

1 AN ACT in relation to check cashing services.

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

4 Section 5. The Check Cashing Act is amended by changing
5 Section 1 and adding Section 3 as follows:

6 (815 ILCS 315/1) (from Ch. 121 1/2, par. 1901)

7 Sec. 1. Definitions. As used in this Act:

8 "Merchant" means a person, firm, association, partnership
9 or corporation primarily engaged in the business of selling
10 tangible personal property at retail.

11 "Casino-based electronic check acceptance service" means
12 any check-guarantee, check-acceptance, check-co-signing, or
13 check-risk-management service that is performed by a firm
14 that is engaged in the financial service industry or in any
15 branch of the financial service industry, provided that the
16 service is performed as part of a transaction involving a
17 check that takes place on a riverboat licensed under the
18 Riverboat Gambling Act or on the dock of such a riverboat.

19 (Source: P.A. 85-997.)

20 (815 ILCS 315/3 new)

21 Sec. 2. Casino-based electronic check acceptance
22 services.

23 Notwithstanding any provision of this Act to the
24 contrary, if a casino-based electronic check acceptance
25 service has taken part in a casino-based transaction
26 involving a check that is dishonored, the casino-based
27 electronic check acceptance service may recover from the
28 person who wrote the check an amount equal to the amount of
29 actual damages plus a fee equal to (1) 20% of the face value
30 of the check, compounded annually or (2) \$5, whichever is

1 greater. Notwithstanding any law to the contrary, a
2 casino-based electronic check acceptance service may not
3 recover treble damages from a person who writes a check for
4 use in a casino-based transaction that is dishonored.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.