



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3023

Introduced 2/6/2025, by Rep. Margaret Croke

SYNOPSIS AS INTRODUCED:

New Act

Creates the Neighborhood Freedom from Intimidation Act. Creates a private cause of action for persons threatened by intimidation by threat of violence. Provides that if a plaintiff prevails in an action, the court shall award actual damages, including, but not limited to, emotional distress or \$10,000 per defendant, whichever is greater. Provides that if a plaintiff prevails in the action, the court shall award the plaintiff reasonable attorney's fees and costs. Exempts statements concerning positions in a labor dispute that are made during otherwise lawful labor picketing. Provides that speech alone may not support an action brought under this Act, except upon a showing of all of the following: (i) the speech itself threatens violence against a specific person or group of persons; (ii) the person or group of persons against whom the threat is directed reasonably fears that, because of the speech, violence will be committed against them or their property; (iii) the person threatening violence is acting in reckless disregard for the threatening nature of the speech; and (iv) the person threatening violence has the apparent ability to carry out the threat.

LRB104 10528 JRC 20603 b

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 1. Short title. This Act may be cited as the
5 Neighborhood Freedom from Intimidation Act.

6 Section 5. Legislative intent. All persons within the
7 jurisdiction of this State have the right to be free from any
8 violence or intimidation by threat of violence committed
9 against them or their property because of the actual or
10 perceived race, color, creed, religion, ancestry, gender,
11 sexual orientation, physical or mental disability,
12 citizenship, immigration status, or national origin,
13 regardless of the existence of any other motivating factor or
14 factors. In particular, this Act is to address the rapidly
15 growing trend of hate littering incidents in the community,
16 deter future incidents, and give victims the recourse needed
17 to recover from their trauma as soon as possible.

18 Section 10. Definitions. As used in this Act:

19 "Intimidation by threat of violence" includes, but is not
20 limited to, making or threatening to make a claim or report to
21 a peace officer or law enforcement agency that falsely alleges
22 that another person has engaged in unlawful activity or in an

1 activity that requires law enforcement intervention, knowing
2 that the claim or report is false, or with reckless disregard
3 for the truth or falsity of the claim or report. "Intimidation
4 by threat of violence" also includes, but is not limited to,
5 terrorizing the owner or occupant of private property with the
6 distribution of materials on the private property, without
7 authorization, with the purpose of terrorizing the owner or
8 occupant of that private property.

9 "Terrorize" means to cause a person of ordinary emotions
10 and sensibilities to fear for personal safety.

11 Section 15. Civil action.

12 (a) This Act creates a private cause of action against any
13 person, persons, and groups of persons however organized who
14 engage in intimidation by threat of violence another person or
15 persons because of the actual or perceived race, color, creed,
16 religion, ancestry, gender, sexual orientation, physical or
17 mental disability, citizenship, immigration status, or
18 national origin of another individual or group of individuals,
19 regardless of the existence of any other motivating factor or
20 factors.

21 (b) If a plaintiff prevails in this action, the court
22 shall award actual damages, including, but not limited to,
23 emotional distress or \$10,000 per defendant of this Act,
24 whichever is greater.

25 (c) If a plaintiff prevails in this action, the court

1 shall award the plaintiff reasonable attorney's fees and
2 costs.

3 (d) This Section does not apply to statements concerning
4 positions in a labor dispute that are made during otherwise
5 lawful labor picketing.

6 Section 20. Exceptions for speech. Speech alone may not
7 support an action brought under this Act, except upon a
8 showing of all of the following:

9 (1) The speech itself threatens violence against a
10 specific person or group of persons.

11 (2) The person or group of persons against whom the
12 threat is directed reasonably fears that, because of the
13 speech, violence will be committed against them or their
14 property.

15 (3) The person threatening violence is acting in
16 reckless disregard for the threatening nature of the
17 speech.

18 (4) The person threatening violence has the apparent
19 ability to carry out the threat.