

1 AN ACT concerning regulation.

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

4 Section 5. The Currency Exchange Act is amended by changing
5 Sections 3.3 and 4 as follows:

6 (205 ILCS 405/3.3) (from Ch. 17, par. 4807)

7 Sec. 3.3. Additional public services.

8 (a) Nothing in this Act shall prevent the Secretary from
9 authorizing a currency exchange, group of currency exchanges,
10 or association of currency exchanges to render additional
11 services to the public if the services are consistent with the
12 provisions of this Act, are within its meaning, are in the best
13 interest of the public, and benefit the general welfare. A
14 currency exchange, group of currency exchanges, or association
15 of currency exchanges must request, in writing, the Secretary's
16 approval of the additional service prior to rendering such
17 additional service to the public. Any approval under this
18 Section shall be deemed an approval for all currency exchanges.
19 Any currency exchange wishing to provide an additional service
20 previously ~~as~~ approved by the Secretary must provide written
21 notice, on a form provided by the Department and available on
22 its website, to the Secretary 30 days prior to offering the
23 approved additional service to the public. The Secretary may

1 charge an additional service investigation fee of \$500 per
2 application for a new additional service request. The
3 additional service request shall be on a form provided by the
4 Department and available on the Department's website. Within 15
5 days after receipt by the Department of an additional service
6 request, the Secretary shall examine the additional service
7 request for completeness and notify the requester of any
8 defect. The requester must remedy the defect within 10 days
9 after the mailing of the notification of the defect by the
10 Secretary. Failure to remedy the defect within such time will
11 void the additional service request. If the Secretary
12 determines that the additional service request is complete, the
13 Secretary shall have 60 business days to approve or deny the
14 additional service request. If the additional service request
15 is denied, the Secretary shall send by United States mail
16 notice of the denial to the requester at the address set forth
17 in the additional service request. If an additional service
18 request is denied, the requester may, within 10 days after
19 receipt of the denial, make a written request to the Secretary
20 for a hearing on the additional service request denial. The
21 hearing shall be set for a date after the receipt by the
22 Secretary of the request for a hearing, and written notice of
23 the time and place of the hearing shall be mailed to the
24 requester no later than 15 days before the date of the hearing.
25 The hearing shall be scheduled for a date within 56 days after
26 the date of the receipt of the request for a hearing. The

1 requester shall pay the actual cost of making the transcript of
2 the hearing prior to the Secretary's issuing his or her
3 decision following the hearing. If the Secretary denies the
4 request for a new additional service, a currency exchange shall
5 not offer the new additional service until a final
6 administrative order has been entered permitting a currency
7 exchange to offer the service. The Secretary's decision may be
8 subject to review as provided in Section 22.01 of this Act. If
9 the Secretary revokes a previously approved authorization for
10 an additional service request, the Secretary shall provide
11 written notice to all affected currency exchange licensees.
12 Upon receipt of the revocation notice, a currency exchange
13 licensee, group of currency exchange licensees, or association
14 of currency exchanges shall have 10 days to make a written
15 request to the Secretary for a hearing, and the Department
16 shall have 30 business days to schedule a future hearing.
17 Written notice of the time and place of the hearing shall be
18 mailed to the licensee no later than 10 business days before
19 the date of the hearing. The licensee shall pay the actual cost
20 of making the transcript prior to the Secretary's issuing his
21 or her decision following the hearing. The Secretary's decision
22 is subject to review as provided in Section 22.01 of this Act.
23 ~~The Secretary may, at his or her discretion, revoke any~~
24 ~~authorization under this Section on 60 days written notice to~~
25 ~~the currency exchange.~~

26 (b) (Blank).

1 (c) If the Secretary revokes authorization for a previously
2 approved additional service, the currency exchange may
3 continue to offer the additional service until a final
4 administrative order has been entered revoking the licensee's
5 previously approved authorization.

6 (Source: P.A. 97-315, eff. 1-1-12.)

7 (205 ILCS 405/4) (from Ch. 17, par. 4808)

8 Sec. 4. License application; contents; fees. Application
9 for such license shall be in writing under oath and in the form
10 prescribed and furnished by the Secretary. Each application
11 shall contain the following:

12 (a) The full name and address (both of residence and
13 place of business) of the applicant, and if the applicant
14 is a partnership, limited liability company, or
15 association, of every member thereof, and the name and
16 business address if the applicant is a corporation;

17 (b) The county and municipality, with street and
18 number, if any, where the community currency exchange is to
19 be conducted, if the application is for a community
20 currency exchange license;

21 (c) If the application is for an ambulatory currency
22 exchange license, the name and address of the employer at
23 each location to be served by it; and

24 (d) The applicant's occupation or profession; a
25 detailed statement of the applicant's ~~his~~ business

1 experience for the 10 years immediately preceding the ~~his~~
2 application; a detailed statement of the applicant's ~~his~~
3 finances; the applicant's ~~his~~ present or previous
4 connection with any other currency exchange; whether the
5 applicant ~~he~~ has ever been involved in any civil or
6 criminal litigation, and the material facts pertaining
7 thereto; whether the applicant ~~he~~ has ever been committed
8 to any penal institution or admitted to an institution for
9 the care and treatment of mentally ill persons; and the
10 nature of applicant's occupancy of the premises to be
11 licensed where the application is for a community currency
12 exchange license. If the applicant is a partnership, the
13 information specified herein shall be required of each
14 partner. If the applicant is a corporation, the said
15 information shall be required of each officer, director and
16 stockholder thereof along with disclosure of their
17 ownership interests. If the applicant is a limited
18 liability company, the information required by this
19 Section shall be provided with respect to each member and
20 manager along with disclosure of their ownership
21 interests.

22 A community currency exchange license application shall be
23 accompanied by a fee of \$500, prior to January 1, 2012. After
24 January 1, 2012 the fee shall be \$750. After January 1, 2014
25 the fee shall be \$1,000~~0~~ for the cost of investigating the
26 applicant. If the ownership of a licensee changes, in whole or

1 in part, a new application must be filed pursuant to this
2 Section along with a \$500 fee if the licensee's ownership
3 interests have been transferred or sold to a new person or
4 entity or a fee of \$300 if the licensee's ownership interests
5 have been transferred or sold to a current holder or holders of
6 the licensee's ownership interests. When the application for a
7 community currency exchange license has been approved by the
8 Secretary and the applicant so advised, an additional sum of
9 \$400 as an annual license fee for a period terminating on the
10 last day of the current calendar year shall be paid to the
11 Secretary by the applicant; provided, that the license fee for
12 an applicant applying for such a license after July 1st of any
13 year shall be \$200 for the balance of such year. Upon receipt
14 of a community currency exchange license application, the
15 Secretary shall examine the application for completeness and
16 notify the applicant in writing of any defect within 20 days
17 after receipt. The applicant must remedy the defect within 10
18 days after the mailing of the notification of the defect by the
19 Secretary. Failure to timely remedy the defect will void the
20 application. Once the Secretary determines that the
21 application is complete, the Secretary shall have 90 business
22 days to approve or deny the application. If the application is
23 denied, the Secretary shall send by United States mail notice
24 of the denial to the applicant at the address set forth in the
25 application. If an application is denied, the applicant may,
26 within 10 days after the date of the notice of denial, make a

1 written request to the Secretary for a hearing on the
2 application. The hearing shall be set for a date after the
3 receipt by the Secretary of the request for a hearing, and
4 written notice of the time and place of the hearing shall be
5 mailed to the applicant no later than 15 days before the date
6 of the hearing. The hearing shall be scheduled for a date
7 within 56 days after the date of the receipt of the request for
8 a hearing. The applicant shall pay the actual cost of making
9 the transcript of the hearing prior to the Secretary's issuing
10 his or her decision. The Secretary's decision is subject to
11 review as provided in Section 22.01 of this Act.

12 An application for an ambulatory currency exchange license
13 shall be accompanied by a fee of \$100, which fee shall be for
14 the cost of investigating the applicant. An approved applicant
15 shall not be required to pay the initial investigation fee of
16 \$100 more than once. When the application for an ambulatory
17 currency exchange license has been approved by the Secretary,
18 and such applicant so advised, such applicant shall pay an
19 annual license fee of \$25 for each and every location to be
20 served by such applicant; provided that such license fee for an
21 approved applicant applying for such a license after July 1st
22 of any year shall be \$12 for the balance of such year for each
23 and every location to be served by such applicant. Such an
24 approved applicant for an ambulatory currency exchange
25 license, when applying for a license with respect to a
26 particular location, shall file with the Secretary, at the time

1 of filing an application, a letter of memorandum, which shall
2 be in writing and under oath, signed by the owner or authorized
3 representative of the business whose employees are to be
4 served; such letter or memorandum shall contain a statement
5 that such service is desired, and that the person signing the
6 same is authorized so to do. The Secretary shall thereupon
7 verify the authenticity of the letter or memorandum and the
8 authority of the person who executed it, to do so.

9 The Department shall have 45 business days to approve or
10 deny a currency exchange licensee's request to purchase another
11 currency exchange.

12 (Source: P.A. 97-315, eff. 1-1-12.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.