



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

SB1144

Introduced 2/18/2005, by Sen. John J. Cullerton - Emil Jones, Jr.

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/17-5

from Ch. 38, par. 17-5

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning deceptive collection practices.

LRB094 04838 RLC 34867 b

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 1961 is amended by changing  
5 Section 17-5 as follows:

6 (720 ILCS 5/17-5) (from Ch. 38, par. 17-5)

7 Sec. 17-5. Deceptive collection practices.

8 A collection agency as defined in the ~~the~~ "Collection  
9 Agency Act" or any employee of such collection agency commits a  
10 deceptive collection practice when, with the intent to collect  
11 a debt owed to a person, corporation, or other entity, he:

12 (a) represents falsely that he is an attorney, a policeman,  
13 a sheriff or deputy sheriff, a bailiff, a county clerk or  
14 employee of a county clerk's office, or any other person who by  
15 statute is authorized to enforce the law or any order of a  
16 court; or

17 (b) while attempting to collect an alleged debt,  
18 misrepresents to the alleged debtor or to his immediate family  
19 the corporate, partnership or proprietary name or other trade  
20 or business name under which the debt collector is engaging in  
21 debt collections and which he is legally authorized to use; or

22 (c) while attempting to collect an alleged debt, adds to  
23 the debt any service charge, interest or penalty which he is  
24 not entitled by law to add; or

25 (d) threatens to ruin, destroy, or otherwise adversely  
26 affect an alleged debtor's credit rating unless, at the same  
27 time, a disclosure is made in accordance with federal law that  
28 the alleged debtor has a right to inspect his credit rating; or

29 (e) accepts from an alleged debtor a payment which he knows  
30 is not owed.

31 The commission of a deceptive collection practice is a  
32 Business Offense punishable by a fine not to exceed \$3,000.

1 (Source: P.A. 78-1248.)