

1 AN ACT concerning telephone solicitations.

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. It is a violation of  
13 this Act to make or cause to be made a telephone solicitation  
14 call to any cellular phone.

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  
22 other account or on a bond without the person's express  
23 written consent.

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

29 (e) Enforcement by Attorney General. Violation of any of  
30 the provisions of this Act is an unlawful practice under  
31 Section 2Z of the Consumer Fraud and Deceptive Business

1 Practices Act. All remedies, penalties, and authority granted  
2 to the Attorney General by that Act shall be available to him  
3 for the enforcement of this Act. In any action brought by the  
4 Attorney General to enforce this Act, the court may order  
5 that persons who incurred actual damages be awarded the  
6 amount at which actual damages are assessed.

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

8 Section 99. Effective date. This Act takes effect on  
9 January 1, 2003.