

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Environmental Barriers Act is amended by
5 changing Section 6 as follows:

6 (410 ILCS 25/6) (from Ch. 111 1/2, par. 3716)

7 Sec. 6. Enforcement.

8 (a) The Attorney General shall have authority to enforce
9 the Code. The Attorney General may investigate any complaint or
10 reported violation of this Act and, where necessary to ensure
11 compliance, may do any or all of the following:

12 (1) Conduct an investigation to determine if a
13 violation of this Act and the Code exists. This includes
14 the power to:

15 (A) require an individual or entity to file a
16 statement or report in writing under oath or otherwise,
17 as to all information the Attorney General may
18 consider;

19 (B) examine under oath any person alleged to have
20 participated in or with knowledge of the violations;
21 and

22 (C) issue subpoenas or conduct hearings in aid of
23 any investigation.

1 (2) Bring an action for injunction to halt construction
2 or alteration of any public facility or multi-story housing
3 or to require compliance with the Code by any public
4 facility or multi-story housing which has been or is being
5 constructed or altered in violation of this Act and the
6 Code.

7 (3) Bring an action for mandamus.

8 (4) Bring an action for penalties as follows:

9 (A) any owner of a public facility or multi-story
10 housing in violation of this Act shall be subject to
11 civil penalties in a sum not to exceed \$250 per day,
12 and each day the owner is in violation of this Act
13 constitutes a separate offense;

14 (B) any architect or engineer negligently or
15 intentionally stating pursuant to Section 5 of this Act
16 that a plan is in compliance with this Act when such
17 plan is not in compliance shall be subject to a
18 suspension, revocation, or refusal of restoration of
19 his or her certificate of registration or license
20 pursuant to the Illinois Architecture Practice Act of
21 1989, the Professional Engineering Practice Act of
22 1989, and the Structural Engineering Practice Act of
23 1989; and

24 (C) any person who knowingly issues a building
25 permit or other official authorization for the
26 construction or alteration of a public facility or the

1 construction of multi-story housing in violation of
2 this Act shall be subject to civil penalties in a sum
3 not to exceed \$1,000.

4 (5) Bring an action for any other appropriate relief,
5 including, but not limited to, in lieu of a civil action,
6 the entry of an Assurance of Voluntary Compliance with the
7 individual or entity deemed to have violated this Act.

8 (b) A public facility or multi-story housing continues to
9 be in violation of this Act and the Code following construction
10 or alteration so long as the public facility or multi-story
11 housing is not compliant with this Act and the Code.

12 (c) Beginning July 31, 2020 and by July 31 of every year
13 thereafter, the Attorney General shall provide data on the
14 Attorney General's website about annual enforcement efforts
15 performed under this Act. The data shall include, but is not
16 limited to, the following:

17 (1) The total number of open compliance investigations
18 each year.

19 (2) The 10 most frequent complaints received under this
20 Act that are under investigation each year.

21 (3) The total number of complaints received under this
22 Act annually.

23 (4) Assistance provided to constituents throughout the
24 State on the Attorney General's disability rights
25 technical assistance line.

26 (Source: P.A. 99-582, eff. 1-1-17.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.