



Sen. Emil Jones, III

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LRB100 16976 JLS 38594 a

1 AMENDMENT TO SENATE BILL 2657

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2657 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Consumer Fraud and Deceptive Business  
5 Practices Act is amended by adding Section 2VVV as follows:

6 (815 ILCS 505/2VVV new)

7 Sec. 2VVV. Credit card and debit card transaction fees  
8 prohibited.

9 (a) As used in this Section:

10 "Financial institution" means a bank, savings bank,  
11 savings and loan association, credit union, or any corporate  
12 fiduciaries, subsidiaries, affiliates, parent company of a  
13 bank, savings bank, savings and loan association, or credit  
14 union.

15 "Merchant" means a person who deals in goods of the kind or  
16 otherwise by his or her occupation holds himself or herself out

1 as having knowledge or skill peculiar to the practices or goods  
2 involved in the transaction or to whom such knowledge or skill  
3 may be attributed by his or her employment of an agent or  
4 broker or other intermediary who by his or her occupation holds  
5 himself or herself out as having such knowledge or skill.

6 "Public utility" has the meaning provided in Section 3-105  
7 of the Public Utilities Act.

8 "Service provider" means an individual, partnership,  
9 corporation, association, organization, or any other legal or  
10 commercial entity that directly processes or transmits debit  
11 card or credit card account information for payment for goods  
12 or services for or on behalf of a merchant as part of a payment  
13 processing service.

14 "Transaction fee" means any per transaction fee, item fee,  
15 item rate fee, per item rate fee, communication fee, address  
16 verification fee, or authorization fee imposed on the merchant  
17 or consumer by the service provider for accepting or processing  
18 a credit or debit card.

19 (b) No service provider accepting and processing credit or  
20 debit card payments for or on behalf of a merchant may impose a  
21 transaction fee upon the merchant or the consumer. It is an  
22 unlawful practice within the meaning of this Act for a service  
23 provider to impose a transaction fee upon the merchant or  
24 consumer in connection with the processing of credit or debit  
25 card payments.

26 (c) This Section does not apply to State or local

1 government offices or agencies, financial institutions, or  
2 public utilities."