



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB1978

Introduced 2/20/2009, by Sen. Dan Kotowski

#### SYNOPSIS AS INTRODUCED:

815 ILCS 505/2B.4 new

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that it shall be an unlawful practice to knowingly mail, send, or cause to be mailed an unsolicited application for a credit card to a recipient in the State unless the front of the envelope in which the application was sent contains language that allows a recipient to opt out of future unsolicited applications from the sender. Provides that it shall be an unlawful practice under the Act for a sender who has already received an opt out request from a recipient in the State to knowingly mail, send, or cause to be mailed an unsolicited application for a credit card to that recipient.

LRB096 11387 MJR 21851 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 2B.4 as follows:

6 (815 ILCS 505/2B.4 new)

7 Sec. 2B.4. Unsolicited credit card applications.

8 (a) It shall be an unlawful practice under this Act to  
9 knowingly mail, send, or cause to be mailed an unsolicited  
10 application for a credit card to a recipient in this State  
11 unless the front of the envelope in which the application was  
12 sent contains language that allows a recipient to opt out of  
13 future unsolicited applications from the sender.

14 (b) It shall be an unlawful practice under this Act for a  
15 sender who has already received an opt out request from a  
16 recipient in this State to knowingly mail, send, or cause to be  
17 mailed an unsolicited application for a credit card to that  
18 recipient.

19 (c) For purposes of this Section, "sender" means any person  
20 who sends an unsolicited credit card application to an Illinois  
21 resident.