

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 Consumer Fraud and Deceptive Business  
5 Practices Act is amended by adding Section 2WWW as follows:

6 (815 ILCS 505/2WWW new)

7 Sec. 2WWW. Unsolicited checks.

8 (a) No person shall deliver to a consumer an unsolicited  
9 check, negotiable instrument, credit card, debit card, or  
10 other form of payment or transfer payable to or to the order of  
11 the consumer that, upon cashing or other negotiation by the  
12 consumer, obligates the consumer to repay the amount of the  
13 check plus interest and fees. A consumer is not liable for any  
14 debt or other obligation arising out of the negotiation of a  
15 form of payment delivered to the consumer in violation of this  
16 Section.

17 (b) This Section does not apply to a transaction in which a  
18 consumer has submitted an application for, or requested an  
19 extension of, credit from the person before receiving the  
20 check or instrument, or when the consumer has an existing  
21 relationship with the person.

22 (c) A person who violates this Section commits an unlawful  
23 practice within the meaning of this Act.