

AN ACT concerning regulation.

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

Section 5. The Collection Agency Act is amended by changing Sections 4.5 and 8a as follows:

(225 ILCS 425/4.5)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4.5. Unlicensed practice; violation; civil penalty.

(a) Any person who practices, offers to practice, attempts to practice, or holds oneself out to practice as a collection agency without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$10,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

(b) The Department has the authority and power to investigate any and all unlicensed activity. In addition to taking any other action provided under this Act, whenever the Department has reason to believe a person has violated any provision of subsection (a) of this Section, the Department

may issue a rule to show cause why an order to cease and desist should not be entered against that person. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued immediately.

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(d) All moneys collected under this Section shall be deposited into the Financial Institution ~~General Professions~~ ~~Dedicated~~ Fund.

(Source: P.A. 99-227, eff. 8-3-15.)

(225 ILCS 425/8a) (from Ch. 111, par. 2011a)

(Section scheduled to be repealed on January 1, 2026)

Sec. 8a. Fees.

(a) The fees for the administration and enforcement of this Act, including but not limited to original licensure, renewal, and restoration, shall be set by the Department by rule. All fees are nonrefundable.

(b) All fees collected under this Act by the Department shall be deposited into the Financial Institution ~~General~~

~~Professions Dedicated~~ Fund and shall be appropriated to the Department for the ordinary and contingent expenses of the Department in the administration of this Act. After the effective date of this amendatory Act of the 102nd General Assembly, the Department may transfer any fees collected under this Act from the General Professions Dedicated Fund to the Financial Institution Fund.

(c) The administration fee charged by the multi-state licensing system shall be paid directly to the multi-state licensing system.

(Source: P.A. 99-227, eff. 8-3-15; 100-132, eff. 8-18-17.)

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