

1 AN ACT regarding gift certificates.

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 2MM as follows:

6 (815 ILCS 505/2MM new)

7 Sec. 2MM. Gift certificates.

8 (a) This Section applies to gift certificates and gift
9 cards sold on or after July 1, 2004.

10 (b) It is an unlawful practice within the meaning of
11 this Act for a person to sell to a consumer a gift
12 certificate or a gift card containing an expiration date,
13 except as otherwise specified in subsection (d). Any gift
14 certificate or gift card sold on or after July 1, 2004 shall
15 be redeemable in cash for its cash value, or subject to
16 replacement with a new gift certificate or gift card at no
17 cost to the consumer or holder.

18 (c) A gift certificate or a gift card sold without an
19 expiration date is valid until redeemed.

20 (d) This Section shall not apply to any of the following
21 gift certificates or gift cards issued on or after July 1,
22 2004, provided the expiration date appears in capital letters
23 in at least 10-point font on the front of the gift
24 certificate or gift card:

25 (1) Gift certificates or gift cards that are
26 distributed by the issuer to a consumer pursuant to an
27 awards, loyalty, or promotional program without any money
28 or other thing of value being given in exchange for the
29 gift certificate or gift card by the consumer.

30 (2) Gift certificates or gift cards that are sold
31 below face value at a volume discount to employers or to

1 nonprofit and charitable organizations for fundraising
2 purposes if the expiration date on those gift
3 certificates or gift cards is not more than 30 days after
4 the date of sale.

5 (3) Gift certificates or gift cards that are issued
6 for a food product.