

1 AN ACT concerning regulation.

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

4 Section 5. The Collection Agency Act is amended by changing
5 Section 3 as follows:

6 (225 ILCS 425/3) (from Ch. 111, par. 2006)

7 (Section scheduled to be repealed on January 1, 2016)

8 Sec. 3. A person, association, partnership, corporation,
9 or other legal entity acts as a collection agency when he, she,
10 or it:

11 (a) Engages in the business of collection for others of
12 any account, bill or other indebtedness;

13 (b) Receives, by assignment or otherwise, accounts,
14 bills, or other indebtedness from any person owning or
15 controlling 20% or more of the business receiving the
16 assignment, with the purpose of collecting monies due on
17 such account, bill or other indebtedness;

18 (c) Sells or attempts to sell, or gives away or
19 attempts to give away to any other person, other than one
20 registered under this Act, any system of collection,
21 letters, demand forms, or other printed matter where the
22 name of any person, other than that of the creditor,
23 appears in such a manner as to indicate, directly or

1 indirectly, that a request or demand is being made by any
2 person other than the creditor for the payment of the sum
3 or sums due or asserted to be due;

4 (d) Buys accounts, bills or other indebtedness with
5 recourse and engages in collecting the same; ~~or~~

6 (e) Uses a fictitious name in collecting its own
7 accounts, bills, or debts with the intention of conveying
8 to the debtor that a third party has been employed to make
9 such collection; or.

10 (f) Is (i) an electric utility that served at least
11 100,000 customers in Illinois on December 31, 2005 or
12 affiliated with such an electric utility and (ii)
13 attempting to collect accounts, bills, or debts from retail
14 electric customers in the service area of the electric
15 utility company.

16 (Source: P.A. 94-414, eff. 12-31-05.)