

State of Illinois  
OFFICE OF THE GOVERNOR  
Springfield, Illinois 62706

George H. Ryan  
GOVERNOR

July 19, 2002

To the Honorable Members of  
The Illinois Senate  
92nd General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 2160 entitled "AN ACT concerning business practices."

Senate Bill 2160 amends the Consumer Fraud and Deceptive Business Practices Act to make it an unlawful practice to knowingly mail a postcard or letter with a request that the recipient call a telephone number, and the postcard or letter does not disclose that callers will be solicited to purchase goods, services, or other merchandise.

The intent of this legislation to curb consumer fraud, a growing problem in Illinois, is admirable. However, this bill could harm legitimate businesses and organizations that work hard to serve the citizens of Illinois, as they could unintentionally be ensnared by the broad sweep of this legislation.

While it is probably unlikely that legitimate businesses or groups making an innocent mistake would be prosecuted, this legislation does very little to discourage advertisers trying to skirt the law to get around these requirements. In addition, it would be difficult and costly to enforce these provisions against out-of-state companies. Moreover, the recipients of these postcards do have a choice in whether or not to call the numbers listed on the postcards and I am reluctant to place restrictions on what may be a legitimate advertising technique. Finally, this bill could be construed as infringing upon the rights of businesses or anyone to send information to potential customers. I believe the potential for misapplication or harm that could result from this bill outweighs the possible benefits.

For these reasons, I hereby veto and return Senate Bill 2160.

Sincerely,  
George H. Ryan  
GOVERNOR