

SB3485



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3485

Introduced 2/9/2024, by Sen. Steve Stadelman

SYNOPSIS AS INTRODUCED:

815 ILCS 505/2EEEE new

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a covered entity shall clearly and conspicuously display, in every advertisement and when a price is first shown to a consumer, the total price of the goods or services provided by the covered entity, including any mandatory fees a consumer would incur during the monetary transaction. Provides that a covered entity shall clearly and conspicuously disclose any guarantee or refund policy prior to the completion of any monetary transaction with a consumer. Provides that if a refund is given to a consumer, provide a refund in the amount of the total cost of the goods or services, including any mandatory fees. Provides that a violation of the provision is an unlawful practice within the meaning of the Act.

LRB103 38368 SPS 68503 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 adding Section 2EEEE as follows:

6 (815 ILCS 505/2EEEE new)

7 Sec. 2EEEE. Disclosure of mandatory fees.

8 (a) As used in this Section:

9 "Covered entity" means:

10 (1) a provider of a ticketing service that sells
11 tickets for an event or retains the authority to otherwise
12 distribute tickets for the event, whether as a primary
13 seller of tickets or in a secondary marketplace for ticket
14 sales;

15 (2) a provider of short-term lodging or an entity that
16 advertises rates for the purchase of short-term lodging;

17 (3) a provider of food delivery services;

18 (4) a provider of apartment rentals; and

19 (5) a provider of car rental services.

20 "Mandatory fee" means any fee or surcharge that a consumer
21 is required to pay in order to purchase the good or service
22 being advertised, including, but not limited to, service fees,
23 charge and order processing fees, delivery fees, and other

1 charges, but excluding taxes.

2 "Short-term lodging" means any lodging that is offered for
3 an occupancy of less than 6 months.

4 (b) A covered entity shall clearly and conspicuously
5 display, in every advertisement and when a price is first
6 shown to a consumer, the total price of the goods or services
7 provided by the covered entity, including any mandatory fees a
8 consumer would incur during the monetary transaction.

9 (c) A covered entity shall clearly and conspicuously
10 disclose any guarantee or refund policy prior to the
11 completion of any monetary transaction with a consumer. If a
12 refund is given to a consumer, provide a refund in the amount
13 of the total cost of the goods or services including any
14 mandatory fees.

15 (d) A violation of this Section is an unlawful practice
16 within the meaning of this Act.