

SB3678



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3678

Introduced 2/5/2026, by Sen. Mike Simmons

SYNOPSIS AS INTRODUCED:

765 ILCS 705/35 new
815 ILCS 505/2MMMM new

Amends the Landlord and Tenant Act. Prohibits a person from entering into an agreement with any other person to not compete in rental pricing, fees, or any other rental term for residential rental units in the State. Prohibits a person from engaging in price coordination for residential rental units in the State. Prohibits a person from facilitating an agreement between 2 or more persons to not compete with respect to rental pricing, fees, or any other rental term for residential rental units in the State. Prohibits a person from using, subscribing to, contracting for, or paying for the services involving price coordination or otherwise encouraging or facilitating an agreement with other persons to not compete with respect to any rental term for residential rental units in the State. Allows an aggrieved person to bring a civil action seeking damages and makes a violation of the Act a violation of the Consumer Fraud and Deceptive Practices Act.

LRB104 18451 JRC 31893 b

A BILL FOR

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 Landlord and Tenant Act is amended by
5 adding Section 35 as follows:

6 (765 ILCS 705/35 new)

7 Sec. 35. Prohibition on use of rent-setting algorithms.

8 (a) As used in this Section:

9 "Nonpublic competitor information" means information that
10 is not available to the general public, including information
11 about actual rent prices, occupancy rates, lease start-and-end
12 dates, and similar data, regardless of whether the information
13 is attributable to a specific competitor, anonymized, or
14 derived from or otherwise provided by another person that
15 competes in the same market or a related market.

16 "Price coordination" means engaging in the following acts:

17 (1) collecting historical or contemporaneous nonpublic
18 competitor information concerning prices, price changes,
19 supply levels, occupancy rates, or lease or rental
20 contract termination and renewal dates of residential
21 rental units from 2 or more real estate lessors, whether
22 monetary or other valuable consideration is paid to
23 acquire or collect such information; and

1 (2) recommending or suggesting rental prices, fees,
2 rental terms, or occupancy levels to a real estate lessor
3 based on such information, including when the
4 recommendation involves the analysis or processing of
5 information using a computational or algorithmic system,
6 software, or process. Price coordination does not include:

7 (A) providing information to establish rent or
8 income limits in accordance with the affordable
9 housing program guidelines of a governmental entity;

10 (B) generation or use of any report, study, or
11 presentation that provides existing rental data in an
12 aggregated manner but does not recommend rent prices,
13 fees, or occupancy rates or other rental contract
14 terms for future leases; or

15 (C) providing or using information to conduct
16 market research for project financing, an appraisal,
17 or research, testing, and training for software
18 development.

19 (b) (1) Prohibited conduct. A person may not enter into an
20 agreement with any other person to not compete in rental
21 pricing, fees, or any other rental term for residential rental
22 units in the State.

23 (2) A person may not engage in price coordination for
24 residential rental units in the State, including through the
25 sale, licensure, or provision of any service or product that
26 involves price coordination of residential rental units.

1 (3) A person may not facilitate an agreement between 2 or
2 more persons to not compete for rental pricing, fees, or any
3 other rental term for residential rental units in the State.

4 (4) A person may not use, subscribe to, or contract or pay
5 for, the services of another person if the services involve
6 price coordination or otherwise encourage or facilitate an
7 agreement with other persons to not compete for any rental
8 term for residential rental units in the State.

9 (c) (1) Penalties. Any person alleging a violation of this
10 Section may bring a civil action, in accordance with
11 applicable law, in any court of competent jurisdiction. The
12 court may order injunctive relief, monetary relief, attorney's
13 fees, and costs.

14 (2) A violation of any provision of this Act is an unlawful
15 practice under the Consumer Fraud and Deceptive Business
16 Practices Act. All remedies, penalties, and authority granted
17 to the Attorney General by that Act is available to the
18 Attorney General for the enforcement of this Act

19 Section 10. The Consumer Fraud and Deceptive Business
20 Practices Act is amended by adding Section 2MMMM as follows:

21 (815 ILCS 505/2MMMM new)

22 Sec. 2MMMM. Violations of Section 35 of the Landlord and
23 Tenant Act. A person who violates Section 35 of the Landlord
24 and Tenant Act commits an unlawful practice within the meaning

1 of this Act.