

1 AN ACT concerning consumer protection.

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 1 as follows:

6 (815 ILCS 505/1) (from Ch. 121 1/2, par. 261)

7 Sec. 1. Definitions.

8 (a) ~~The term~~ "Advertisement" includes the attempt by  
9 publication, dissemination, solicitation or circulation to  
10 induce directly or indirectly any person to enter into any  
11 obligation or acquire any title or interest in any  
12 merchandise and includes every work device to disguise any  
13 form of business solicitation by using such terms as  
14 "renewal", "invoice", "bill", "statement", or "reminder", to  
15 create an impression of existing obligation when there is  
16 none, or other language to mislead any person in relation to  
17 any sought after commercial transaction.†

18 (b) ~~The--term~~ "Merchandise" includes any objects, wares,  
19 goods, commodities, intangibles, real estate situated outside  
20 the State of Illinois, or services.†

21 (c) ~~The--term~~ "Person" includes any natural person or his  
22 legal representative, partnership, corporation (domestic and  
23 foreign), company, trust, business entity or association, and  
24 any agent, employee, salesman, partner, officer, director,  
25 member, stockholder, associate, trustee or cestui que trust  
26 thereof.†

27 (d) ~~The--term~~ "Sale" includes any sale, offer for sale,  
28 or attempt to sell any merchandise for cash or on credit.

29 (e) ~~The--term~~ "Consumer" means any person who purchases  
30 or contracts for the purchase of merchandise not for resale  
31 in the ordinary course of his trade or business but for his

1 use or that of a member of his household.

2 (f) ~~The---terms~~ "Trade" and "commerce" mean the  
3 advertising, offering for sale, sale, or distribution of any  
4 services and any property, tangible or intangible, real,  
5 personal or mixed, and any other article, commodity, or thing  
6 of value wherever situated, and shall include any trade or  
7 commerce directly or indirectly affecting the people of this  
8 State.

9 (g) ~~The-term~~ "Pyramid sales scheme" includes any plan or  
10 operation whereby a person in exchange for money or other  
11 thing of value acquires the opportunity to receive a benefit  
12 or thing of value, which is primarily based upon the  
13 inducement of additional persons, by himself or others,  
14 regardless of number, to participate in the same plan or  
15 operation and is not primarily contingent on the volume or  
16 quantity of goods, services, or other property sold or  
17 distributed or to be sold or distributed to persons for  
18 purposes of resale to consumers. For purposes of this  
19 subsection, "money or other thing of value" does ~~shall~~ not  
20 include payments made for sales demonstration equipment and  
21 materials furnished on a nonprofit basis for use in making  
22 sales and not for resale.

23 (Source: P.A. 83-808.)