



Sen. Omar Aquino

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10300SB3331sam001

LRB103 38879 SPS 70010 a

1 AMENDMENT TO SENATE BILL 3331

2 AMENDMENT NO. _____. Amend Senate Bill 3331 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Consumer Fraud and Deceptive Business
5 Practices Act is amended by adding Section 2EEEE as follows:

6 (815 ILCS 505/2EEEE new)

7 Sec. 2EEEE. Hidden and misleading fees prohibited.

8 (a) As used in this Section:

9 "Ancillary good or service" means any additional
10 merchandise offered to a consumer as part of the same
11 transaction.

12 "Pricing information" means any information relating to an
13 amount a consumer may pay as part of a transaction.

14 "Shipping charges" means the fees or charges that
15 reasonably reflect the amount to be incurred to send goods to a
16 consumer through the mail, including private mail services.

1 "Total price" means the maximum total of all fees or
2 charges a consumer must pay for a good or service and any
3 mandatory ancillary good or service. "Total price" does not
4 include shipping charges or taxes.

5 (b) It is an unlawful practice within the meaning of this
6 Act for a person to:

7 (1) offer, display, or advertise an amount a consumer
8 may pay for merchandise without clearly and conspicuously
9 disclosing the total price;

10 (2) fail, in any offer, display, or advertisement that
11 contains an amount a consumer may pay, to display the
12 total price more prominently than any other pricing
13 information;

14 (3) misrepresent the nature and purpose of any amount
15 a consumer may pay, including the ability to refund the
16 fees and the identity of any merchandise for which fees
17 are charged; or

18 (4) fail to disclose clearly and conspicuously before
19 the consumer consents to pay, the nature and purpose of
20 any amount a consumer may pay that is excluded from the
21 total price, including the ability to refund the fees and
22 the identity of any merchandise for which fees are
23 charged."