



Rep. Wyvetter H. Younge

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09300HB4116ham001

LRB093 16254 DRJ 48847 a

1 AMENDMENT TO HOUSE BILL 4116

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4116 on page 1, line  
3 14, by changing "affects" to "effects"; and

4  
5 by replacing lines 34 through 36 on page 3 and lines 1 and 2 on  
6 page 4 with the following:

7 "(b) The Department of Human Rights shall enforce the  
8 rights of homeless persons set forth in subsection (a) in  
9 accordance with the Illinois Human Rights Act."; and

10  
11 on page 4, after line 12, by inserting the following:

12 "Section 90. The Illinois Human Rights Act is amended by  
13 changing Sections 1-102 and 1-103 as follows:

14 (775 ILCS 5/1-102) (from Ch. 68, par. 1-102)

15 Sec. 1-102. Declaration of Policy. It is the public policy  
16 of this State:

17 (A) Freedom from Unlawful Discrimination. To secure for all  
18 individuals within Illinois the freedom from discrimination  
19 against any individual because of his or her race, color,  
20 religion, sex, national origin, ancestry, age, marital status,  
21 physical or mental handicap, housing status, military status,  
22 or unfavorable discharge from military service in connection  
23 with employment, real estate transactions, access to financial  
24 credit, and the availability of public accommodations.

1 (B) Freedom from Sexual Harassment-Employment and Higher  
2 Education. To prevent sexual harassment in employment and  
3 sexual harassment in higher education.

4 (C) Freedom from Discrimination Based on Citizenship  
5 Status-Employment. To prevent discrimination based on  
6 citizenship status in employment.

7 (D) Freedom from Discrimination Based on Familial  
8 Status-Real Estate Transactions. To prevent discrimination  
9 based on familial status in real estate transactions.

10 (E) Public Health, Welfare and Safety. To promote the  
11 public health, welfare and safety by protecting the interest of  
12 all people in Illinois in maintaining personal dignity, in  
13 realizing their full productive capacities, and in furthering  
14 their interests, rights and privileges as citizens of this  
15 State.

16 (F) Implementation of Constitutional Guarantees. To secure  
17 and guarantee the rights established by Sections 17, 18 and 19  
18 of Article I of the Illinois Constitution of 1970.

19 (G) Equal Opportunity, Affirmative Action. To establish  
20 Equal Opportunity and Affirmative Action as the policies of  
21 this State in all of its decisions, programs and activities,  
22 and to assure that all State departments, boards, commissions  
23 and instrumentalities rigorously take affirmative action to  
24 provide equality of opportunity and eliminate the effects of  
25 past discrimination in the internal affairs of State government  
26 and in their relations with the public.

27 (H) Unfounded Charges. To protect citizens of this State  
28 against unfounded charges of unlawful discrimination, sexual  
29 harassment in employment and sexual harassment in higher  
30 education, and discrimination based on citizenship status in  
31 employment.

32 (Source: P.A. 87-579; 88-178.)

33 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

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

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

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

14           (C) Charge. "Charge" means an allegation filed with the  
15 Department by an aggrieved party or initiated by the Department  
16 under its authority.

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

22           (E) Commission. "Commission" means the Human Rights  
23 Commission created by this Act.

24           (F) Complaint. "Complaint" means the formal pleading filed  
25 by the Department with the Commission following an  
26 investigation and finding of substantial evidence of a civil  
27 rights violation.

28           (G) Complainant. "Complainant" means a person including  
29 the Department who files a charge of civil rights violation  
30 with the Department or the Commission.

31           (H) Department. "Department" means the Department of Human  
32 Rights created by this Act.

33           (I) Handicap. "Handicap" means a determinable physical or  
34 mental characteristic of a person, including, but not limited

1 to, a determinable physical characteristic which necessitates  
2 the person's use of a guide, hearing or support dog, the  
3 history of such characteristic, or the perception of such  
4 characteristic by the person complained against, which may  
5 result from disease, injury, congenital condition of birth or  
6 functional disorder and which characteristic:

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

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

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

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

19 (I-5) Housing status. "Housing status" means (i) the type  
20 of housing in which an individual resides or (ii) the status of  
21 having or not having a fixed or regular residence, including  
22 the status of living on the streets, in a shelter, or in a  
23 temporary residence.

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

26 (J-1) Military Status. "Military status" means a person's  
27 status on active duty in the armed forces of the United States.

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

30 (L) Person. "Person" includes one or more individuals,  
31 partnerships, associations or organizations, labor  
32 organizations, labor unions, joint apprenticeship committees,  
33 or union labor associations, corporations, the State of  
34 Illinois and its instrumentalities, political subdivisions,

1 units of local government, legal representatives, trustees in  
2 bankruptcy or receivers.

3 (M) Public Contract. "Public contract" includes every  
4 contract to which the State, any of its political subdivisions  
5 or any municipal corporation is a party.

6 (N) Religion. "Religion" includes all aspects of religious  
7 observance and practice, as well as belief, except that with  
8 respect to employers, for the purposes of Article 2, "religion"  
9 has the meaning ascribed to it in paragraph (F) of Section  
10 2-101.

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

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

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

24 (Source: P.A. 88-178; 88-180; 88-670, eff. 12-2-94.)".