



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3479

Introduced 2/8/2024, by Sen. Mike Porfirio

SYNOPSIS AS INTRODUCED:

815 ILCS 505/2YYY

Amends provisions of the Consumer Fraud and Deceptive Business Practices Act concerning deceptive practices targeting veterans and military members. Changes the definition of "veteran or military benefits services" to any services offered or provided to a veteran, military member, or family member who is entitled to receive benefits under federal, State, or local law, policy, or practice as a result of, at least in part, qualifying military service. Such services include assistance, consulting or coaching in the preparation, presentation, or prosecution of claims or other attempts to obtain benefits, increase benefits, or appeal a decision related to obtaining or increasing benefits. Adds a veterans services disclosure to be made by any person providing veteran or military benefits services. Makes it an unlawful practice for any person providing veteran or military benefits services to fail at the outset of the business relationship to clearly provide, both orally and in writing, veterans services disclosures when veteran or military benefits services are provided in exchange for any financial compensation, benefit or thing of value. Makes other changes.

LRB103 37037 JRC 67152 b

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 Consumer Fraud and Deceptive Business
5 Practices Act is amended by changing Section 2YYY as follows:

6 (815 ILCS 505/2YYY)

7 Sec. 2YYY. Deceptive practices targeting veterans and
8 military members.

9 (a) As used in this Section:

10 "Veteran or military benefits services" means any services
11 offered or provided to a veteran, military member, or family
12 member who is entitled to receive benefits under federal,
13 State, or local law, policy, or practice as a result of, at
14 least in part, qualifying military service. Such services
15 include assistance, consulting or coaching in the preparation,
16 presentation, or prosecution of claims or other attempts to
17 obtain ~~in obtaining~~ benefits, increase ~~increasing~~ benefits, or
18 appeal ~~appealing~~ a decision related to obtaining or increasing
19 benefits.

20 "Veterans services disclosures ~~Veteran's services~~
21 ~~disclosure~~" means providing, in upper case type in size at
22 least as large as the type size of the written communication or
23 by voice-over, the following statements ~~statement~~:

1 "THIS BUSINESS IS NOT ENDORSED OR SPONSORED BY, OR
2 AFFILIATED WITH, THE UNITED STATES DEPARTMENT OF VETERANS
3 AFFAIRS OR THE ILLINOIS DEPARTMENT OF VETERANS AFFAIRS, OR ANY
4 FEDERALLY CHARTERED VA ACCREDITED VETERAN SERVICE
5 ORGANIZATION. YOU MAY QUALIFY FOR OTHER VETERANS BENEFITS
6 BEYOND THE BENEFITS FOR WHICH YOU ARE RECEIVING SERVICES
7 HERE."

8 "VETERAN AND MILITARY BENEFITS SERVICES ARE AVAILABLE FREE
9 OF CHARGE FROM VA ACCREDITED COUNTY VETERAN SERVICE OFFICERS,
10 REPRESENTATIVES OF THE ILLINOIS DEPARTMENT OF VETERANS
11 AFFAIRS, AND THE VETERAN SERVICE OFFICERS OF FEDERALLY
12 CHARTERED VETERAN SERVICE ORGANIZATIONS. TO LEARN MORE,
13 CONTACT THESE ORGANIZATIONS OR THE ILLINOIS ATTORNEY GENERAL'S
14 OFFICE AT 1-800-382-3000."

15 (b) It is an unlawful practice within the meaning of this
16 Act for any person providing veteran or military benefits
17 services to:

18 (1) Fail in any advertising to conspicuously disclose
19 veterans services disclosures ~~a veteran's services~~
20 ~~disclosure~~ when veteran or military benefits services are
21 provided in exchange for any financial compensation, ~~a~~
22 benefit or thing of value.

23 (2) Fail at the outset of the business relationship to
24 clearly provide, both orally and in writing, veterans
25 services disclosures when veteran or military benefits
26 services are provided in exchange for any financial

1 compensation, benefit or thing of value.

2 (3) ~~(2)~~ Fail to obtain, ~~or to obtain a pending~~
3 ~~application for,~~ all veteran or military benefits services
4 qualifications, certifications, and accreditations
5 required under State or federal law.

6 (4) ~~(3)~~ Fail, when acting as a fiduciary for a veteran
7 receiving benefits, to meet the responsibilities of
8 fiduciaries under 38 CFR 13.140.

9 (5) ~~(4)~~ Fail, when providing representation before the
10 United States Department of Veterans Affairs, to meet the
11 standards of conduct under 38 CFR 14.632.

12 (6) ~~(5)~~ Charge fees or expenses in violation of 38 CFR
13 14.636 or 14.637.

14 (Source: P.A. 102-386, eff. 1-1-22; 102-813, eff. 5-13-22.)