

HB2432



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB2432

by Rep. Mark Batinick

SYNOPSIS AS INTRODUCED:

See Index

Amends the Franchise Disclosure Act of 1987. Repeals the substantive provisions of the Act except for provisions concerning findings and purposes, provisions imposing fees, and saving provisions. Adds a legislative declaration. Adds saving provisions for the Sections repealed by the amendatory Act.

LRB100 09051 JLS 19200 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning business.

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

4 Section 5. The Franchise Disclosure Act of 1987 is amended
5 by changing Sections 2 and 44 as follows:

6 (815 ILCS 705/2) (from Ch. 121 1/2, par. 1702)

7 Sec. 2. Findings and purpose.

8 (1) The General Assembly finds and declares that the sale
9 of franchises is a widespread business activity. Illinois
10 residents have suffered substantial losses where franchisors
11 or their representatives have not provided full and complete
12 information regarding the franchisor-franchisee relationship,
13 the details of the contract between the franchisor and
14 franchisee, the prior business experience of the franchisor and
15 other factors relevant to the franchise offered for sale.

16 (2) It is the intent of this Act: (a) to provide each
17 prospective franchisee with the information necessary to make
18 an intelligent decision regarding franchises being offered for
19 sale; and (b) to protect the franchisee and the franchisor by
20 providing a better understanding of the business and the legal
21 relationship between the franchisee and the franchisor.

22 (3) The General Assembly finds and declares that the
23 enforceability of federal franchise guidelines in Illinois is

1 an essential element in the protection of the franchisor and
2 franchisee relationship in Illinois.

3 (Source: P.A. 85-551.)

4 (815 ILCS 705/44) (from Ch. 121 1/2, par. 1744)

5 Sec. 44. This Act shall not be construed to repeal any
6 right, claim, penalty, offense or punishment existing under The
7 Franchise Disclosure Act prior to the date this Act takes
8 effect. This Act shall apply only to actions undertaken on and
9 subsequent to the date this Act takes effect as well as to all
10 resulting rights, claims, penalties, offenses and punishment.

11 This amendatory Act of the 100th General Assembly does not
12 abolish any right, claim, penalty, offense, or punishment
13 existing prior to the effective date of this amendatory Act of
14 the 100th General Assembly under the provisions repealed by
15 this amendatory Act of the 100th General Assembly.

16 (Source: P.A. 85-551.)

17 (815 ILCS 705/4 rep.)

18 (815 ILCS 705/5 rep.)

19 (815 ILCS 705/6 rep.)

20 (815 ILCS 705/7 rep.)

21 (815 ILCS 705/8 rep.)

22 (815 ILCS 705/9 rep.)

23 (815 ILCS 705/10 rep.)

24 (815 ILCS 705/11 rep.)

- 1 (815 ILCS 705/12 rep.)
- 2 (815 ILCS 705/14 rep.)
- 3 (815 ILCS 705/15 rep.)
- 4 (815 ILCS 705/16 rep.)
- 5 (815 ILCS 705/17 rep.)
- 6 (815 ILCS 705/18 rep.)
- 7 (815 ILCS 705/19 rep.)
- 8 (815 ILCS 705/20 rep.)
- 9 (815 ILCS 705/22 rep.)
- 10 (815 ILCS 705/23 rep.)
- 11 (815 ILCS 705/24 rep.)
- 12 (815 ILCS 705/25 rep.)
- 13 (815 ILCS 705/26 rep.)
- 14 (815 ILCS 705/27 rep.)
- 15 (815 ILCS 705/28 rep.)
- 16 (815 ILCS 705/29 rep.)
- 17 (815 ILCS 705/31 rep.)
- 18 (815 ILCS 705/32 rep.)
- 19 (815 ILCS 705/33 rep.)
- 20 (815 ILCS 705/34 rep.)
- 21 (815 ILCS 705/35 rep.)
- 22 (815 ILCS 705/36 rep.)
- 23 (815 ILCS 705/37 rep.)
- 24 (815 ILCS 705/38 rep.)
- 25 (815 ILCS 705/39 rep.)
- 26 (815 ILCS 705/41 rep.)

1 (815 ILCS 705/42 rep.)

2 (815 ILCS 705/43 rep.)

3 Section 10. The Franchise Disclosure Act of 1987 is amended
4 by repealing Sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16,
5 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34,
6 35, 36, 37, 38, 39, 41, 42, and 43.

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Statutes amended in order of appearance

3

815 ILCS 705/2 from Ch. 121 1/2, par. 1702

4

815 ILCS 705/44 from Ch. 121 1/2, par. 1744

5

815 ILCS 705/4 rep.

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815 ILCS 705/5 rep.

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815 ILCS 705/6 rep.

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815 ILCS 705/7 rep.

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815 ILCS 705/8 rep.

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815 ILCS 705/9 rep.

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815 ILCS 705/10 rep.

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815 ILCS 705/11 rep.

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815 ILCS 705/12 rep.

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815 ILCS 705/14 rep.

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815 ILCS 705/15 rep.

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815 ILCS 705/16 rep.

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815 ILCS 705/17 rep.

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815 ILCS 705/18 rep.

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815 ILCS 705/19 rep.

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815 ILCS 705/20 rep.

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815 ILCS 705/22 rep.

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815 ILCS 705/23 rep.

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815 ILCS 705/24 rep.

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815 ILCS 705/25 rep.

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815 ILCS 705/26 rep.

- 1 815 ILCS 705/27 rep.
- 2 815 ILCS 705/28 rep.
- 3 815 ILCS 705/29 rep.
- 4 815 ILCS 705/31 rep.
- 5 815 ILCS 705/32 rep.
- 6 815 ILCS 705/33 rep.
- 7 815 ILCS 705/34 rep.
- 8 815 ILCS 705/35 rep.
- 9 815 ILCS 705/36 rep.
- 10 815 ILCS 705/37 rep.
- 11 815 ILCS 705/38 rep.
- 12 815 ILCS 705/39 rep.
- 13 815 ILCS 705/41 rep.
- 14 815 ILCS 705/42 rep.
- 15 815 ILCS 705/43 rep.