

SB2540



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2540

Introduced 1/12/2010, by Sen. A. J. Wilhelmi

SYNOPSIS AS INTRODUCED:

815 ILCS 513/30

Amends the Home Repair and Remodeling Act. Provides that any person who suffers actual damage as a result of a violation of the Act may bring an action pursuant to the Consumer Fraud and Deceptive Business Practices Act. Eliminates language making it unlawful for any person engaged in the business of home repairs and remodeling to remodel or make repairs or charge for remodeling or repair work before obtaining a signed contract or work order over \$1,000 and before notifying and securing the consumer's signed acceptance or rejection of the binding arbitration clause and the jury trial waiver clause as required under the Act. Effective immediately.

LRB096 14824 DRJ 32361 b

A BILL FOR

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 Home Repair and Remodeling Act is amended by
5 changing Section 30 as follows:

6 (815 ILCS 513/30)

7 Sec. 30. Action for actual damages ~~Unlawful acts.~~ Any
8 person who suffers actual damage as a result of a violation of
9 this Act may bring an action pursuant to Section 10a of the
10 Consumer Fraud and Deceptive Business Practices Act ~~It is~~
11 ~~unlawful for any person engaged in the business of home repairs~~
12 ~~and remodeling to remodel or make repairs or charge for~~
13 ~~remodeling or repair work before obtaining a signed contract or~~
14 ~~work order over \$1,000 and before notifying and securing the~~
15 ~~signed acceptance or rejection, by the consumer, of the binding~~
16 ~~arbitration clause and the jury trial waiver clause as required~~
17 ~~in Section 15 and Section 15.1 of this Act. This conduct is~~
18 ~~unlawful but is not exclusive nor meant to limit other kinds of~~
19 ~~methods, acts, or practices that may be unfair or deceptive.~~

20 (Source: P.A. 94-490, eff. 1-1-06.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.