



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3564

Introduced 2/18/2025, by Rep. Nabeela Syed

SYNOPSIS AS INTRODUCED:

765 ILCS 705/26 new

775 ILCS 5/1-102

775 ILCS 5/1-103

from Ch. 68, par. 1-102

from Ch. 68, par. 1-103

Amends the Landlord and Tenant Act. Prohibits a landlord from imposing a move-in fee. Provides that a landlord may not demand any charge for the processing, reviewing, or accepting of an application, or demand any other payment, fee, or charge before or at the beginning of the tenancy. Exempts entrance fees charged by nursing homes or similar institutions. Prohibits a landlord from renaming a fee or charge to avoid application of these provisions. Limits fees for the late payment of rent in certain situations. Provides that any provision of a lease, rental agreement, contract, or any similar document purporting to waive or limit these provisions is void and unenforceable as against public policy. Amends the Illinois Human Rights Act. Provides that State policy is that access to housing is a fundamental human right in preventing discrimination based on familial status or source of income in real estate transactions. Changes the definition of "source of income" by stating that the definition prohibits a person engaged in a real estate transaction from requiring a credit check before approving another person in the process of renting real property or requiring a move-in fee in lieu of a security deposit or in addition to a security deposit.

LRB104 10911 JRC 20993 b

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 26 as follows:

6 (765 ILCS 705/26 new)

7 Sec. 26. Tenant fees limitations.

8 (a) A landlord may not impose a move-in fee.

9 (b) Unless statutes, rules, or regulations provide
10 otherwise, no landlord, lessor, sublessor, or grantor may
11 demand any payment, fee, or charge for the processing, review,
12 or acceptance of an application or demand any other payment,
13 fee, or charge before or at the beginning of the tenancy. This
14 Section does not apply to entrance fees charged by nursing
15 homes, as defined in the Nursing Home Care Act, or similar
16 institutions.

17 (c) A landlord may not rename a fee or charge to avoid
18 application of this Section.

19 (d) No landlord, lessor, sublessor, or grantor may demand
20 any payment, fee, or charge for the late payment of rent unless
21 the payment of rent has not been made within 5 days of the date
22 it was due. The payment, fee, or charge shall not exceed \$10
23 for the first \$1,000 in rent and 5% of any amount that exceeds

1 \$1,000. The late fee shall not be included in rent as that term
2 is used in the Article IX of the Code of Civil Procedure.

3 (e) Any provision of a lease, rental agreement, contract,
4 or any similar document purporting to waive or limit the
5 provisions of this Section is void and unenforceable as
6 against public policy.

7 Section 10. The Illinois Human Rights Act is amended by
8 changing Sections 1-102 and 1-103 as follows:

9 (775 ILCS 5/1-102) (from Ch. 68, par. 1-102)

10 Sec. 1-102. Declaration of policy. It is the public policy
11 of this State:

12 (A) Freedom from Unlawful Discrimination. To secure
13 for all individuals within Illinois the freedom from
14 discrimination based on race, color, religion, sex,
15 national origin, ancestry, age, order of protection
16 status, marital status, physical or mental disability,
17 military status, sexual orientation, pregnancy,
18 reproductive health decisions, or unfavorable discharge
19 from military service in connection with employment, real
20 estate transactions, access to financial credit, and the
21 availability of public accommodations, including in
22 elementary, secondary, and higher education.

23 (B) Freedom from Sexual Harassment-Employment and
24 Elementary, Secondary, and Higher Education. To prevent

1 sexual harassment in employment and sexual harassment in
2 elementary, secondary, and higher education.

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

6 (C-5) Freedom from Discrimination Based on Work
7 Authorization Status-Employment. To prevent
8 discrimination based on the specific status or term of
9 status that accompanies a legal work authorization.

10 (D) Freedom from Discrimination Based on Familial
11 Status or Source of Income-Real Estate Transactions. To
12 prevent discrimination based on familial status or source
13 of income in real estate transactions because access to
14 housing is a fundamental human right.

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

21 (F) Implementation of Constitutional Guarantees. To
22 secure and guarantee the rights established by Sections
23 17, 18 and 19 of Article I of the Illinois Constitution of
24 1970.

25 (G) Equal Opportunity, Affirmative Action. To
26 establish Equal Opportunity and Affirmative Action as the

1 policies of this State in all of its decisions, programs
2 and activities, and to assure that all State departments,
3 boards, commissions and instrumentalities rigorously take
4 affirmative action to provide equality of opportunity and
5 eliminate the effects of past discrimination in the
6 internal affairs of State government and in their
7 relations with the public.

8 (H) Unfounded Charges. To protect citizens of this
9 State against unfounded charges of prohibited
10 discrimination in employment, real estate transactions,
11 financial credit, and public accommodations, including in
12 elementary, secondary, and higher education.

13 (Source: P.A. 102-233, eff. 8-2-21; 102-896, eff. 1-1-23;
14 103-472, eff. 8-1-24; 103-785, eff. 1-1-25.)

15 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

16 Sec. 1-103. General definitions. When used in this Act,
17 unless the context requires otherwise, the term:

18 (A) Age. "Age" means the chronological age of a person who
19 is at least 40 years old, except with regard to any practice
20 described in Section 2-102, insofar as that practice concerns
21 training or apprenticeship programs. In the case of training
22 or apprenticeship programs, for the purposes of Section 2-102,
23 "age" means the chronological age of a person who is 18 but not
24 yet 40 years old.

25 (B) Aggrieved party. "Aggrieved party" means a person who

1 is alleged or proved to have been injured by a civil rights
2 violation or believes he or she will be injured by a civil
3 rights violation under Article 3 that is about to occur.

4 (B-5) Arrest record. "Arrest record" means:

5 (1) an arrest not leading to a conviction;

6 (2) a juvenile record; or

7 (3) criminal history record information ordered
8 expunged, sealed, or impounded under Section 5.2 of the
9 Criminal Identification Act.

10 (C) Charge. "Charge" means an allegation filed with the
11 Department by an aggrieved party or initiated by the
12 Department under its authority.

13 (D) Civil rights violation. "Civil rights violation"
14 includes and shall be limited to only those specific acts set
15 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-102.1, 3-103,
16 3-102.10, 3-104.1, 3-105, 3-105.1, 4-102, 4-103, 5-102,
17 5A-102, 6-101, 6-101.5, and 6-102 of this Act.

18 (E) Commission. "Commission" means the Human Rights
19 Commission created by this Act.

20 (F) Complaint. "Complaint" means the formal pleading filed
21 by the Department with the Commission following an
22 investigation and finding of substantial evidence of a civil
23 rights violation.

24 (G) Complainant. "Complainant" means a person including
25 the Department who files a charge of civil rights violation
26 with the Department or the Commission.

1 (G-5) Conviction record. "Conviction record" means
2 information indicating that a person has been convicted of a
3 felony, misdemeanor or other criminal offense, placed on
4 probation, fined, imprisoned, or paroled pursuant to any law
5 enforcement or military authority.

6 (H) Department. "Department" means the Department of Human
7 Rights created by this Act.

8 (I) Disability.

9 (1) "Disability" means a determinable physical or mental
10 characteristic of a person, including, but not limited to, a
11 determinable physical characteristic which necessitates the
12 person's use of a guide, hearing or support dog, the history of
13 such characteristic, or the perception of such characteristic
14 by the person complained against, which may result from
15 disease, injury, congenital condition of birth or functional
16 disorder and which characteristic:

17 (a) For purposes of Article 2, is unrelated to the
18 person's ability to perform the duties of a particular job
19 or position and, pursuant to Section 2-104 of this Act, a
20 person's illegal use of drugs or alcohol is not a
21 disability;

22 (b) For purposes of Article 3, is unrelated to the
23 person's ability to acquire, rent, or maintain a housing
24 accommodation;

25 (c) For purposes of Article 4, is unrelated to a
26 person's ability to repay;

1 (d) For purposes of Article 5, is unrelated to a
2 person's ability to utilize and benefit from a place of
3 public accommodation;

4 (e) For purposes of Article 5, also includes any
5 mental, psychological, or developmental disability,
6 including autism spectrum disorders.

7 (2) Discrimination based on disability includes unlawful
8 discrimination against an individual because of the
9 individual's association with a person with a disability.

10 (J) Marital status. "Marital status" means the legal
11 status of being married, single, separated, divorced, or
12 widowed.

13 (J-1) Military status. "Military status" means a person's
14 status on active duty in or status as a veteran of the armed
15 forces of the United States, status as a current member or
16 veteran of any reserve component of the armed forces of the
17 United States, including the United States Army Reserve,
18 United States Marine Corps Reserve, United States Navy
19 Reserve, United States Air Force Reserve, and United States
20 Coast Guard Reserve, or status as a current member or veteran
21 of the Illinois Army National Guard or Illinois Air National
22 Guard.

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

25 (K-5) "Order of protection status" means a person's status
26 as being a person protected under an order of protection

1 issued pursuant to the Illinois Domestic Violence Act of 1986,
2 Article 112A of the Code of Criminal Procedure of 1963, the
3 Stalking No Contact Order Act, or the Civil No Contact Order
4 Act, or an order of protection issued by a court of another
5 state.

6 (L) Person. "Person" includes one or more individuals,
7 partnerships, associations or organizations, labor
8 organizations, labor unions, joint apprenticeship committees,
9 or union labor associations, corporations, the State of
10 Illinois and its instrumentalities, political subdivisions,
11 units of local government, legal representatives, trustees in
12 bankruptcy or receivers.

13 (L-5) Pregnancy. "Pregnancy" means pregnancy, childbirth,
14 or medical or common conditions related to pregnancy or
15 childbirth.

16 (M) Public contract. "Public contract" includes every
17 contract to which the State, any of its political
18 subdivisions, or any municipal corporation is a party.

19 (M-5) Race. "Race" includes traits associated with race,
20 including, but not limited to, hair texture and protective
21 hairstyles such as braids, locks, and twists.

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

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

2 (O-1) Sexual orientation. "Sexual orientation" means
3 actual or perceived heterosexuality, homosexuality,
4 bisexuality, or gender-related identity, whether or not
5 traditionally associated with the person's designated sex at
6 birth. "Sexual orientation" does not include a physical or
7 sexual attraction to a minor by an adult.

8 (O-2) Reproductive Health Decisions. "Reproductive Health
9 Decisions" means a person's decisions regarding the person's
10 use of: contraception; fertility or sterilization care;
11 assisted reproductive technologies; miscarriage management
12 care; healthcare related to the continuation or termination of
13 pregnancy; or prenatal, intranatal, or postnatal care.

14 (O-5) Source of income. "Source of income" means the
15 lawful manner by which an individual supports himself or
16 herself and his or her dependents. This definition prohibits a
17 person engaged in a real estate transaction from requiring a
18 credit check before approving another person in the process of
19 renting real property or requiring a move-in fee in lieu of a
20 security deposit or in addition to a security deposit.

21 (P) Unfavorable military discharge. "Unfavorable military
22 discharge" includes discharges from the Armed Forces of the
23 United States, their Reserve components, or any National Guard
24 or Naval Militia which are classified as RE-3 or the
25 equivalent thereof, but does not include those characterized
26 as RE-4 or "Dishonorable".

1 (Q) Unlawful discrimination. "Unlawful discrimination"
2 means discrimination against a person because of his or her
3 actual or perceived: race, color, religion, national origin,
4 ancestry, age, sex, marital status, order of protection
5 status, disability, military status, sexual orientation,
6 pregnancy, reproductive health decisions, or unfavorable
7 discharge from military service as those terms are defined in
8 this Section.

9 (Source: P.A. 102-362, eff. 1-1-22; 102-419, eff. 1-1-22;
10 102-558, eff. 8-20-21; 102-813, eff. 5-13-22; 102-896, eff.
11 1-1-23; 102-1102, eff. 1-1-23; 103-154, eff. 6-30-23; 103-785,
12 eff. 1-1-25.)

13 Section 95. No acceleration or delay. Where this Act makes
14 changes in a statute that is represented in this Act by text
15 that is not yet or no longer in effect (for example, a Section
16 represented by multiple versions), the use of that text does
17 not accelerate or delay the taking effect of (i) the changes
18 made by this Act or (ii) provisions derived from any other
19 Public Act.