subsection.~~

7 All proceeds from the collection of any civil penalty
8 imposed under this subsection shall be deposited into the
9 Illinois Military Family Relief Fund.

10 (Source: P.A. 94-635, eff. 8-22-05; 94-802, eff. 5-26-06.)

11 Section 30. The Code of Civil Procedure is amended by
12 changing Section 9-107.10 as follows:

13 (735 ILCS 5/9-107.10)

14 Sec. 9-107.10. Military personnel on active duty; action
15 for possession.

16 (a) In this Section:

17 "Active duty" means active duty pursuant to an executive
18 order of the President of the United States, an act of the
19 Congress of the United States, or an order of the Governor.

20 "Service member" means a member of the armed services or
21 reserve forces of the United States or a member of the Illinois
22 National Guard.

23 (b) In an action for possession of residential premises of
24 a tenant, including a tenant who is a resident of a mobile home

1 park, who is a service member deployed on active duty, or of
2 any member of the tenant's family who resides with the tenant,
3 if the tenant entered into the rental agreement on or after the
4 effective date of this amendatory Act of the 94th General
5 Assembly, the court may, on its own motion, and shall, upon
6 motion made by or on behalf of the tenant, do either of the
7 following if the tenant's ability to pay the agreed rent is
8 materially affected by the tenant's deployment on active duty:

9 (1) Stay the proceedings for a period of 90 days,
10 unless, in the opinion of the court, justice and equity
11 require a longer or shorter period of time.

12 (2) Adjust the obligation under the rental agreement to
13 preserve the interest of all parties to it.

14 (c) In order to be eligible for the benefits granted to
15 service members under this Section, a service member or a
16 member of the service member's family who resides with the
17 service member must provide the landlord or mobile home park
18 operator with a copy of the military or gubernatorial orders
19 calling the service member to active duty and of any orders
20 further extending the service member's period of active duty.

21 (d) If a stay is granted under this Section, the court may
22 grant the landlord or mobile home park operator such relief as
23 equity may require.

24 (e) A violation of this Section constitutes a civil rights
25 violation under the Illinois Human Rights Act.

26 (Source: P.A. 94-635, eff. 8-22-05.)

1 Section 35. The Illinois Human Rights Act is amended by
2 changing Section 1-103 and adding Section 6-102 as follows:

3 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

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

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

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

17 (C) Charge. "Charge" means an allegation filed with the
18 Department by an aggrieved party or initiated by the Department
19 under its authority.

20 (D) Civil Rights Violation. "Civil rights violation"
21 includes and shall be limited to only those specific acts set
22 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-103, 3-104,
23 3-104.1, 3-105, 4-102, 4-103, 5-102, 5A-102, ~~and~~ 6-101, and
24 6-102 of this Act.

1 (E) Commission. "Commission" means the Human Rights
2 Commission created by this Act.

3 (F) Complaint. "Complaint" means the formal pleading filed
4 by the Department with the Commission following an
5 investigation and finding of substantial evidence of a civil
6 rights violation.

7 (G) Complainant. "Complainant" means a person including
8 the Department who files a charge of civil rights violation
9 with the Department or the Commission.

10 (H) Department. "Department" means the Department of Human
11 Rights created by this Act.

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

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

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

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

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

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

8 (J-1) Military Status. "Military status" means a person's
9 status on active duty in or status as a veteran of the armed
10 forces of the United States, status as a current member or
11 veteran of any reserve component of the armed forces of the
12 United States, including the United States Army Reserve, United
13 States Marine Corps Reserve, United States Navy Reserve, United
14 States Air Force Reserve, and United States Coast Guard
15 Reserve, or status as a current member or veteran of the
16 Illinois Army National Guard or Illinois Air National Guard.

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

19 (L) Person. "Person" includes one or more individuals,
20 partnerships, associations or organizations, labor
21 organizations, labor unions, joint apprenticeship committees,
22 or union labor associations, corporations, the State of
23 Illinois and its instrumentalities, political subdivisions,
24 units of local government, legal representatives, trustees in
25 bankruptcy or receivers.

26 (M) Public Contract. "Public contract" includes every

1 contract to which the State, any of its political subdivisions
2 or any municipal corporation is a party.

3 (N) Religion. "Religion" includes all aspects of religious
4 observance and practice, as well as belief, except that with
5 respect to employers, for the purposes of Article 2, "religion"
6 has the meaning ascribed to it in paragraph (F) of Section
7 2-101.

8 (O) Sex. "Sex" means the status of being male or female.

9 (O-1) Sexual orientation. "Sexual orientation" means
10 actual or perceived heterosexuality, homosexuality,
11 bisexuality, or gender-related identity, whether or not
12 traditionally associated with the person's designated sex at
13 birth. "Sexual orientation" does not include a physical or
14 sexual attraction to a minor by an adult.

15 (P) Unfavorable Military Discharge. "Unfavorable military
16 discharge" includes discharges from the Armed Forces of the
17 United States, their Reserve components or any National Guard
18 or Naval Militia which are classified as RE-3 or the equivalent
19 thereof, but does not include those characterized as RE-4 or
20 "Dishonorable".

21 (Q) Unlawful Discrimination. "Unlawful discrimination"
22 means discrimination against a person because of his or her
23 race, color, religion, national origin, ancestry, age, sex,
24 marital status, handicap, military status, sexual orientation,
25 or unfavorable discharge from military service as those terms
26 are defined in this Section.

1 (Source: P.A. 93-941, eff. 8-16-04; 93-1078, eff. 1-1-06;
2 94-803, eff. 5-26-06.)

3 (775 ILCS 5/6-102 new)

4 Sec. 6-102. Violations of other Acts. A person who violates
5 the Military Leave of Absence Act, the Public Employee Armed
6 Services Rights Act, Section 11-117-12.2 of the Illinois
7 Municipal Code, Section 224.05 of the Illinois Insurance Code,
8 Section 8-201.5 of the Public Utilities Act, Section 9-107.10
9 of the Code of Civil Procedure, Section 4.05 of the Interest
10 Act, the Military Personnel Cellular Phone Contract
11 Termination Act, or Section 37 of the Motor Vehicle Leasing Act
12 commits a civil rights violation within the meaning of this
13 Act.

14 Section 40. The Interest Act is amended by changing Section
15 4.05 as follows:

16 (815 ILCS 205/4.05)

17 Sec. 4.05. Military personnel on active duty; limitation on
18 interest rate.

19 (a) In this Section:

20 "Active duty" means active duty pursuant to an executive
21 order of the President of the United States, an act of the
22 Congress of the United States, or an order of the Governor.

23 "Obligation" means any retail installment sales contract,

1 other contract for the purchase of goods or services, or bond,
2 bill, note, or other instrument of writing for the payment of
3 money arising out of a contract or other transaction for the
4 purchase of goods or services.

5 "Service member" means a member of the armed services or
6 reserve forces of the United States or a member of the Illinois
7 National Guard.

8 (b) Notwithstanding any contrary provision of State law,
9 but subject to the federal Servicemembers Civil Relief Act, no
10 creditor in connection with an obligation entered into on or
11 after the effective date of this amendatory Act of the 94th
12 General Assembly, but prior to a service member's deployment on
13 active duty, shall charge or collect from a service member who
14 is deployed on active duty, or the spouse of that service
15 member, interest or finance charges exceeding 6% per annum
16 during the period that the service member is deployed on active
17 duty.

18 (c) Notwithstanding any contrary provision of law,
19 interest or finance charges in excess of 6% per annum that
20 otherwise would be incurred but for the prohibition in
21 subsection (b) are forgiven.

22 (d) The amount of any periodic payment due from a service
23 member who is deployed on active duty, or the spouse of that
24 service member, under the terms of the obligation shall be
25 reduced by the amount of the interest and finance charges
26 forgiven under subsection (c) that is allocable to the period

1 for which the periodic payment is made.

2 (e) In order for an obligation to be subject to the
3 interest and finance charges limitation of this Section, the
4 service member deployed on active duty, or the spouse of that
5 service member, shall provide the creditor with written notice
6 of and a copy of the military or gubernatorial orders calling
7 the service member to active duty and of any orders further
8 extending the service member's period of active duty, not later
9 than 180 days after the date of the service member's
10 termination of or release from active duty.

11 (f) Upon receipt of the written notice and a copy of the
12 orders referred to in subsection (e), the creditor shall treat
13 the obligation in accordance with subsection (b), effective as
14 of the date on which the service member is deployed to active
15 duty.

16 (g) A court may grant a creditor relief from the interest
17 and finance charges limitation of this Section, if, in the
18 opinion of the court, the ability of the service member
19 deployed on active duty, or the spouse of that service member,
20 to pay interest or finance charges with respect to the
21 obligation at a rate in excess of 6% per annum is not
22 materially affected by reason of the service member's
23 deployment on active duty.

24 (h) A violation of this Section constitutes a civil rights
25 violation under the Illinois Human Rights Act. ~~In addition to~~
26 ~~any other penalty that may be provided by law, a creditor that~~

1 ~~violates this Section is subject to a civil penalty of \$1,000.~~
2 ~~The Attorney General may impose a civil penalty under this~~
3 ~~subsection only after he or she provides the following to the~~
4 ~~affected creditor:~~

5 ~~(1) Written notice of the alleged violation.~~

6 ~~(2) Written notice of the creditor's right to request~~
7 ~~an administrative hearing on the question of the alleged~~
8 ~~violation.~~

9 ~~(3) An opportunity to present evidence, orally or in~~
10 ~~writing or both, on the question of the alleged violation~~
11 ~~before an impartial hearing examiner appointed by the~~
12 ~~Attorney General.~~

13 ~~(4) A written decision from the Attorney General, based~~
14 ~~on the evidence introduced at the hearing and the hearing~~
15 ~~examiner's recommendations, finding that the creditor~~
16 ~~violated this Section and imposing the civil penalty.~~

17 ~~The Attorney General may bring an action in the circuit~~
18 ~~court to enforce the collection of a civil penalty imposed~~
19 ~~under this subsection.~~

20 All proceeds from the collection of any civil penalty
21 imposed under this subsection shall be deposited into the
22 Illinois Military Family Relief Fund.

23 (Source: P.A. 94-635, eff. 8-22-05; 94-802, eff. 5-26-06.)

24 Section 45. The Military Personnel Cellular Phone Contract
25 Termination Act is amended by adding Section 22 as follows:

1 (815 ILCS 633/22 new)

2 Sec. 22. Violation. A violation of this Act constitutes a
3 civil rights violation under the Illinois Human Rights Act.

4 (815 ILCS 633/20 rep.)

5 Section 50. The Military Personnel Cellular Phone Contract
6 Termination Act is amended by repealing Section 20.

7 Section 55. The Motor Vehicle Leasing Act is amended by
8 changing Section 37 as follows:

9 (815 ILCS 636/37)

10 Sec. 37. Military personnel on active duty; termination of
11 lease.

12 (a) In this Act:

13 "Active duty" means active duty pursuant to an executive
14 order of the President of the United States, an act of the
15 Congress of the United States, or an order of the Governor.

16 "Motor vehicle" means any automobile, car minivan,
17 passenger van, sport utility vehicle, pickup truck, or other
18 self-propelled vehicle not operated or driven on fixed rails or
19 track.

20 "Service member" means a member of the armed services or
21 reserve forces of the United States or a member of the Illinois
22 National Guard.

1 (b) Any service member who is deployed on active duty for a
2 period of not less than 180 days, or the spouse of that service
3 member, may terminate any motor vehicle lease that meets both
4 of the following requirements:

5 (1) The lease is entered into on or after the effective
6 date of this amendatory Act of the 94th General Assembly.

7 (2) The lease is executed by or on behalf of the
8 service member who is deployed on active duty.

9 (c) Termination of the motor vehicle lease shall not be
10 effective until:

11 (1) the service member who is deployed on active duty,
12 or the service member's spouse, gives the lessor by
13 certified mail, return receipt requested, a notice of the
14 intention to terminate the lease together with a copy of
15 the military or gubernatorial orders calling the service
16 member to active duty and of any orders further extending
17 the service member's period of active duty; and

18 (2) the motor vehicle subject to the lease is returned
19 to the custody or control of the lessor not later than 15
20 days after the delivery of the written notice.

21 (d) Lease amounts unpaid for the period preceding the
22 effective date of the lease's termination shall be paid on a
23 prorated basis. The lessor may not impose an early termination
24 charge, but any taxes, costs of summons, and title or
25 registration fees and any other obligation and liability of the
26 lessee under the terms of the lease, including reasonable

1 charges to the lessee for excess wear, use, and mileage, that
2 are due and unpaid at the time of the lease's termination shall
3 be paid by the lessee.

4 (e) The lessor shall refund to the lessee lease amounts
5 paid in advance for a period after the effective date of the
6 lease's termination within 30 days after the effective date of
7 the lease's termination.

8 (f) Upon application by the lessor to a court before the
9 effective date of the lease's termination, relief granted by
10 this Section may be modified as justice and equity require.

11 (g) A violation of this Section constitutes a civil rights
12 violation under the Illinois Human Rights Act. ~~In addition to~~
13 ~~any other penalty that may be provided by law, a lessor that~~
14 ~~violates this Section is subject to a civil penalty of \$1,000.~~
15 ~~The Attorney General may impose a civil penalty under this~~
16 ~~subsection only after he or she provides the following to the~~
17 ~~affected lessor:~~

18 ~~(1) Written notice of the alleged violation.~~

19 ~~(2) Written notice of the lessor's right to request an~~
20 ~~administrative hearing on the question of the alleged~~
21 ~~violation.~~

22 ~~(3) An opportunity to present evidence, orally or in~~
23 ~~writing or both, on the question of the alleged violation~~
24 ~~before an impartial hearing examiner appointed by the~~
25 ~~Attorney General.~~

26 ~~(4) A written decision from the Attorney General, based~~

1 ~~on the evidence introduced at the hearing and the hearing~~
2 ~~examiner's recommendations, finding that the lessor~~
3 ~~violated this Section and imposing the civil penalty.~~

4 ~~The Attorney General may bring an action in the circuit~~
5 ~~court to enforce the collection of a civil penalty imposed~~
6 ~~under this subsection.~~

7 All proceeds from the collection of any civil penalty
8 imposed under this subsection shall be deposited into the
9 Illinois Military Family Relief Fund.

10 (Source: P.A. 94-635, eff. 8-22-05; 94-802, eff. 5-26-06.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."