



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1628

Introduced 2/1/2023, by Rep. Anne Stava-Murray

SYNOPSIS AS INTRODUCED:

765 ILCS 705/4 new

Amends the Landlord and Tenant Act. Provides that a landlord shall not require a tenant or prospective tenant to remit any amount due to the landlord under a residential lease, renewal, or extension agreement by means of an electronic funds transfer, including, but not limited to, an electronic funds transfer system that automatically transfers funds on a regular, periodic, and recurring basis. Provides that, beginning 90 days after the effective date of the amendatory Act, a violation is an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act. Applies to leases or agreements executed after the effective date of the amendatory Act.

LRB103 26210 LNS 52569 b

1 AN ACT concerning civil law.

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

4 Section 5. The Landlord and Tenant Act is amended by
5 adding Section 4 as follows:

6 (765 ILCS 705/4 new)

7 Sec. 4. Payment by electronic funds transfer.

8 (a) As used in this Section, "electronic funds transfer"
9 means a transfer of funds, other than a transaction originated
10 by check, draft, or similar paper instrument, that is
11 initiated through an electronic terminal, telephone, computer,
12 or magnetic tape for the purpose of ordering, instructing, or
13 authorizing a financial institution to debit or credit a
14 consumer's account, including, but not limited to, through the
15 use of an automated clearing house system.

16 (b) A landlord shall not require a tenant or prospective
17 tenant to remit any amount due to the landlord under a
18 residential lease, renewal, or extension agreement by means of
19 an electronic funds transfer, including, but not limited to,
20 an electronic funds transfer system that automatically
21 transfers funds on a regular, periodic, and recurring basis.

22 (c) Beginning 90 days after the effective date of this
23 amendatory Act of the 103rd General Assembly, a landlord who

1 violates this Section is guilty of an unlawful practice under
2 the Consumer Fraud and Deceptive Business Practices Act.

3 (d) This Section applies to leases or agreements executed
4 after the effective date of this amendatory Act of the 103rd
5 General Assembly.