



Rep. Jaime M. Andrade, Jr.

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09900HB3363ham001

LRB099 09473 JLS 32493 a

1 AMENDMENT TO HOUSE BILL 3363

2 AMENDMENT NO. _____. Amend House Bill 3363 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Consumer Fraud and Deceptive Business
5 Practices Act is amended by adding Section 2TTT as follows:

6 (815 ILCS 505/2TTT new)

7 Sec. 2TTT. Consumer experience statements.

8 (a) It is an unlawful practice to include in a contract or
9 proposed contract for the sale or lease of consumer goods or
10 services any provision requiring the consumer to waive his or
11 her right to make any statement regarding the consumer's
12 experience with the business.

13 (b) A provision that violates this Section is
14 unconscionable and against public policy.

15 (c) A person who violates this Section is subject to a
16 civil penalty not to exceed \$2,500 for the first violation and

1 \$5,000 for each subsequent violation. Money collected under
2 this Section shall be deposited into the Attorney General Court
3 Ordered and Voluntary Compliance Payment Projects Fund.

4 (d) The penalty provided under this Section is not an
5 exclusive remedy and does not affect any other relief or remedy
6 provided by law.

7 (e) Nothing in subsection (a) shall be construed to affect
8 (1) any duty of confidentiality imposed by law or (2) any civil
9 action for defamation, libel, slander, or a similar cause of
10 action."