

HB1012



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB1012

Introduced 2/17/2021, by Rep. Emanuel Chris Welch

SYNOPSIS AS INTRODUCED:

815 ILCS 145/2

from Ch. 17, par. 6102

Amends the Credit Card Liability Act. Makes a technical change in a Section concerning unsolicited credit cards.

LRB102 03025 KTG 13038 b

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 Credit Card Liability Act is amended by
5 changing Section 2 as follows:

6 (815 ILCS 145/2) (from Ch. 17, par. 6102)

7 Sec. 2. (a) Notwithstanding that ~~that~~ a person in whose
8 name a credit card has been issued has requested or applied for
9 such card or has indicated his acceptance of an unsolicited
10 credit card, as provided in Section 1 hereof, such person
11 shall not be liable to the issuer unless the card issuer has
12 given notice to such person of his potential liability, on the
13 card or within two years preceding such use, and has provided
14 such person with an addressed notification requiring no
15 postage to be paid by such person which may be mailed in the
16 event of the loss, theft, or possible unauthorized use of the
17 credit card, and such person shall not be liable for any amount
18 in excess of the applicable amount hereinafter set forth,
19 resulting from unauthorized use of that card prior to
20 notification to the card issuer of the loss, theft, or
21 possible unauthorized use of that card:

- 22 Card without a signature panel \$25.00
- 23 Card with a signature panel \$50.00

1 After the holder of the credit card gives notice to the
2 issuer that a credit card is lost or stolen he is not liable
3 for any amount resulting from unauthorized use of the card.

4 (b) When an action is brought by an issuer against the
5 person named on a card, issuance of which has been requested,
6 applied for, solicited or accepted and defendant puts in issue
7 any transaction arising from the use of such card, the burden
8 of proving benefit, authorization, use or permission by
9 defendant as to such transaction shall be upon plaintiff. In
10 the event defendant prevails with respect to any transaction
11 so put in issue, the court may enter as a credit against any
12 judgment for plaintiff, or as a judgment for defendant, a
13 reasonable attorney's fee for services in connection with the
14 transaction in respect of which the defendant prevails.

15 (Source: P.A. 77-1637.)