



Financial Institutions Committee

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09500HB1437ham002

LRB095 08216 LCT 33883 a

1 AMENDMENT TO HOUSE BILL 1437

2 AMENDMENT NO. _____. Amend House Bill 1437 on page 1,
3 immediately below line 3, by inserting the following:

4 "Section 3. The Consumer Installment Loan Act is amended by
5 adding Section 15f as follows:

6 (205 ILCS 670/15f new)

7 Sec. 15f. Practices concerning members of the military.

8 (a) A licensee may not garnish the wages or salaries of a
9 borrower who is a member of the military or is the spouse of a
10 member of the military.

11 (b) In addition to any rights and obligations provided
12 under the federal Servicemembers Civil Relief Act, a licensee
13 shall suspend and defer collection activity against a borrower
14 who is a member of the military and who has been deployed to a
15 combat or combat support posting, or to the spouse of a
16 borrower who is a member of the military and who has been

1 deployed to a combat or combat support posting, for the
2 duration of the deployment.

3 (c) A licensee may not knowingly contact the military chain
4 of command of a borrower who is a member of the military in an
5 effort to collect on any loan.

6 (d) Licensees must honor the terms of any repayment plan
7 that they have entered into with any borrower who is a member
8 of the military, including a repayment agreement negotiated
9 through military counselors or third-party credit counselors.

10 (e) A licensee may not use any military design or insignia
11 on any advertising material or other material distributed to a
12 member of the military or the spouse of a member of the
13 military that suggests military approval or endorsement of any
14 product of that licensee.

15 (f) For purposes of this Section, "member of the military"
16 means a person serving in the armed forces of the United
17 States, the Illinois National Guard, or any reserve component
18 of the armed forces of the United States. "Member of the
19 military" includes those persons engaged in (i) active duty,
20 (ii) training or education under the supervision of the United
21 States preliminary to induction into military service, or (iii)
22 a period of active duty with the State of Illinois under Title
23 10 or Title 32 of the United States Code pursuant to order of
24 the President or the Governor of the State of Illinois."; and

25 on page 1, line 5, after "2-5", by inserting "2-50"; and

1 on page 6, immediately below line 4, by inserting the
2 following:

3 "(815 ILCS 122/2-50)

4 Sec. 2-50. Practices concerning members of the military.

5 (a) A lender may not garnish the wages or salaries of a
6 consumer who is a member of the military or is the spouse of a
7 member of the military.

8 (b) In addition to any rights and obligations provided
9 under the federal Servicemembers Civil Relief Act, a lender
10 shall suspend and defer collection activity against a consumer
11 who is a member of the military and who has been deployed to a
12 combat or combat support posting, or to the spouse of a
13 consumer who is a member of the military and who has been
14 deployed to a combat or combat support posting, for the
15 duration of the deployment.

16 (c) A lender may not knowingly contact the military chain
17 of command of a consumer who is a member of the military in an
18 effort to collect on a payday loan.

19 (d) Lenders must honor the terms of any repayment plan that
20 they have entered into with any consumer, including a repayment
21 agreement negotiated through military counselors or
22 third-party credit counselors.

23 (e) A lender may not use any military design or insignia on
24 any advertising material or other material distributed to a

1 member of the military or the spouse of a member of the
2 military that suggests military approval or endorsement of any
3 product of that lender.

4 (Source: P.A. 94-13, eff. 12-6-05.)".