



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0617

Introduced 2/6/2009, by Rep. Raymond Poe

SYNOPSIS AS INTRODUCED:

815 ILCS 505/2CCC

Amends a Section of the Consumer Fraud and Deceptive Business Practices Act regarding Internet gaming service providers. Changes "Internet gaming service provider" to "Internet game service provider" and makes various changes to the definition of the term. Provides that the Section applies only to agreements under which an Internet game service provider provides consumers access to its service or the games on its site, for home and personal use, on a paid subscription basis for a stated term that is automatically renewed for another term unless the consumer cancels the service (rather than to agreements under which an Internet gaming service provider provides service to consumers, for home and personal use, for a stated term that is automatically renewed for another term unless the consumer cancels the service). Provides that an Internet game service provider must give a consumer who is an Illinois resident instructions for canceling the paid subscription, and that these instructions should be posted on the Internet game service provider's web site (rather than providing that an Internet gaming service provider must give such a consumer a secure method at the provider's web site that the consumer may use to cancel the service, which method shall not require the consumer to make a telephone call or send U.S. Postal Service mail to effectuate the cancellation and instructions that the consumer may follow to cancel the service at the Internet gaming service provider's web site). Adds language providing that the Section does not require an Internet game service provider to adopt a particular method of cancellation. Effective January 1, 2010.

LRB096 04804 KTG 14868 b

1 AN ACT concerning business.

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 and renumbering Section
6 2AAA to 2CCC, as added by Public Act 95-765, as follows:

7 (815 ILCS 505/2CCC)

8 Sec. 2CCC ~~2AAA~~. Internet game ~~gaming~~ service provider;
9 cancellation.

10 (a) As used in this Section:

11 "Internet game ~~gaming~~ service provider" means a person
12 who provides a web site that includes information,
13 software, data, text, photographs, graphics, sound, or
14 video that may be accessed by a consumer on a paid
15 subscription basis ~~for a fee~~ for the purpose of enabling
16 the consumer to play ~~playing~~ a single player or multiplayer
17 game on ~~through~~ the Internet or that may be downloaded to
18 ~~for~~ the consumer's computer ~~consumer~~ to play offline for so
19 long as that person remains a paid subscriber ~~on his or her~~
20 ~~computer outside of the Internet~~. "Internet game ~~gaming~~
21 service provider" does not include online gambling or other
22 gaming where a consumer can enter to win money.

23 (b) This Section applies only to agreements under which an

1 Internet game ~~gaming~~ service provider provides consumers
2 access to its service or the games on its site ~~service to~~
3 ~~consumers~~, for home and personal use, on a paid subscription
4 basis for a stated term that is automatically renewed for
5 another term unless the consumer cancels the service.

6 (c) An Internet game ~~gaming~~ service provider must give a
7 consumer who is an Illinois resident instructions for canceling
8 ~~the following: (1) a secure method at the Internet gaming~~
9 ~~service provider's web site that the consumer may use to cancel~~
10 the paid subscription. These instructions should be posted on
11 ~~service, which method shall not require the consumer to make a~~
12 ~~telephone call or send U.S. Postal Service mail to effectuate~~
13 ~~the cancellation; and (2) instructions that the consumer may~~
14 ~~follow to cancel the service at the Internet game ~~gaming~~~~
15 ~~service provider's web site. Nothing in this Section requires~~
16 the Internet game service provider to adopt a particular method
17 of cancellation.

18 (d) This Section does not apply to any entity that merely
19 provides the host platform on the web site to the Internet game
20 ~~gaming~~ service provider.

21 (e) A person who violates this Section commits an unlawful
22 practice within the meaning of this Act.

23 (Source: P.A. 95-765, eff. 1-1-09; revised 9-25-08.)

24 Section 99. Effective date. This Act takes effect January
25 1, 2010.