



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2001

Introduced 2/6/2025, by Sen. Laura Fine

#### SYNOPSIS AS INTRODUCED:

815 ILCS 356/1-10

Amends the Illinois Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers (INFORM Consumers) Act. Provides that an online marketplace shall verify and certify that each consumer product advertised on its platform by a high-volume third-party seller was produced, procured, purchased, or acquired in a lawful manner. Provides that an online marketplace shall identify, on its Internet website or application, the high-volume third-party sellers that are certified as operating in a legal and ethical manner and develop a means of making the certification. Provides that an online marketplace shall alert local, regional, or State law enforcement agencies if it suspects that a person or entity is selling or attempting to sell stolen goods to a resident of the State. Provides that an online marketplace shall prevent a person or entity from utilizing its platform or other services if it suspects that a person or entity is selling stolen goods. Provides that, if the Attorney General has reason to believe that any person has violated the Act, the Attorney General may bring an action against the person for a civil penalty not to exceed \$10,000 per violation and reasonable attorney's fees and costs.

LRB104 02914 SPS 12930 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 Illinois Integrity, Notification, and  
5 Fairness in Online Retail Marketplaces for Consumers (INFORM  
6 Consumers) Act is amended by changing Section 1-10 as follows:

7 (815 ILCS 356/1-10)

8 Sec. 1-10. Online marketplace verification.

9 (a) Online marketplaces shall require that any high-volume  
10 third-party seller on the online marketplace's platform  
11 provide the online marketplace with the following information  
12 no later than 10 days after qualifying as a high-volume  
13 third-party seller on the platform:

14 (1) A bank account number, or, if the high-volume  
15 third-party seller does not have a bank account, the name  
16 of the payee for payments issued by the online marketplace  
17 to the high-volume third-party seller. The bank account or  
18 payee information required may be provided by the seller  
19 to the online marketplace or other third parties  
20 contracted by the online marketplace to maintain the  
21 information, so long as the online marketplace ensures  
22 that it can obtain the information on demand from the  
23 other third parties.

1           (2) The contact information for the high-volume  
2 third-party seller. If the high-volume third-party seller  
3 is an individual, the individual's name shall be provided.  
4 If the high-volume third-party seller is not an  
5 individual, a copy of a valid government-issued  
6 identification for an individual acting on behalf of the  
7 seller that includes the individual's name or a copy of a  
8 valid government-issued record or tax document that  
9 includes the business name and physical address of the  
10 seller shall be provided.

11           (3) A business tax identification number or, if the  
12 high-volume third-party seller does not have a business  
13 tax identification number, a taxpayer identification  
14 number.

15           (4) A current working email address and phone number  
16 for the high-volume third-party seller.

17           (b) An online marketplace shall periodically, but not less  
18 than annually, notify any high-volume third-party seller on  
19 the online marketplace's platform of the requirement to keep  
20 any information collected under subsection (a) current and  
21 require any high-volume third-party seller on the online  
22 marketplace's platform to, not later than 10 days after  
23 receiving the notice, electronically certify that:

24           (1) the high-volume third-party seller has provided  
25 any changes to the information to the online marketplace,  
26 if such changes have occurred;

1           (2) there have been no changes to the high-volume  
2           third-party seller's information; or

3           (3) the high-volume third-party seller has provided  
4           any changes to such information to the online marketplace.

5           (c) If a high-volume third-party seller does not provide  
6           the information or certification required under this Section,  
7           the online marketplace, after providing the seller with  
8           written or electronic notice and an opportunity to provide the  
9           information or certification not later than 10 days after the  
10          issuance of the notice, shall suspend any future sales  
11          activity of the seller until the seller provides the  
12          information or certification.

13          (d) An online marketplace shall verify the information  
14          collected under subsection (a) no later than 10 days after the  
15          collection and shall verify any change to the information not  
16          later than 10 days after being notified of the change by a  
17          high-volume third-party seller under subsection (b). If a  
18          high-volume third-party seller provides a copy of a valid  
19          government-issued tax document, any information contained in  
20          the document shall be presumed to be verified as of the date of  
21          issuance of the document.

22          (e) An online marketplace shall require any high-volume  
23          third-party seller with an aggregate total of \$20,000 or more  
24          in annual gross revenues on the online marketplace, and that  
25          uses the online marketplace's platform, to provide information  
26          to the online marketplace that includes the identity of the

1 high-volume third-party seller, including:

2 (1) the full name of the seller or seller's company  
3 name, or the name by which the seller or company operates  
4 on the online marketplace;

5 (2) the physical address of the seller;

6 (3) the contact information of the seller including a  
7 current working phone number; a current working email  
8 address for the seller; or other means of direct  
9 electronic messaging that may be provided to the  
10 high-volume third-party seller by the online marketplace  
11 to allow for the direct, unhindered communication with  
12 high-volume third-party sellers by users of the online  
13 marketplace; and

14 (4) whether the high-volume third-party seller used a  
15 different seller to supply consumer products to consumers  
16 upon purchase, and, upon the request of a consumer, the  
17 information described in paragraph (1) of this subsection  
18 (e) relating to any such seller that supplied the consumer  
19 product to the consumer, if the seller is different from  
20 the high-volume third-party seller listed on the product  
21 listing prior to purchase.

22 (f) An online marketplace shall provide to consumers the  
23 information in subsection (e) in a conspicuous manner: (i) in  
24 the order confirmation message or other document or  
25 communication made to a consumer after a purchase is  
26 finalized; and (ii) in the consumer's account transaction

1 history.

2 (g) Upon the request of a high-volume third-party seller,  
3 an online marketplace may provide for partial disclosure of  
4 the identity information required under subsection (e) as  
5 follows:

6 (1) If the high-volume third-party seller certifies to  
7 the online marketplace that the seller does not have a  
8 business address and only has a residential street  
9 address, or has a combined business and residential  
10 address, the online marketplace may disclose only the  
11 country and, if applicable, the state in which the  
12 high-volume third-party seller resides; and inform  
13 consumers that there is no business address available for  
14 the seller and that consumer inquiries should be submitted  
15 to the seller by phone, email, or other means of  
16 electronic messaging provided to the seller by the online  
17 marketplace.

18 (2) If the high-volume third-party seller certifies to  
19 the online marketplace that the seller is a business that  
20 has a physical address for product returns, the online  
21 marketplace may disclose the seller's physical address for  
22 product returns.

23 (3) If a high-volume third-party seller certifies to  
24 the online marketplace that the seller does not have a  
25 phone number other than a personal phone number, the  
26 online marketplace shall inform consumers that there is no

1 phone number available for the seller and that consumer  
2 inquiries should be submitted to the seller's email  
3 address or other means of electronic messaging provided to  
4 the seller by the online marketplace.

5 (h) If an online marketplace becomes aware that a  
6 high-volume third-party seller has made a false representation  
7 to the online marketplace in order to justify the provision of  
8 a partial disclosure under subsection (g) or that a  
9 high-volume third-party seller who has requested and received  
10 a provision for a partial disclosure under subsection (g) has  
11 not provided responsive answers within a reasonable time to  
12 consumer inquiries submitted to the seller by phone, email, or  
13 other means of electronic messaging provided to the seller by  
14 the online marketplace, the online marketplace shall, after  
15 providing the seller with written or electronic notice and an  
16 opportunity to respond not later than 10 days after the  
17 issuance of the notice, suspend any future sales activity of  
18 the seller unless the seller consents to the disclosure of the  
19 identity information required under subsection (e).

20 (i) If a high-volume third-party seller does not comply  
21 with the requirements to provide and disclose information  
22 under this Section, the online marketplace, after providing  
23 the seller with written or electronic notice and an  
24 opportunity to provide or disclose the information not later  
25 than 10 days after the issuance of the notice, shall suspend  
26 any future sales activity of the seller until the seller

1 complies with the requirements.

2 (j) An online marketplace shall disclose to consumers in a  
3 clear and conspicuous manner on the product listing of any  
4 high-volume third-party seller a reporting mechanism that  
5 allows for electronic and telephonic reporting of suspicious  
6 marketplace activity to the online marketplace.

7 (j-5) An online marketplace shall:

8 (1) verify and certify that each consumer product  
9 advertised on its platform by a high-volume third-party  
10 seller was produced, procured, purchased, or acquired in a  
11 lawful manner;

12 (2) identify, on its Internet website or application,  
13 the high-volume third-party sellers that are certified as  
14 operating in a legal and ethical manner and develop a  
15 means of making the certification required by paragraph  
16 (1) through which a high-volume third-party seller is able  
17 to prove that the consumer products that they sell are  
18 lawfully produced, procured, purchased, or acquired by the  
19 seller, including, at a minimum, the elements required  
20 under paragraph (1) of subsection (a), as well as evidence  
21 of lawful production, procurement, or purchase in the form  
22 of receipts, invoices, shopkeeping units (SKUs), serial  
23 numbers, or other evidence;

24 (3) alert local, regional, or State law enforcement  
25 agencies if it suspects that a person or entity is selling  
26 or attempting to sell stolen goods to a resident of this

1           State; and

2           (4) prevent a person or entity from utilizing its  
3           platform or other services if it suspects that a person or  
4           entity is selling stolen goods.

5           (k) Information collected solely to comply with the  
6 requirements of this Section may not be used for any other  
7 purpose unless required by law. An online marketplace shall  
8 implement and maintain reasonable security procedures and  
9 practices, including administrative, physical, and technical  
10 safeguards, appropriate to the nature of the data and the  
11 purposes for which the data will be used, to protect the data  
12 collected under this Section from unauthorized use,  
13 disclosure, access, destruction, or modification.  
14 Notwithstanding anything to the contrary in this subsection,  
15 the Attorney General may request, by subpoena or otherwise,  
16 and use any information collected to comply with the  
17 requirements of this Section to enforce the provisions of this  
18 Act as set forth in subsection (l).

19           (l) If the Attorney General has reason to believe that any  
20 person has violated this Act, the Attorney General may bring  
21 an action in the name of the People of the State against the  
22 person or entity for the following remedies: ~~to restrain by~~

23           (1) preliminary or permanent injunction on the use of  
24           methods, acts, or practices in violation of this Act; ~~such~~  
25           ~~a method, act, or practice~~

26           (2) a civil penalty not to exceed \$10,000 per

1 violation; and

2 (3) reasonable attorney's fees and costs, including  
3 expert witness fees and other litigation expenses.

4 The court, in its discretion, may exercise all powers  
5 necessary, including, but not limited to: injunction;  
6 revocation, forfeiture, or suspension of any license, charter,  
7 franchise, certificate, or other evidence of authority of any  
8 person to do business in this State; appointment of a  
9 receiver; dissolution of domestic corporations or associations  
10 or suspension or termination of the right of foreign  
11 corporations or associations to do business in this State; and  
12 restitution. In the administration of this Section, the  
13 Attorney General may accept an Assurance of Voluntary  
14 Compliance with respect to any method, act, or practice deemed  
15 to be violative of this Act from any person who has engaged in,  
16 is engaging in, or was about to engage in such a method, act,  
17 or practice. Evidence of a violation of an Assurance of  
18 Voluntary Compliance shall be prima facie evidence of a  
19 violation of this Act in any subsequent proceeding brought by  
20 the Attorney General against the alleged violator. The  
21 Attorney General shall be empowered to issue subpoenas to or  
22 examine under oath any person alleged to have participated in  
23 or to have knowledge of the alleged method, act, or practice in  
24 violation of this Act. Nothing in this Act creates or is  
25 intended to create a private right of action against any  
26 high-volume third-party seller, online marketplace seller, or

1 third-party seller based upon compliance or noncompliance with  
2 its provisions.

3 (m) To the extent that a substantially similar federal law  
4 or regulation conflicts with this Act, the federal law or  
5 regulation controls.

6 (Source: P.A. 102-757, eff. 1-1-23; 103-154, eff. 6-30-23.)