

1 AMENDMENT TO HOUSE BILL 916

2 AMENDMENT NO. _____. Amend House Bill 916 as follows:

3 on page 1, by replacing lines 1 and 2 with the following:

4 "AN ACT in relation to business transactions."; and

5 by replacing lines 5 through 31 with the following:

6 "Section 5. The Telephone Solicitations Act is amended
7 by changing Section 25 as follows:

8 (815 ILCS 413/25)

9 Sec. 25. Violations.

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

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

18 (c) It is an unlawful act or practice and a violation of
19 this Act for any person engaged in telephone solicitation to
20 obtain or submit for payment a check, draft, or other form of
21 negotiable paper drawn on a person's checking, savings, or

1 other account or on a bond without the person's express
2 written consent.

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

8 (e) Enforcement by Attorney General. Violation of any of
9 the provisions of this Act is an unlawful practice under
10 Section 2Z of the Consumer Fraud and Deceptive Business
11 Practices Act. All remedies, penalties, and authority granted
12 to the Attorney General by that Act shall be available to him
13 or her for the enforcement of this Act. In any action brought
14 by the Attorney General to enforce this Act, the court may
15 order that persons who incurred actual damages be awarded the
16 amount at which actual damages are assessed.

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

18 and

19 by deleting page 2.