

HB3913



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3913

Introduced 10/17/2019, by Rep. Allen Skillicorn

SYNOPSIS AS INTRODUCED:

815 ILCS 375/11.1

from Ch. 121 1/2, par. 571.1

Amends the Motor Vehicle Retail Installment Sales Act. Provides that the maximum amount of the documentary fee for processing documents and performing services related to closing of a sale is restored to \$150 (currently, the fee was increased to \$300 on January 1, 2020). Effective immediately.

LRB101 12945 HLH 61781 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning business.

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

4 Section 5. The Motor Vehicle Retail Installment Sales Act
5 is amended by changing Section 11.1 as follows:

6 (815 ILCS 375/11.1) (from Ch. 121 1/2, par. 571.1)

7 Sec. 11.1. (a) A seller in a retail installment contract
8 may add a "documentary fee" for processing documents and
9 performing services related to closing of a sale. The maximum
10 amount that may be charged by a seller for a documentary fee is
11 the base documentary fee beginning January 1, 2008 ~~until~~
12 ~~January 1, 2020,~~ of \$150, which shall be subject to an annual
13 rate adjustment equal to the percentage of change in the Bureau
14 of Labor Statistics Consumer Price Index. Every retail
15 installment contract under this Act shall contain or be
16 accompanied by a notice containing the following information:

17 "DOCUMENTARY FEE. A DOCUMENTARY FEE IS NOT AN OFFICIAL FEE.
18 A DOCUMENTARY FEE IS NOT REQUIRED BY LAW, BUT MAY BE CHARGED TO
19 BUYERS FOR HANDLING DOCUMENTS AND PERFORMING SERVICES RELATED
20 TO CLOSING OF A SALE. THE BASE DOCUMENTARY FEE BEGINNING
21 JANUARY 1, 2008, WAS \$150. THE MAXIMUM AMOUNT THAT MAY BE
22 CHARGED FOR A DOCUMENTARY FEE IS THE BASE DOCUMENTARY FEE OF
23 \$150, WHICH SHALL BE SUBJECT TO AN ANNUAL RATE ADJUSTMENT EQUAL

1 TO THE PERCENTAGE OF CHANGE IN THE BUREAU OF LABOR STATISTICS
2 CONSUMER PRICE INDEX. THIS NOTICE IS REQUIRED BY LAW."

3 (b) (Blank). ~~A seller in a retail installment contract may~~
4 ~~add a "documentary fee" for processing documents and performing~~
5 ~~services related to closing of a sale. The maximum amount that~~
6 ~~may be charged by a seller for a documentary fee is the base~~
7 ~~documentary fee beginning January 1, 2020, of \$300, which shall~~
8 ~~be subject to an annual rate adjustment equal to the percentage~~
9 ~~of change in the Bureau of Labor Statistics Consumer Price~~
10 ~~Index. Every retail installment contract under this Act shall~~
11 ~~contain or be accompanied by a notice containing the following~~
12 ~~information:~~

13 ~~"DOCUMENTARY FEE. A DOCUMENTARY FEE IS NOT AN OFFICIAL FEE.~~
14 ~~A DOCUMENTARY FEE IS NOT REQUIRED BY LAW, BUT MAY BE CHARGED TO~~
15 ~~BUYERS FOR HANDLING DOCUMENTS AND PERFORMING SERVICES RELATED~~
16 ~~TO CLOSING OF A SALE. THE BASE DOCUMENTARY FEE BEGINNING~~
17 ~~JANUARY 1, 2020, WAS \$300. THE MAXIMUM AMOUNT THAT MAY BE~~
18 ~~CHARGED FOR A DOCUMENTARY FEE IS THE BASE DOCUMENTARY FEE OF~~
19 ~~\$300, WHICH SHALL BE SUBJECT TO AN ANNUAL RATE ADJUSTMENT EQUAL~~
20 ~~TO THE PERCENTAGE OF CHANGE IN THE BUREAU OF LABOR STATISTICS~~
21 ~~CONSUMER PRICE INDEX. THIS NOTICE IS REQUIRED BY LAW."~~

22 (Source: P.A. 101-31, eff. 6-28-19.)

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