



Sen. Celina Villanueva

Filed: 2/17/2022

10200SB3146sam002

LRB102 23984 SPS 36169 a

1 AMENDMENT TO SENATE BILL 3146

2 AMENDMENT NO. _____. Amend Senate Bill 3146, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment
4 No. 1, by replacing line 16 on page 4 through line 16 on page 5
5 with the following:

6 "(820 ILCS 140/7) (from Ch. 48, par. 8g)
7 Sec. 7. Civil offense.

8 (a) Any employer who violates Sections 2, 3, or 3.1 ~~any of~~
9 ~~the provisions of this Act,~~ shall be guilty of a civil petty
10 offense, and shall be subject to a civil penalty as follows:
11 ~~fined for each offense in a sum of not less than \$25 nor more~~
12 ~~than \$100.~~

13 (1) For an employer with fewer than 25 employees, a
14 penalty not to exceed \$250 per offense, payable to the
15 Department of Labor, and damages of up to \$250 per
16 offense, payable to the employee or employees affected.

17 (2) For an employer with 25 or more employees, a

1 penalty not to exceed \$500 per offense, payable to the
2 Department of Labor, and damages of up to \$500 per
3 offense, payable to the employee or employees affected.

4 (b) An offense under this Act shall be determined on an
5 individual basis for each employee whose rights are violated.

6 (1) Each week that an employee is found to not have
7 been allowed 24 consecutive hours of rest as required in
8 Section 2 shall constitute a separate offense.

9 (2) Each day that an employee is found not to have been
10 provided a meal period as required in Section 3 shall
11 constitute a separate offense.

12 (3) A violation of Section 8.5 shall constitute a
13 single offense, and is subject to a civil penalty not to
14 exceed \$250 payable to the Department of Labor.

15 (c) The Director of Labor shall enforce this Act in
16 accordance with the Illinois Administrative Procedure Act. The
17 Director of Labor shall have the powers and the parties shall
18 have the rights provided in the Illinois Administrative
19 Procedure Act for contested cases, including, but not limited
20 to, provisions for depositions, subpoena power and procedures,
21 and discovery and protective order procedures.

22 (d) Any funds collected by the Department of Labor under
23 this Act shall be deposited into the Child Labor and Day and
24 Temporary Labor Services Enforcement Fund.

25 (Source: P.A. 77-2418.)".