

1 AN ACT concerning financial regulation.

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

4 Section 5. The Debt Management Service Act is amended by
5 changing Section 2 as follows:

6 (205 ILCS 665/2) (from Ch. 17, par. 5302)

7 Sec. 2. Definitions. As used in this Act:

8 "Debt management service" means the planning and
9 management of the financial affairs of a debtor for a fee and
10 the receiving of money from the debtor for the purpose of
11 distributing it, directly or indirectly, to the debtor's
12 creditors in payment or partial payment of the debtor's
13 obligations or soliciting financial contributions from
14 creditors. The business of debt management is conducted in this
15 State if the debt management business, its employees, or its
16 agents are located in this State or if the debt management
17 business solicits or contracts with debtors located in this
18 State.

19 This term shall not include the following when engaged in
20 the regular course of their respective businesses and
21 professions:

22 (a) Attorneys at law.

23 (b) Banks, fiduciaries, credit unions, savings and
24 loan associations, and savings banks as duly authorized and
25 admitted to transact business in the State of Illinois and
26 performing credit and financial adjusting service in the
27 regular course of their principal business.

28 (c) Title insurers and abstract companies, while doing
29 an escrow business.

30 (d) Judicial officers or others acting pursuant to
31 court order.

32 (e) Employers for their employees.

1 (f) Bill payment services, as defined in the
2 Transmitters of Money Act.

3 "Director" means Director of Financial Institutions.

4 "Debtor" means the person or persons for whom the debt
5 management service is performed.

6 "Person" means an individual, firm, partnership,
7 association, limited liability company, corporation, or
8 not-for-profit corporation.

9 "Licensee" means a person licensed under this Act.

10 "Director" means the Director of the Department of
11 Financial Institutions.

12 (Source: P.A. 92-400, eff. 1-1-02.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.