

HB5476



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5476

Introduced 2/9/2024, by Rep. Marcus C. Evans, Jr.

SYNOPSIS AS INTRODUCED:

815 ILCS 505/2

from Ch. 121 1/2, par. 262

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that any term or condition in any agreement that unnecessarily burdens a person's rights under the Act shall be null and void.

LRB103 35070 SPS 65023 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 Consumer Fraud and Deceptive Business
5 Practices Act is amended by changing Section 2 as follows:

6 (815 ILCS 505/2) (from Ch. 121 1/2, par. 262)
7 Sec. 2.

8 (a) Unfair methods of competition and unfair or deceptive
9 acts or practices, including but not limited to the use or
10 employment of any deception fraud, false pretense, false
11 promise, misrepresentation or the concealment, suppression or
12 omission of any material fact, with intent that others rely
13 upon the concealment, suppression or omission of such material
14 fact, or the use or employment of any practice described in
15 Section 2 of the "Uniform Deceptive Trade Practices Act",
16 approved August 5, 1965, in the conduct of any trade or
17 commerce are hereby declared unlawful whether any person has
18 in fact been misled, deceived or damaged thereby. In
19 construing this section consideration shall be given to the
20 interpretations of the Federal Trade Commission and the
21 federal courts relating to Section 5 (a) of the Federal Trade
22 Commission Act.

23 (b) Any term or condition in any agreement that

1 unnecessarily burdens a person's rights under this Act shall
2 be null and void.

3 (Source: P.A. 78-904.)