

1 AN ACT concerning human rights.

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

4 Section 1. Short title. This Act may be cited as the
5 Neighborhood Freedom from Intimidation Act.

6 Section 5. Legislative intent. All persons within the
7 jurisdiction of this State have the right to be free from being
8 threatened or intimidated by intentionally threatening
9 leafletting or the intentional false reporting of a violent
10 crime. The purpose of this Act is to address the rapidly
11 growing trend of such intentional threats and intimidation in
12 the community, deter future incidents, and give victims the
13 recourse needed to recover from their trauma as soon as
14 possible.

15 Section 10. Definitions.

16 As used in this Act:

17 "Intentional false reporting of a violent crime" means
18 intentionally making a claim or report to a peace officer or
19 law enforcement agency falsely alleging that another person
20 has engaged in violent criminal activity knowing that the
21 claim or report is false and reasonably likely to cause an
22 emergency response from a peace officer or law enforcement

1 agency.

2 "Intentionally threatening leafletting" means
3 intentionally distributing or depositing any leaflets,
4 handbills, flyers, or other materials on another's private
5 property, without authorization, with the malicious intent to
6 threaten or intimidate another person or group based upon the
7 person's or group's actual or perceived race, color, creed,
8 religion, ethnicity, ancestry, national origin, citizenship,
9 immigration status, sex, sexual orientation, gender, gender
10 identity, gender expression, or physical or mental disability.

11 "Malicious intent to threaten or intimidate" means an
12 intent to convey a verbal or nonverbal threat, or a
13 combination of the 2, which places the owner or an occupant of
14 the property, or an owner or occupant's invitee, in reasonable
15 fear for owner's, occupant's, or invitee's physical safety or
16 the physical safety of the owner's, occupant's, or invitee's
17 family members or individuals closely associated with the
18 owner, occupant, or invitee.

19 Section 15. Civil action.

20 (a) An aggrieved person who has been threatened or
21 intimidated by intentionally threatening leafletting may
22 initiate a private cause of action against any person,
23 persons, or groups of persons however organized who have
24 engaged in such conduct to obtain all appropriate relief,
25 including injunctive relief, monetary damages, reasonable

1 attorney's fees and costs, or any other appropriate relief in
2 law or equity.

3 (b) An aggrieved person who has been threatened or
4 intimidated by the intentional false reporting of a violent
5 crime may initiate a private cause of action against any
6 person, persons, or groups of persons however organized who
7 have engaged in such conduct to obtain all appropriate relief,
8 including injunctive relief, monetary damages, reasonable
9 attorney's fees and costs, or any other appropriate relief in
10 law or equity.

11 (c) Speech alone may not support a private cause of action
12 brought under this Act, except upon a showing of all of the
13 following:

14 (1) The speech itself intentionally threatens physical
15 violence against a specific person or group of persons.

16 (2) The person or group of persons against whom the
17 threat is directed reasonably fears that, because of the
18 speech, physical violence will be committed against them,
19 their family members, or individuals closely associated
20 with them.

21 (3) The person threatening violence intends to place
22 the targeted individual or group, their family members, or
23 individuals closely associated with them in reasonable
24 fear for their physical safety.

25 (4) The person threatening violence has the apparent
26 ability to carry out the threat.

1 Section 20. Construction. Nothing in this Act may be
2 construed to limit the right to seek other available criminal
3 or civil remedies. The remedies in this Act are cumulative,
4 not exclusive.

5 Section 25. Severability. The provisions in this Act are
6 severable. If any provision of this Act or its application is
7 held invalid, that invalidity does not affect other provisions
8 or applications that can be given effect without the invalid
9 provision or application.

10 Section 30. Constitutionality. The General Assembly does
11 not intend, nor does this Act allow, private causes of actions
12 to be brought for constitutionally protected activity.