

**93RD GENERAL ASSEMBLY****State of Illinois****2003 and 2004**

Introduced 2/6/2004, by Larry McKeon

**SYNOPSIS AS INTRODUCED:**

815 ILCS 505/200 new

Amends the Consumer Fraud and Deceptive Business Practices Act. Defines "call center" as "a physical or electronic operation that utilizes telecommunication services or electronic mail in one or more of the following activities: customer services; soliciting sales; reactivating dormant accounts; conducting surveys or research; collection of receivables; receiving reservations; receiving orders; or taking orders". Provides that a United States corporation, business entity, or other person or its subsidiary that utilizes a call center to receive telephone calls from individuals located in the State of Illinois shall require each call center that it utilizes to comply with the following requirements: an employee of the call center shall identify himself or herself by stating his or her name, the name of his or her employer, the location of the municipality, state, and country in which he or she is located, and, if applicable, the name and telephone number of a customer service representative of the entity utilizing the services of his or her employer; a telephone call to a call center located in a foreign country shall be rerouted to a call center located in the United States if such a request is made by the caller; an employee at a call center operating in a foreign country may not solicit any personal information, whether by telephone or by an electronic mail message, unless the employee first informs the caller that disclosing the information is optional and receives the affirmative consent of the caller to whom the information relates and, in the case of communication by telephone, an audio recording of the telephone call is made and retained; and an employee of a call center who responds to an electronic mail message from a person shall identify himself or herself by stating his or her name, the name of his or her employer, the location of the municipality, state, and country in which he or she is located, and, if applicable, the name and telephone number of a customer service representative of the entity utilizing the services of his or her employer. Provides that a violation is an unlawful practice within the meaning of the Act.

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1 AN ACT concerning business transactions.

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 200 as follows:

6 (815 ILCS 505/200 new)

7 Sec. 200. Call centers.

8 (a) As used in this Section, "call center" means a physical  
9 or electronic operation that utilizes telecommunication  
10 services or electronic mail in one or more of the following  
11 activities: customer services; soliciting sales; reactivating  
12 dormant accounts; conducting surveys or research; collection  
13 of receivables; receiving reservations; receiving orders; or  
14 taking orders.

15 (b) This Section applies to a United States corporation,  
16 business entity, or other person or its subsidiary that  
17 utilizes a call center to receive telephone calls from  
18 individuals located in the State of Illinois, regardless of  
19 whether the United States corporation, business entity, or  
20 other person owns the call center or contracts with another  
21 person or entity to operate the call center. A United States  
22 corporation, business entity, or other person or its subsidiary  
23 to which this Section applies shall require each call center  
24 that it utilizes to comply with the following requirements:

25 (1) Within the first 30 seconds of answering a  
26 telephone call made by an individual located in the State  
27 of Illinois to a call center, an employee at the call  
28 center shall identify himself or herself by stating his or  
29 her name; the name of his or her employer; the location of  
30 the municipality, state, and country in which he or she is  
31 located; and, if applicable, the name and telephone number  
32 of a customer service representative of the entity

1 utilizing the services of his or her employer.

2 (2) Any telephone call made by an individual located in  
3 the State of Illinois to a call center located in a foreign  
4 country shall be rerouted to a call center located in the  
5 United States if such a request is made by the caller.

6 (3) An employee at a call center operating in a foreign  
7 country may not solicit any personal information, whether  
8 by telephone or by an electronic mail message, from an  
9 individual located in the State of Illinois unless the  
10 employee first informs the caller that disclosing that  
11 information to the employee is optional, and receives the  
12 affirmative consent of the caller to whom the information  
13 relates. In the case of such communication by telephone, an  
14 audio recording of that telephone call shall be made and  
15 retained.

16 (4) An employee of a call center who responds to an  
17 electronic mail message from an individual located in the  
18 State of Illinois shall identify himself or herself by  
19 stating his or her name; the name of his or her employer;  
20 the location of the municipality, state, and country in  
21 which he or she is located; and, if applicable, the name  
22 and telephone number of a customer service representative  
23 of the entity utilizing the services of his or her  
24 employer.

25 (c) A United States corporation, business entity, or other  
26 person or its subsidiary that violates this Section commits an  
27 unlawful practice within the meaning of this Act.