



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1080

Introduced 1/12/2023, by Rep. Maurice A. West, II

SYNOPSIS AS INTRODUCED:

815 ILCS 505/2BBBB new

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that any person providing goods or services who initiates a debit card preauthorization hold that is more than \$2 shall disclose at the time and point of sale that a preauthorization hold will be placed on the customer's debit card account. Provides that if the dollar amount of the preauthorization hold is known by the person initiating the transaction, he or she shall disclose the dollar amount of the preauthorization hold to the customer. Provides that if the preauthorization hold is initiated at an unmanned remote terminal, service device, or gas pump, the disclosure of the preauthorization hold and amount shall be made in conspicuous type at a location proximate to the point of payment. Provides that a violation of the disclosure requirements constitutes an unlawful practice within the meaning of the Act.

LRB103 05784 SPS 50804 b

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 2BBBB as follows:

6 (815 ILCS 505/2BBBB new)

7 Sec. 2BBBB. Preauthorization holds during debit card
8 transactions.

9 (a) Any person providing goods or services who initiates a
10 debit card preauthorization hold that is more than \$2 shall
11 disclose at the time and point of sale that a preauthorization
12 hold will be placed on the customer's debit card account. If
13 the dollar amount of the preauthorization hold is known by the
14 person initiating the transaction, he or she shall disclose
15 the dollar amount of the preauthorization hold to the
16 customer. If the preauthorization hold is initiated at an
17 unmanned remote terminal, service device, or gas pump, the
18 disclosure of the preauthorization hold and amount shall be
19 made in conspicuous type at a location proximate to the point
20 of payment.

21 (b) A violation of this Section constitutes an unlawful
22 practice within the meaning of this Act.