



Rep. Angelo Saviano

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09700HB5033ham001

LRB097 18780 PJG 66667 a

1 AMENDMENT TO HOUSE BILL 5033

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5033 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Currency Exchange Act is amended by  
5 changing 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

1 additional service to the public. Any approval under this  
2 Section shall be deemed an approval for all currency exchanges.  
3 Any currency exchange wishing to provide an additional service  
4 as approved by the Secretary must provide notice to the  
5 Secretary 30 days prior to offering the approved additional  
6 service to the public. The Secretary may charge an additional  
7 service investigation fee of \$500 per application. Upon receipt  
8 of an application, the Secretary shall examine the application  
9 for completeness and notify the applicant of any deficiency  
10 within 10 days after receipt. The Secretary shall approve or  
11 deny every application within 45 days after the filing of a  
12 complete application. If the application is denied, the  
13 Secretary shall send by United States mail notice of the denial  
14 to the applicant at the address set forth in the application.  
15 If an application is denied, the applicant may, within 10 days  
16 after the date of the notice of denial, make a written request  
17 to the Secretary for a hearing on the application, and the  
18 Secretary shall set a time and place for the hearing. The  
19 hearing shall be set for a date after the receipt by the  
20 Secretary of the request for hearing, and written notice of the  
21 time and place of the hearing shall be mailed to the applicant  
22 no later than 15 days before the date of the hearing. The  
23 applicant shall pay the actual cost of making the transcript of  
24 the hearing prior to the Secretary's issuing his or her  
25 decision following the hearing. If, following the hearing, the  
26 application is denied, the Secretary shall, within 20 days

1 thereafter, prepare and keep on file in his or her office a  
2 written order of the denial, which shall contain his or her  
3 findings and the reasons supporting the denial, and shall send  
4 by United States mail a copy of the written order of denial to  
5 the applicant at the address set forth in the application,  
6 within 5 days after the filing of the order. The Secretary's  
7 decision may be subject to review as provided in Section 22.01  
8 of this Act. The Secretary may, ~~at his or her discretion,~~ after  
9 a public hearing held at least 30 days after the giving of  
10 written notice to the affected currency exchange, revoke any  
11 authorization under this Section after giving ~~on~~ 60 days' days  
12 written notice to the affected currency exchange. If a  
13 previously granted application is revoked after a public  
14 hearing, the Secretary shall, within 20 days thereafter,  
15 prepare and keep on file in his or her office a written order  
16 of revocation, which shall contain his or her findings and the  
17 reasons supporting the revocation, and shall send by United  
18 States mail a copy of the written order of revocation to the  
19 applicant at the address set forth in the application, within 5  
20 days after the filing of the order. The Secretary's decision  
21 may be subject to review as provided in Section 22.01 of this  
22 Act.

23 (b) (Blank).

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

25 (205 ILCS 405/4) (from Ch. 17, par. 4808)

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

5           (a) The full name and address (both of residence and  
6 place of business) of the applicant, and if the applicant  
7 is a partnership, limited liability company, or  
8 association, of every member thereof, and the name and  
9 business address if the applicant is a corporation;

10           (b) The county and municipality, with street and  
11 number, if any, where the community currency exchange is to  
12 be conducted, if the application is for a community  
13 currency exchange license;

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

17           (d) The applicant's occupation or profession; a  
18 detailed statement of his business experience for the 10  
19 years immediately preceding his application; a detailed  
20 statement of his finances; his present or previous  
21 connection with any other currency exchange; whether he has  
22 ever been involved in any civil or criminal litigation, and  
23 the material facts pertaining thereto; whether he has ever  
24 been committed to any penal institution or admitted to an  
25 institution for the care and treatment of mentally ill  
26 persons; and the nature of applicant's occupancy of the

1 premises to be licensed where the application is for a  
2 community currency exchange license. If the applicant is a  
3 partnership, the information specified herein shall be  
4 required of each partner. If the applicant is a  
5 corporation, the said information shall be required of each  
6 officer, director and stockholder thereof along with  
7 disclosure of their ownership interests. If the applicant  
8 is a limited liability company, the information required by  
9 this Section shall be provided with respect to each member  
10 and manager along with disclosure of their ownership  
11 interests.

12 A community currency exchange license application shall be  
13 accompanied by a fee of \$500, prior to January 1, 2012. After  
14 January 1, 2012 the fee shall be \$750. After January 1, 2014  
15 the fee shall be \$1,000. for the cost of investigating the  
16 applicant. If the ownership of a licensee changes, in whole or  
17 in part, a new application must be filed pursuant to this  
18 Section along with a \$500 fee if the licensee's ownership  
19 interests have been transferred or sold to a new person or  
20 entity or a fee of \$300 if the licensee's ownership interests  
21 have been transferred or sold to a current holder or holders of  
22 the licensee's ownership interests. When the application for a  
23 community currency exchange license has been approved by the  
24 Secretary and the applicant so advised, an additional sum of  
25 \$400 as an annual license fee for a period terminating on the  
26 last day of the current calendar year shall be paid to the

1 Secretary by the applicant; provided, that the license fee for  
2 an applicant applying for such a license after July 1st of any  
3 year shall be \$200 for the balance of such year. Upon receipt  
4 of a community currency exchange license application, the  
5 Secretary shall examine the application for completeness and  
6 notify the applicant of any deficiency within 10 days after  
7 receipt. The Secretary shall approve or deny every application  
8 within 45 days after the filing of a complete application. If  
9 the application is denied, the Secretary shall send by United  
10 States mail notice of the denial to the applicant at the  
11 address set forth in the application. If an application is  
12 denied, the applicant may, within 10 days after the date of the  
13 notice of denial, make a written request to the Secretary for a  
14 hearing on the application, and the Secretary shall set a time  
15 and place for the hearing. The hearing shall be set for a date  
16 after the receipt by the Secretary of the request for hearing,  
17 and written notice of the time and place of the hearing shall  
18 be mailed to the applicant no later than 15 days before the  
19 date of the hearing. The applicant shall pay the actual cost of  
20 making the transcript of the hearing prior to the Secretary's  
21 issuing his or her decision following the hearing. If,  
22 following the hearing, the application is denied, the Secretary  
23 shall, within 20 days thereafter, prepare and keep on file in  
24 his or her office a written order of the denial, which shall  
25 contain his or her findings and the reasons supporting the  
26 denial, and shall send by United States mail a copy of the

1 written order of denial to the applicant at the address set  
2 forth in the application, within 5 days after the filing of the  
3 order. The Secretary's decision may be subject to review as  
4 provided in Section 22.01 of this Act.

5 An application for an ambulatory currency exchange license  
6 shall be accompanied by a fee of \$100, which fee shall be for  
7 the cost of investigating the applicant. An approved applicant  
8 shall not be required to pay the initial investigation fee of  
9 \$100 more than once. When the application for an ambulatory  
10 currency exchange license has been approved by the Secretary,  
11 and such applicant so advised, such applicant shall pay an  
12 annual license fee of \$25 for each and every location to be  
13 served by such applicant; provided that such license fee for an  
14 approved applicant applying for such a license after July 1st  
15 of any year shall be \$12 for the balance of such year for each  
16 and every location to be served by such applicant. Such an  
17 approved applicant for an ambulatory currency exchange  
18 license, when applying for a license with respect to a  
19 particular location, shall file with the Secretary, at the time  
20 of filing an application, a letter of memorandum, which shall  
21 be in writing and under oath, signed by the owner or authorized  
22 representative of the business whose employees are to be  
23 served; such letter or memorandum shall contain a statement  
24 that such service is desired, and that the person signing the  
25 same is authorized so to do. The Secretary shall thereupon  
26 verify the authenticity of the letter or memorandum and the

1 authority of the person who executed it, to do so.

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

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.".