Amends the Payday Loan Reform Act. Imposes a surcharge upon each lender in an amount equal to $1 for each payday loan made by that lender. Provides that the moneys collected from the surcharge shall be deposited into the Small Loan Community Reinvestment Fund, less 2% of those proceeds, which shall be paid into the Tax Compliance and Administration Fund. Amends the State Finance Act to create the Small Loan Community Reinvestment Fund. Provides that moneys in the Fund shall be used by the Department of Commerce and Economic Opportunity to make grants to not-for-profit organizations dedicated to educational tutoring and development, financial literacy, early childhood development, youth mentoring, and senior services.
AN ACT concerning finance.

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

Section 5. The State Finance Act is amended by adding Sections 5.826 and 6z-98 as follows:

(30 ILCS 105/5.826 new)

Sec. 5.826. The Small Loan Community Reinvestment Fund.

(30 ILCS 105/6z-98 new)

Sec. 6z-98. The Small Loan Community Reinvestment Fund; creation. The Small Loan Community Reinvestment Fund is hereby created as a special fund in the State Treasury. Moneys in the Fund shall be used by the Department of Commerce and Economic Opportunity to make grants to not-for-profit organizations dedicated to educational tutoring and development, financial literacy, early childhood development, youth mentoring, and senior services. Moneys in the Fund shall be used primarily in geographic areas of the State with high concentrations of payday loan facilities. For purposes of this Section, the term "payday loan" has the meaning ascribed to that term in the Payday Loan Reform Act.

Section 10. The Payday Loan Reform Act is amended by adding
Section 4-17 as follows:

(815 ILCS 122/4-17 new)

Sec. 4-17. Surcharge imposed.

(a) An surcharge is hereby imposed upon each lender in an amount equal to $1 for each payday loan made by that lender. Each lender must file a return on a form provided by the Department of Revenue, and must remit payment to the Department of Revenue on a monthly basis no later than the 15th day of the month immediately following the month in which the loan is made. Each return must state the following:

(1) the name of the lender;
(2) the address of the lender;
(3) the total number of payday loans made by the lender in the previous calendar month; and
(4) the total amount of the surcharge due for the previous calendar month.

(b) The Department of Revenue shall pay all proceeds collected from the surcharge imposed under this Section into the Small Loan Community Reinvestment Fund, less 2% of those proceeds, which shall be paid into the Tax Compliance and Administration Fund in the State treasury from which it shall be appropriated to the Department of Revenue to cover the costs of the Department in administering and enforcing the provisions of this Section.

(c) All the provisions of Sections 4, 5, 5a, 5b, 5c, 5d,
5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, and 13 of the Retailers' Occupation Tax Act that are not inconsistent with this Act apply, as far as practicable, to the surcharge imposed by this Section to the same extent as if those provisions were included in this Section. References in the incorporated Sections of the Retailers' Occupation Tax Act to retailers, to sellers, or to persons engaged in the business of selling tangible personal property mean lenders. All provisions of the Uniform Penalty and Interest Act which are not inconsistent with this Act shall apply.

(d) Any lender who fails to make a return or who makes a fraudulent return is guilty of a Class 4 felony.