

AN ACT concerning State government.

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

Section 5. The Illinois Freedom to Work Act is amended by changing Section 10 as follows:

(820 ILCS 90/10)

Sec. 10. Prohibiting covenants not to compete and covenants not to solicit.

(a) No employer shall enter into a covenant not to compete with any employee unless the employee's actual or expected annualized rate of earnings exceeds \$75,000 per year. This amount shall increase to \$80,000 per year beginning on January 1, 2027, \$85,000 per year beginning on January 1, 2032, and \$90,000 per year beginning on January 1, 2037. A covenant not to compete entered into in violation of this subsection is void and unenforceable.

(b) No employer shall enter into a covenant not to solicit with any employee unless the employee's actual or expected annualized rate of earnings exceeds \$45,000 per year. This amount shall increase to \$47,500 per year beginning on January 1, 2027, \$50,000 per year beginning on January 1, 2032, and \$52,500 per year beginning on January 1, 2037. A covenant not to solicit entered into in violation of this subsection is

void and unenforceable.

(c) No employer shall enter into a covenant not to compete or a covenant not to solicit with any employee who an employer terminates or furloughs or lays off as the result of business circumstances or governmental orders related to the COVID-19 pandemic or under circumstances that are similar to the COVID-19 pandemic, unless enforcement of the covenant not to compete includes compensation equivalent to the employee's base salary at the time of termination for the period of enforcement minus compensation earned through subsequent employment during the period of enforcement. A covenant not to compete or a covenant not to solicit entered into in violation of this subsection is void and unenforceable.

(d) A covenant not to compete is void and illegal with respect to individuals covered by a collective bargaining agreement under the Illinois Public Labor Relations Act or the Illinois Educational Labor Relations Act.

(e) A covenant not to compete or a covenant not to solicit is void and illegal with respect to individuals employed in construction, regardless of whether an individual is covered by a collective bargaining agreement. This subsection (e) does not apply to construction employees who primarily perform management, engineering or architectural, design, or sales functions for the employer or who are shareholders, partners, or owners in any capacity of the employer.

(f) ~~(e)~~ Any covenant not to compete or covenant not to

solicit entered into after January 1, 2025 (the effective date of Public Act 103-915) ~~this amendatory Act of the 103rd General Assembly~~ shall not be enforceable with respect to the provision of mental health services to veterans and first responders by any licensed mental health professional in this State if the enforcement of the covenant not to compete or covenant not to solicit is likely to result in an increase in cost or difficulty for any veteran or first responder seeking mental health services.

For the purpose of this subsection:

"First responders" means any persons who are currently or formerly employed as: (i) emergency medical services personnel, as defined in the Emergency Medical Services (EMS) Systems Act, (ii) firefighters, and (iii) law enforcement officers.

"Licensed mental health professional" means a person licensed under the Clinical Psychologist Licensing Act, the Clinical Social Work and Social Work Practice Act, the Marriage and Family Therapy Licensing Act, the Nurse Practice Act, or the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act.

(Source: P.A. 102-358, eff. 1-1-22; 103-915, eff. 1-1-25; 103-921, eff. 1-1-25; revised 11-26-24.)

Section 10. The Child Labor Law of 2024 is amended by changing Section 35 as follows:

(820 ILCS 206/35)

Sec. 35. Employer requirements.

(a) It shall be unlawful for any person to employ, allow, or permit any minor to work unless the minor obtains an employment certificate authorizing the minor to work for that person. Any person seeking to employ, allow, or permit any minor to work shall provide that minor with a notice of intention to employ to be submitted by the minor to the minor's school issuing officer with the minor's application for an employment certificate.

(b) Every employer of one or more minors shall maintain, on the premises where the work is being done, records that include the name, date of birth, and place of residence of every minor who works for that employer, notice of intention to employ the minor, and the minor's employment certificate. Authorized officers and employees of the Department, truant officers, and other school officials charged with the enforcement of school attendance requirements described in Section 26-1 of the School Code may inspect the records without notice at any time.

(c) Every employer of minors shall ensure that all minors are supervised by an adult 21 years of age or older, on site, at all times while the minor is working. This requirement does not apply with respect to: (i) any minor working for a park district or a municipal parks and recreation department who is

supervised by an adult 18 years of age or older who is an employee of the park district or the municipal parks and recreation department and no alcohol or tobacco is being sold on site; or (ii) any minor working as an officiant of youth sports activities if an adult 21 years of age or older who is an employee of the park district or the municipal parks and recreation department is on call.

(d) No person shall employ, allow, or permit any minor to work for more than 5 hours continuously without an interval of at least 30 minutes for a meal period. No period of less than 30 minutes shall be deemed to interrupt a continuous period of work.

(e) Every employer who employs one or more minors shall post in a conspicuous place where minors are employed, allowed, or permitted to work, a notice summarizing the requirements of this Act, including a list of the occupations prohibited to minors and the Department's toll free telephone number described in Section 85. An employer with employees who do not regularly report to a physical workplace, such as employees who work remotely or travel for work, shall also provide the summary and notice by email to its employees or conspicuous posting on the employer's website or intranet site, if the site is regularly used by the employer to communicate work-related information to employees and is able to be regularly accessed by all employees, freely and without interference. The notice shall be furnished by the Department.

(f) Every employer, during the period of employment of a minor and for 3 years thereafter, shall keep on file, at the place of employment, a copy of the employment certificate issued for the minor. An employment certificate shall be valid only for the employer for whom it was issued and a new certificate shall not be issued for the employment of a minor except on the presentation of a new statement of intention to employ the minor. The failure of any employer to produce for inspection the employment certificate for each minor in the employer's establishment shall be a violation of this Act. The Department may specify any other record keeping requirements by rule.

(g) In the event of the work-related death of a minor engaged in work subject to this Act, the employer shall, within 24 hours, report the death to the Department and to the school official who issued the minor's work certificate for that employer. In the event of a work-related injury or illness of a minor that requires the employer to file a report with the Illinois Workers' Compensation Commission under Section 6 of the Workers' Compensation Act or Section 6 of the Workers' Occupational Diseases Act, the employer shall submit a copy of the report to the Department and to the school official who issued the minor's work certificate for that employer within 72 hours of the deadline by which the employer must file the report to the Illinois Workers' Compensation Commission. The report shall be subject to the confidentiality

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provisions of Section 6 of the Workers' Compensation Act or  
Section 6 of the Workers' Occupational Diseases Act.

(Source: P.A. 103-721, eff. 1-1-25; revised 12-1-24.)

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