

AN ACT concerning financial regulation.

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

Section 5. The Debt Management Service Act is amended by changing Section 2 as follows:

(205 ILCS 665/2) (from Ch. 17, par. 5302)

Sec. 2. Definitions. As used in this Act:

"Debt management service" means the planning and management of the financial affairs of a debtor for a fee and the receiving of money from the debtor for the purpose of distributing it, directly or indirectly, to the debtor's creditors in payment or partial payment of the debtor's obligations or soliciting financial contributions from creditors. The business of debt management is conducted in this State if the debt management business, its employees, or its agents are located in this State or if the debt management business solicits or contracts with debtors located in this State.

This term shall not include the following when engaged in the regular course of their respective businesses and professions:

(a) Attorneys at law.

(b) Banks, fiduciaries, credit unions, savings and loan associations, and savings banks as duly authorized and admitted to transact business in the State of Illinois and performing credit and financial adjusting service in the regular course of their principal business.

(c) Title insurers and abstract companies, while doing an escrow business.

(d) Judicial officers or others acting pursuant to court order.

(e) Employers for their employees.

(f) Bill payment services, as defined in the Transmitters of Money Act.

"Director" means Director of Financial Institutions.

"Debtor" means the person or persons for whom the debt management service is performed.

"Person" means an individual, firm, partnership, association, limited liability company, corporation, or not-for-profit corporation.

"Licensee" means a person licensed under this Act.

"Director" means the Director of the Department of Financial Institutions.

(Source: P.A. 92-400, eff. 1-1-02.)

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