

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 Electronic Fund Transfer Act is amended by
5 changing Section 30 as follows:

6 (205 ILCS 616/30)

7 Sec. 30. Acceptance of deposits.

8 (A) No terminal that accepts deposits of funds to an
9 account may be established or owned in this State except by (a)
10 a bank established under the laws of this or any other state or
11 established under the laws of the United States that (1) is
12 authorized by law to establish a branch in this State or (2) is
13 permitted by rule of the Commissioner to establish
14 deposit-taking terminals in this State in order to maintain
15 parity between national banks and banks established under the
16 laws of this or any other state, (b) a savings and loan
17 association or savings bank established under the laws of this
18 or any other state or established under the laws of the United
19 States, (c) a credit union established under the laws of this
20 or any other state or established under the laws of the United
21 States, or (d) a licensee under the Consumer Installment Loan
22 Act or the Sales Finance Agency Act.

23 (B) A person other than a financial institution or an

1 affiliate of a financial institution may establish or own, in
2 whole or in part, a cash-dispensing terminal at which an
3 interchange transaction may be performed, provided that the
4 terminal does not accept deposits of funds to an account, and
5 provided that the person establishing or owning the terminal
6 must post a telephone number on the terminal for consumers to
7 call to report problems, along with the Department's telephone
8 number. The Commissioner or examiners appointed by the
9 Commissioner shall have the authority to examine any person
10 that has established or owns a terminal in this State pursuant
11 to this subsection (B) if the Commissioner has received
12 multiple complaints regarding one or more terminals owned by
13 the person, and in the event of such an examination, the person
14 shall pay the reasonable costs and expenses of the examination
15 as determined by the Commissioner. The Commissioner may impose
16 civil penalties of up to \$100 ~~\$1,000~~ against any person subject
17 to this subsection (B) for each ~~the first~~ failure to comply
18 with this Act but in no event shall any person be subject to
19 civil penalties under this subsection (B) of more than \$1,000
20 for violations of this subsection (B) ~~and up to \$10,000 for the~~
21 ~~second and each subsequent failure to comply with this Act.~~ All
22 moneys received by the Commissioner under this subsection (B)
23 shall be paid into, and all expenses incurred by the
24 Commissioner under this subsection (B) shall be paid from, the
25 Bank and Trust Company Fund.

26 (C) A network operating in this State shall maintain a

1 directory of the locations of cash-dispensing terminals at
2 which an interchange transaction may be performed that are
3 established or owned in this State by its members and shall
4 file the directory with the Commissioner within 60 days after
5 the effective date of this amendatory Act of 1997 and
6 thereafter once per calendar year.

7 (Source: P.A. 100-5, eff. 6-30-17.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.