



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB5235

Introduced 1/24/2006, by Rep. Robert S. Molaro

SYNOPSIS AS INTRODUCED:

815 ILCS 505/2XX new

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that it is an unlawful practice for a retailer who sells motor fuel to increase the price that he or she charges for the motor fuel, unless the cost that the retailer pays to his or her supplier or distributor increases and the retailer has actually purchased motor fuel at that increased price.

LRB094 17361 LCT 52656 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 adding Section 2XX as follows:

6 (815 ILCS 505/2XX new)

7 Sec. 2XX. Motor fuel price gouging.

8 (a) A retailer who sells motor fuel may not increase the
9 price that he or she charges for the motor fuel, unless the
10 cost that the retailer pays to his or her supplier or
11 distributor increases and the retailer has actually purchased
12 motor fuel at that increased price.

13 (b) Violation of this Section constitutes an unlawful
14 practice within the meaning of this Act.

15 (c) For purposes of this Section:

16 "Distributor" has the definition set forth in Section 1.2
17 of the Motor Fuel Tax Law.

18 "Motor fuel" has the definition set forth in Section 1.1 of
19 the Motor Fuel Tax Law.

20 "Retailer" means a person who holds himself or herself out
21 as being engaged (or who habitually engages) in selling fuel at
22 retail.

23 "Supplier" has the definition set forth in Section 1.14 of
24 the Motor Fuel Tax Law.