

AN ACT concerning employment.

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

Section 1. Short title. This Act may be cited as the  
Consumer Coverage Disclosure Act.

Section 5. Definitions. As used in this Act:

"Employee" means any individual permitted to work by an  
employer.

"Employer" means an individual, partnership, corporation,  
association, business, trust, person, or entity for whom  
employees are gainfully employed in Illinois and includes the  
State of Illinois, any State officer, department or agency,  
any unit of local government, and any school district.

Section 10. Required disclosures.

(a) An employer that provides group health insurance  
coverage to its employees shall, upon hire, annually  
thereafter, and upon request from an employee, provide all  
employees eligible for the coverage a written list of the  
covered benefits included in the group health insurance  
coverage in a format that easily compares those covered  
benefits with the essential health insurance benefits required  
of individual health insurance coverage regulated by the State  
of Illinois.

(b) The Department of Insurance shall provide information  
outlining the essential health insurance benefits of  
individual health insurance coverage regulated by the State of  
Illinois, which an employer may use to inform eligible  
employees of benefits included or not included in their health  
insurance coverage.

(c) An employer may comply with the requirements of  
subsection (a) by providing the required information by email  
to its employees or providing the information on a website  
that an employee is able to regularly access.

Section 15. Enforcement. It is the duty of the Department  
of Labor to enforce the provisions of this Act.

The Department of Labor has the power to conduct  
inspections in connection with the administration and  
enforcement of this Act. Upon request of the Department of  
Labor, the employer shall demonstrate that each employee  
received the information required by Section 10 and maintain  
records of providing such information for one year. Upon  
finding of a violation, the Department of Labor shall issue a  
notice to show cause giving the employer 30 days to comply.

If the employer does not comply within 30 days, the  
Department may impose a penalty as provided for in this Act.  
The Department shall conduct hearings in accordance with the  
Illinois Administrative Procedure Act upon written complaint  
of a violation of the Act made by an investigator of the  
Department or any interested person. After the hearing, if  
supported by the evidence, the Department may determine the  
amount of any civil penalty allowed by the Act.

Section 20. Review under Administrative Review Law. Any party to a proceeding under this Act may apply for and obtain judicial review of an order of the Department entered under this Act in accordance with the provisions of the Administrative Review Law, and the Department in proceedings under the Act may obtain an order from the court for the enforcement of its order.

Section 25. Penalties.

(a) The Department may impose civil penalties as follows:

(1) For an employer with fewer than 4 employees: a penalty not to exceed \$500 for a first offense; a penalty not to exceed \$1,000 for a second offense; and a penalty not to exceed \$3,000 for a third or subsequent offense.

(2) For an employer with 4 or more employees: a penalty not to exceed \$1,000 for a first offense; a penalty not to exceed \$3,000 for a second offense; and a penalty not to exceed \$5,000 for a third or subsequent offense.

(b) The appropriateness of the penalty to the size of the employer, the good faith efforts made by the employer to comply, and the gravity of the violation shall be considered in determining the amount of the civil penalty.

(c) The amount of the penalty, when finally determined, may be recovered in a civil action brought by the Director of Labor in any circuit court. In this litigation, the Director of Labor shall be represented by the Attorney General.

(d) Any administrative determination by the Department as to the amount of each penalty shall be final unless reviewed as provided in Section 20 of this Act.

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

**Effective Date: 8/27/2021**