



Rep. Elaine Nekritz

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09800SB1009ham001

LRB098 05273 RLC 60173 a

1 AMENDMENT TO SENATE BILL 1009

2 AMENDMENT NO. _____. Amend Senate Bill 1009 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 2012 is amended by
5 changing Section 17-5 as follows:

6 (720 ILCS 5/17-5) (from Ch. 38, par. 17-5)

7 Sec. 17-5. Deceptive collection practices. A collection
8 agency as defined in the ~~the~~ Collection Agency Act or any
9 employee of such collection agency commits a deceptive
10 collection practice when, with the intent to collect a debt
11 owed to an individual or a corporation or other entity, he,
12 she, or it does any of the following:

13 (a) Represents falsely that he or she is an attorney, a
14 policeman, a sheriff or deputy sheriff, a bailiff, a county
15 clerk or employee of a county clerk's office, or any other
16 person who by statute is authorized to enforce the law or any

1 order of a court.

2 (b) While attempting to collect an alleged debt,
3 misrepresents to the alleged debtor or to his or her immediate
4 family the corporate, partnership or proprietary name or other
5 trade or business name under which the debt collector is
6 engaging in debt collections and which he, she, or it is
7 legally authorized to use.

8 (c) While attempting to collect an alleged debt, adds to
9 the debt any service charge, interest or penalty which he, she,
10 or it is not entitled by law to add.

11 (d) Threatens to ruin, destroy, or otherwise adversely
12 affect an alleged debtor's credit rating unless, at the same
13 time, a disclosure is made in accordance with federal law that
14 the alleged debtor has a right to inspect his or her credit
15 rating.

16 (e) Accepts from an alleged debtor a payment which he, she,
17 or it knows is not owed.

18 Sentence. The commission of a deceptive collection
19 practice is a Business Offense punishable by a fine not to
20 exceed \$3,000.

21 (Source: P.A. 96-1551, eff. 7-1-11.)".