

1 AN ACT concerning civil law.

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

4 Section 1. Legislative intent. The laws and public policy  
5 of this State have established the fundamental rights of  
6 individuals to make autonomous decisions about their own  
7 reproductive health, including the fundamental right to use or  
8 refuse reproductive health care. It is also the public policy  
9 of the State to ensure that patients receive timely access to  
10 information and medically appropriate care and that consumers  
11 are protected from deceptive and unfair practices. Despite  
12 these laws, vulnerable State residents and nonresidents  
13 seeking health care in this State have repeatedly been misled  
14 by organizations and their agents purporting to provide  
15 comprehensive reproductive health care services, but which, in  
16 reality, aim to dissuade pregnant persons from considering  
17 abortion care through deceptive, fraudulent, and misleading  
18 information and practices, without any regard for a pregnant  
19 person's concerns or circumstances. These organizations pay  
20 for advertising, including online and on billboards and public  
21 transportation, that is intended to attract consumers to their  
22 organizations and away from medical providers that offer  
23 comprehensive reproductive care. The advertisements and  
24 information given by these organizations provide grossly

1 inaccurate or misleading information overstating the risks  
2 associated with abortion, including conveying untrue claims  
3 that abortion causes cancer or infertility and concealing data  
4 that shows the risk of death associated with childbirth is  
5 approximately 14 times higher than the risk of death  
6 associated with an abortion. This misinformation is intended  
7 to cause undue delays and disruption to protected,  
8 time-sensitive, reproductive health care services, and the  
9 State has an interest in preventing health risks and  
10 associated costs caused and compounded by unnecessary delays  
11 in obtaining life-changing or life-saving reproductive care.  
12 Even when an organization offers free services, all of this  
13 activity has a commercial and economic impact on where, when,  
14 and how reproductive care is provided. The conduct of these  
15 organizations has become increasingly aggressive following the  
16 United States Supreme Court decision in *Dobbs v. Jackson*  
17 *Women's Health Organization*, 142 S.Ct. 2228 (2022). The State  
18 has an interest to protect against deceptive, fraudulent, and  
19 misleading advertising and practices that interfere with an  
20 individual's ability to make autonomous, informed, and  
21 evidence-based decisions about the individual's reproductive  
22 health and have timely access to quality reproductive health  
23 care that adheres to accepted standards of medical practice or  
24 care. The State also has an interest to protect against  
25 deceptive and unfair practices affecting trade and commerce,  
26 to ensure a free, open, and fair marketplace for all

1 marketplace participants. At the same time, it is the public  
2 policy of the State to respect the right to hold and express  
3 deeply held beliefs about abortion so long as fraud,  
4 deception, and misleading practices are not employed to  
5 interfere with or prevent another from accessing comprehensive  
6 reproductive health care. It is not the intention of this Act  
7 to regulate, limit, or curtail the ability to counsel against  
8 abortion if an organization and its agents are otherwise  
9 operating in compliance with the law.

10 Section 5. The Consumer Fraud and Deceptive Business  
11 Practices Act is amended by adding Section 2BBBB as follows:

12 (815 ILCS 505/2BBBB new)

13 Sec. 2BBBB. Deceptive practices related to limited  
14 services pregnancy centers.

15 (a) As used in this Section:

16 "Abortion" means the use of any instrument, medicine,  
17 drug, or any other substance or device to terminate the  
18 pregnancy of an individual known to be pregnant with an  
19 intention other than to increase the probability of a live  
20 birth, to preserve the life or health of the child after live  
21 birth, or to remove a dead fetus, as defined in Section 1-10 of  
22 the Reproductive Health Act.

23 "Affiliates" has the meaning given to the term "hospital  
24 affiliate" as defined in subsection (b) of Section 10.8 of the

1 Hospital Licensing Act.

2 "Emergency contraception" means one or more prescription  
3 drugs (i) used separately or in combination for the purpose of  
4 preventing pregnancy, (ii) administered to or  
5 self-administered by a patient within a medically recommended  
6 amount of time after sexual intercourse, and (iii) dispensed  
7 for such purpose in accordance with professional standards of  
8 practice.

9 "Limited services pregnancy center" means an organization  
10 or facility, including a mobile facility, that:

11 (1) does not directly provide abortions or provide or  
12 prescribe emergency contraception, or provide referrals  
13 for abortions or emergency contraception, and has no  
14 affiliation with any organization or provider who provides  
15 abortions or provides or prescribes emergency  
16 contraception; and

17 (2) has a primary purpose to offer or provide  
18 pregnancy-related services to an individual who is or has  
19 reason to believe the individual may be pregnant, whether  
20 or not a fee is charged for such services.

21 "Limited services pregnancy center" does not include:

22 (1) a health care professional licensed by the  
23 Department of Financial and Professional Regulation;

24 (2) a hospital licensed under the Hospital Licensing  
25 Act and its affiliates; or

26 (3) a hospital licensed under the University of

1 Illinois Hospital Act and its affiliates.

2 "Limited services pregnancy center" includes an organization  
3 or facility that has employees, volunteers, or agents who are  
4 health care professionals licensed by the Department of  
5 Financial and Professional Regulation.

6 "Pregnancy-related services" means any medical service, or  
7 health counseling service, related to the prevention,  
8 preservation, or termination of pregnancy, including, but not  
9 limited to, contraception and contraceptive counseling,  
10 pregnancy testing, pregnancy diagnosis, pregnancy options  
11 counseling, limited obstetric ultrasound, obstetric  
12 ultrasound, obstetric sonogram, sexually transmitted  
13 infections testing, and prenatal care.

14 (b) A limited services pregnancy center shall not engage  
15 in unfair methods of competition or unfair or deceptive acts  
16 or practices, including the use or employment of any  
17 deception, fraud, false pretense, false promise, or  
18 misrepresentation, or the concealment, suppression, or  
19 omission of any material fact, with the intent that others  
20 rely upon the concealment, suppression, or omission of such  
21 material fact:

22 (1) to interfere with or prevent an individual from  
23 seeking to gain entry or access to a provider of abortion  
24 or emergency contraception;

25 (2) to induce an individual to enter or access the  
26 limited services pregnancy center;

1           (3) in advertising, soliciting, or otherwise offering  
2           pregnancy-related services; or

3           (4) in conducting, providing, or performing  
4           pregnancy-related services.

5           (c) A violation of this Section constitutes a violation of  
6           this Act.

7           Section 97. Severability. The provisions of this Act are  
8           severable under Section 1.31 of the Statute on Statutes.

9           Section 99. Effective date. This Act takes effect upon  
10          becoming law.