



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2182

Introduced 2/10/2023, by Sen. Chapin Rose

SYNOPSIS AS INTRODUCED:

765 ILCS 77/46 new
815 ILCS 505/2A

from Ch. 121 1/2, par. 262A

Amends the Residential Real Property Disclosure Act. Provides that any condition, stipulation, or provision in any mortgage, promissory note, or contract directly affecting an interest in Illinois real estate shall state that Illinois law shall apply. Provides that any condition, stipulation, or provision purporting to apply the law of another state or country is void. Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that it is an unlawful practice for any person to insert a provision in any mortgage, promissory note, or other contract directly affecting a consumer's ownership of Illinois real estate which states that the law of a state or country other than Illinois shall apply, and that any such provision purporting to apply the law of another state or country in such consumer transaction is void.

LRB103 26731 LNS 53094 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 Residential Real Property Disclosure Act is
5 amended by adding Section 46 as follows:

6 (765 ILCS 77/46 new)

7 Sec. 46. Condition, stipulation, or provision void. Any
8 condition, stipulation, or provision in any mortgage,
9 promissory note, or contract directly affecting an interest in
10 Illinois real estate shall state that Illinois law shall
11 apply. Any condition, stipulation, or provision purporting to
12 apply the law of another state or country is void.

13 Section 10. The Consumer Fraud and Deceptive Business
14 Practices Act is amended by changing Section 2A as follows:

15 (815 ILCS 505/2A) (from Ch. 121 1/2, par. 262A)

16 Sec. 2A. (1) The use or employment of any chain referral
17 sales technique, plan, arrangement or agreement whereby the
18 buyer is induced to purchase merchandise upon the seller's
19 promise or representation that if buyer will furnish seller
20 names of other prospective buyers or like or identical
21 merchandise that seller will contact the named prospective

1 buyers and buyer will receive a reduction in the purchase
2 price by means of a cash rebate, commission, credit toward
3 balance due or any other consideration, which rebate,
4 commission, credit or other consideration is contingent upon
5 seller's ability to sell like or identical merchandise to the
6 named prospective buyers, is declared to be an unlawful
7 practice within the meaning of this Act.

8 (2) It is an unlawful practice within the meaning of this
9 Act for any person, by himself or through others, to sell,
10 offer to sell, or attempt to sell the right to participate in a
11 pyramid sales scheme.

12 (3) It is an unlawful practice for any person to insert a
13 provision in any mortgage, promissory note, or other contract
14 directly affecting a consumer's ownership of Illinois real
15 estate which states that the law of a state or country other
16 than Illinois shall apply. Any such provision purporting to
17 apply the law of another state or country in such consumer
18 transaction is void.

19 (Source: P.A. 83-808.)