

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 1. Short title. This Act may be cited as the  
5 Service Appointment Fairness Act.

6 Section 5. Service appointment times.

7 (a) If a person provides a service to a consumer,  
8 including a repair or installation service, and the provision  
9 of the service requires entry to the consumer's dwelling or  
10 requires the consumer to be present at the consumer's property  
11 for the service to be provided, the service provider shall:

12 (1) schedule an appointment with the consumer; and

13 (2) provide the consumer with reasonable notice of an  
14 estimated time or range of times during which the service  
15 provider will arrive to provide the service.

16 (b) If the estimated range of time provided under  
17 paragraph (2) of subsection (a) exceeds 2 hours, the service  
18 provider shall notify the consumer by telephone no later than  
19 one hour before the service provider's anticipated arrival  
20 time. The notice shall state the specific time at which the  
21 service provider expects to arrive. If the consumer does not  
22 answer the telephone, the service provider may leave a  
23 voicemail message to satisfy the requirements of this

1 subsection.

2 (c) If the provider fails to satisfy the requirements of  
3 paragraph (2) of subsection (a), fails to satisfy the  
4 requirements of subsection (b), or fails to arrive within 30  
5 minutes of the time stated in the telephone call or voicemail  
6 message as provided in subsection (b), the provider shall not  
7 charge the consumer any fee or additional charge if the  
8 consumer is not present when the service provider arrives.

9 Section 10. Enforcement.

10 (a) The Attorney General or the State's Attorney of any  
11 county in this State may bring an action in the name of the  
12 People of this State against any person to restrain and  
13 prevent any pattern or practice in violation of subsection (c)  
14 of Section 5. In the enforcement of subsection (c) of Section  
15 5, the Attorney General or the State's Attorney may accept an  
16 assurance of voluntary compliance from anyone engaged in any  
17 conduct, act, or practice deemed in violation of subsection  
18 (c) of Section 5. Failure to perform the terms of any such  
19 assurance constitutes prima facie evidence of a violation of  
20 subsection (c) of Section 5.

21 (b) A violation of subsection (c) of Section 5 constitutes  
22 an unlawful practice under the Consumer Fraud and Deceptive  
23 Business Practices Act. All remedies, penalties, and authority  
24 granted to the Attorney General or the State's Attorney by the  
25 Consumer Fraud and Deceptive Business Practices Act shall be

1 available to the Attorney General or the State's Attorney for  
2 the enforcement of subsection (c) of Section 5.

3 Section 15. Action for actual damages. Any person who  
4 suffers actual damage as a result of a violation of subsection  
5 (c) of Section 5 may bring an action under Section 10a of the  
6 Consumer Fraud and Deceptive Business Practices Act.

7 Section 90. The Consumer Fraud and Deceptive Business  
8 Practices Act is amended by adding Section 2MMMM as follows:

9 (815 ILCS 505/2MMMM new)

10 Sec. 2MMMM. Violations of the Service Appointment Fairness  
11 Act. Any person who violates subsection (c) of Section 5 of the  
12 Service Appointment Fairness Act commits an unlawful practice  
13 within the meaning of this Act.