

HB1109



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB1109

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

SYNOPSIS AS INTRODUCED:

720 ILCS 5/17-5

from Ch. 38, par. 17-5

Amends the Criminal Code of 2012. Makes a technical change in a Section concerning deceptive collection practices.

LRB102 03123 RLC 13136 b

A BILL FOR

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 2012 is amended by
5 changing Section 17-5 as follows:

6 (720 ILCS 5/17-5) (from Ch. 38, par. 17-5)

7 Sec. 17-5. Deceptive collection practices. A collection
8 agency as defined in the ~~the~~ Collection Agency Act or any
9 employee of such collection agency commits a deceptive
10 collection practice when, with the intent to collect a debt
11 owed to an individual or a corporation or other entity, he,
12 she, or it does any of the following:

13 (a) Represents falsely that he or she is an attorney,
14 a policeman, a sheriff or deputy sheriff, a bailiff, a
15 county clerk or employee of a county clerk's office, or
16 any other person who by statute is authorized to enforce
17 the law or any order of a court.

18 (b) While attempting to collect an alleged debt,
19 misrepresents to the alleged debtor or to his or her
20 immediate family the corporate, partnership or proprietary
21 name or other trade or business name under which the debt
22 collector is engaging in debt collections and which he,
23 she, or it is legally authorized to use.

1 (c) While attempting to collect an alleged debt, adds
2 to the debt any service charge, interest or penalty which
3 he, she, or it is not entitled by law to add.

4 (d) Threatens to ruin, destroy, or otherwise adversely
5 affect an alleged debtor's credit rating unless, at the
6 same time, a disclosure is made in accordance with federal
7 law that the alleged debtor has a right to inspect his or
8 her credit rating.

9 (e) Accepts from an alleged debtor a payment which he,
10 she, or it knows is not owed.

11 Sentence. The commission of a deceptive collection
12 practice is a Business Offense punishable by a fine not to
13 exceed \$3,000.

14 (Source: P.A. 96-1551, eff. 7-1-11.)