



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5394

Introduced 2/10/2026, by Rep. Kevin John Olickal

SYNOPSIS AS INTRODUCED:

775 ILCS 5/3-102

from Ch. 68, par. 3-102

Amends the Illinois Human Rights Act. Provides that it is a civil rights violation under the Act to refuse to lease or rent real property or otherwise discriminate against any person in the terms, conditions, or privileges of a real estate transaction by using an applicant's credit score or credit history as a disqualifying factor if that applicant's source of income includes a local, State, or federal housing subsidy. "Housing subsidy" includes, but is not limited to, housing choice vouchers, permanent supportive housing program placements, or rapid rehousing subsidies. Provides that use of credit scores or history to deny a rental application to a person with a housing subsidy is a violation of the Act as it constitutes a practice that subjects individuals to discrimination based on source of income without a legitimate, nondiscriminatory necessity.

LRB104 20008 JRC 33459 b

1 AN ACT concerning civil law.

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 3-102 as follows:

6 (775 ILCS 5/3-102) (from Ch. 68, par. 3-102)

7 Sec. 3-102. Civil rights violations; real estate
8 transactions and other prohibited acts. It is a civil rights
9 violation for an owner or any other person, or for a real
10 estate broker or salesman, because of unlawful discrimination,
11 familial status, immigration status, source of income, or an
12 arrest record, as defined under subsection (B-5) of Section
13 1-103, to:

14 (A) Transactions. Refuse to engage in a real estate
15 transaction or deny real property, or to discriminate in
16 making available such a transaction;

17 (B) Terms. Alter the terms, conditions or privileges
18 of a real estate transaction or in the furnishing of
19 facilities or services in connection therewith;

20 (C) Offers. Refuse to receive or to fail to transmit a
21 bona fide offer in a real estate transaction from a
22 person;

23 (D) Negotiation. Refuse to negotiate a real estate

1 transaction with a person;

2 (E) Representations. Represent to a person that real
3 property is not available for inspection, sale, rental, or
4 lease when in fact it is so available, or to fail to bring
5 a property listing to the person's attention, or to refuse
6 to permit the person to inspect real property;

7 (F) Publication of Intent. Make, print, circulate,
8 post, mail, publish or cause to be made, printed,
9 circulated, posted, mailed, or published any notice,
10 statement, advertisement or sign, or use a form of
11 application for a real estate transaction, or make a
12 record or inquiry in connection with a prospective real
13 estate transaction, that indicates any preference,
14 limitation, or discrimination based on unlawful
15 discrimination or unlawful discrimination based on
16 familial status, immigration status, source of income, or
17 an arrest record, or an intention to make any such
18 preference, limitation, or discrimination;

19 (G) Listings. Offer, solicit, accept, use or retain a
20 listing of real property with knowledge that unlawful
21 discrimination or discrimination on the basis of familial
22 status, immigration status, source of income, or an arrest
23 record in a real estate transaction is intended.

24 (H) Criteria. Use criteria or methods that have the
25 effect of subjecting individuals to unlawful
26 discrimination or discrimination based on familial status,

1 immigration status, source of income, or an arrest record
2 in a real estate transaction. Such criteria or methods are
3 unlawful under this subsection if they are not necessary
4 to achieve a substantial, legitimate, non-discriminatory
5 interest; or if the substantial, legitimate,
6 non-discriminatory interest could be served by another
7 practice that has a less discriminatory effect.

8 (I) Credit history and subsidies. Refuse to lease or
9 rent real property or otherwise discriminate against any
10 person in the terms, conditions, or privileges of a real
11 estate transaction by using an applicant's credit score or
12 credit history as a disqualifying factor if that
13 applicant's source of income includes a local, State, or
14 federal housing subsidy. For purposes of this subsection,
15 "housing subsidy", includes, but is not limited to,
16 housing choice vouchers, permanent supportive housing
17 program placements, or rapid rehousing subsidies. Use of
18 credit scores or history to deny a rental application to a
19 person with a housing subsidy is a violation of subsection
20 (H) of this Section as it constitutes a practice that
21 subjects individuals to discrimination based on source of
22 income without a legitimate, nondiscriminatory necessity.

23 (Source: P.A. 102-896, eff. 1-1-23; 103-232, eff. 1-1-24;
24 103-859, eff. 1-1-25.)