



Sen. John G. Mulroe

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LRB100 09314 SMS 22112 a

1 AMENDMENT TO SENATE BILL 1834

2 AMENDMENT NO. _____. Amend Senate Bill 1834 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Collateral Recovery Act is amended by
5 changing Section 30 as follows:

6 (225 ILCS 422/30)

7 (Section scheduled to be repealed on January 1, 2022)

8 Sec. 30. License or registration required.

9 (a) It shall be unlawful for any person or entity to
10 repossess a vehicle or collateral in this State, attempt to
11 repossess a vehicle or collateral in this State, or to hold
12 himself, herself, or itself out to be a repossession agency
13 unless licensed under this Act.

14 (b) It shall be unlawful for any person to repossess a
15 vehicle or collateral in this State, attempt to repossess a
16 vehicle or collateral in this State, or to hold himself or

1 herself out to be a licensed recovery manager unless licensed
2 under this Act.

3 (c) It shall be unlawful for any person to repossess a
4 vehicle or collateral in this State, attempt to repossess a
5 vehicle or collateral in this State, or hold himself or herself
6 out to be a repossession agency employee unless he or she holds
7 a valid recovery permit issued by the Commission under this
8 Act.

9 (d) This Act does not apply to a financial institution or
10 the employee of a financial institution when engaged in an
11 activity otherwise covered by this Act if the activity is
12 conducted by the employee on behalf of that financial
13 institution.

14 (e) This Act does not apply to a towing company or towing
15 operator when an employee or agent of the creditor financial
16 institution is present at the site from which the vehicle is
17 towed.

18 (f) This Act does not apply to an automobile rental company
19 or the employee of an automobile rental company when engaged in
20 an activity otherwise covered by this Act if the activity is
21 conducted by the employee on behalf of that automobile rental
22 company.

23 (g) This Act does not apply to a towing company or towing
24 operator when an employee or agent of an automobile rental
25 company is present at the site from which the vehicle is towed.

26 (h) This Act does not apply to a retail seller of equipment

1 or an employee of a retail seller of equipment, as equipment is
2 defined in Section 9-102 of the Uniform Commercial Code, and
3 lawn and grounds care consumer goods when engaged in an
4 activity otherwise covered by this Act if the activity is
5 limited to the repossession of the type of goods routinely sold
6 by that retail seller in the manner authorized by Section 9-609
7 of the Uniform Commercial Code on behalf of the owner of a
8 security interest in that collateral.

9 (i) This Act does not apply to an entity or the employee of
10 an entity that primarily finances wholesale and retail
11 transactions related to the purchase or lease of equipment
12 manufactured by its affiliate when engaged in an activity
13 otherwise covered by this Act if the activity is limited to the
14 repossession of the equipment.

15 (j) This Act does not apply to a salvage auction or the
16 employee of a salvage auction when engaged in an activity
17 otherwise covered by this Act if the activity is conducted by
18 the employee on behalf of that salvage auction.

19 (k) This Act does not apply to a towing company or towing
20 operator when the company or operator is acting on behalf of a
21 salvage auction.

22 (l) This Act does not apply to a vehicle auctioneer
23 licensed under the Illinois Vehicle Code or an employee of such
24 a vehicle auctioneer involved in the selling of a vehicle that
25 was repossessed under this Act unless the vehicle auctioneer or
26 employee of a vehicle auctioneer involved in the selling of the

1 vehicle directly performs repossessions covered by this Act.

2 (m) This Act does not apply to a forwarding person or
3 entity that, acting on behalf of a creditor or lender having a
4 security agreement, does not directly perform repossessions
5 covered by this Act, but instead forwards the actual
6 repossession assignment to a licensed repossession agency
7 under this Act.

8 (Source: P.A. 97-576, eff. 7-1-12; 97-708, eff. 7-1-12.)".