

1 AN ACT in relation to business transactions.

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

4 Section 5. The Telephone Solicitations Act is amended by
5 changing Section 25 as follows:

6 (815 ILCS 413/25)

7 Sec. 25. Violations.

8 (a) It is a violation of this Act to make or cause to be
9 made telephone calls to any emergency telephone number as
10 defined in Section 5 of this Act. It is a violation of this
11 Act to make or cause to be made telephone calls in a manner
12 that does not comply with Section 15.

13 (b) It is a violation of this Act to continue with a
14 solicitation placed by a live operator without the consent of
15 the called party.

16 (c) It is an unlawful act or practice and a violation of
17 this Act for any person engaged in telephone solicitation to
18 obtain or submit for payment a check, draft, or other form of
19 negotiable paper drawn on a person's checking, savings, or
20 other account or on a bond without the person's express
21 written consent.

22 (d) Enforcement by customer. Any customer injured by a
23 violation of this Act may bring an action for the recovery of
24 damages. Judgment may be entered for 3 times the amount at
25 which the actual damages are assessed, plus costs and
26 reasonable attorney fees.

27 (e) Enforcement by Attorney General. Violation of any of
28 the provisions of this Act is an unlawful practice under
29 Section 2Z of the Consumer Fraud and Deceptive Business
30 Practices Act. All remedies, penalties, and authority granted
31 to the Attorney General by that Act shall be available to him

1 or her for the enforcement of this Act. In any action brought
2 by the Attorney General to enforce this Act, the court may
3 order that persons who incurred actual damages be awarded the
4 amount at which actual damages are assessed.

5 (Source: P.A. 91-182, eff. 1-1-00; 91-761, eff. 1-1-01.)