



Filed: 2/15/2006

09400HB4822ham001

LRB094 17448 WGH 55629 a

1 AMENDMENT TO HOUSE BILL 4822

2 AMENDMENT NO. _____. Amend House Bill 4822 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Human Rights Act is amended by
5 changing Section 1-103 as follows:

6 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

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

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

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

20 (C) Charge. "Charge" means an allegation filed with the
21 Department by an aggrieved party or initiated by the Department
22 under its authority.

23 (D) Civil Rights Violation. "Civil rights violation"
24 includes and shall be limited to only those specific acts set

1 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-103, 3-104,
2 3-104.1, 3-105, 4-102, 4-103, 5-102, 5A-102 and 6-101 of this
3 Act.

4 (E) Commission. "Commission" means the Human Rights
5 Commission created by this Act.

6 (F) Complaint. "Complaint" means the formal pleading filed
7 by the Department with the Commission following an
8 investigation and finding of substantial evidence of a civil
9 rights violation.

10 (G) Complainant. "Complainant" means a person including
11 the Department who files a charge of civil rights violation
12 with the Department or the Commission.

13 (H) Department. "Department" means the Department of Human
14 Rights created by this Act.

15 (I) Handicap. "Handicap" means a determinable physical or
16 mental characteristic of a person, including, but not limited
17 to, a determinable physical characteristic which necessitates
18 the person's use of a guide, hearing or support dog, the
19 history of such characteristic, or the perception of such
20 characteristic by the person complained against, which may
21 result from disease, injury, congenital condition of birth or
22 functional disorder and which characteristic:

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

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

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

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

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

3 (J-1) Military Status. "Military status" means a person's
4 status on active duty in or status as a veteran of the armed
5 forces of the United States, status as a current member or
6 veteran of any reserve component of the armed forces of the
7 United States, including the United States Army Reserve, United
8 States Marine Corps Reserve, United States Navy Reserve, United
9 States Air Force Reserve, and United States Coast Guard
10 Reserve, or status as a current member or veteran of the
11 Illinois Army National Guard or Illinois Air National Guard.

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

14 (L) Person. "Person" includes one or more individuals,
15 partnerships, associations or organizations, labor
16 organizations, labor unions, joint apprenticeship committees,
17 or union labor associations, corporations, the State of
18 Illinois and its instrumentalities, political subdivisions,
19 units of local government, legal representatives, trustees in
20 bankruptcy or receivers.

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

24 (N) Religion. "Religion" includes all aspects of religious
25 observance and practice, as well as belief, except that with
26 respect to employers, for the purposes of Article 2, "religion"
27 has the meaning ascribed to it in paragraph (F) of Section
28 2-101.

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

30 (O-1) Sexual orientation. "Sexual orientation" means
31 actual or perceived heterosexuality, homosexuality,
32 bisexuality, or gender-related identity, whether or not
33 traditionally associated with the person's designated sex at
34 birth. "Sexual orientation" does not include a physical or

1 sexual attraction to a minor by an adult.

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

8 (Q) Unlawful Discrimination. "Unlawful discrimination"
9 means discrimination against a person because of his or her
10 race, color, religion, national origin, ancestry, age, sex,
11 marital status, handicap, military status, sexual orientation,
12 or unfavorable discharge from military service as those terms
13 are defined in this Section.

14 (R) Veteran. "Veteran" means a person who:

15 (1) served on active duty as a member of: (a) the armed
16 forces of the United States; (b) any reserve component of
17 the armed forces of the United States, including the United
18 States Army Reserve, United States Marine Corps Reserve,
19 United States Navy Reserve, United States Air Force
20 Reserve, and United States Coast Guard Reserve; or (c) the
21 Illinois Army National Guard or Illinois Air National
22 Guard; and

23 (2) was discharged with other than a dishonorable
24 discharge.

25 (Source: P.A. 93-941, eff. 8-16-04; 93-1078, eff. 1-1-06.)

26 Section 99. Effective date. This Act takes effect upon
27 becoming law."