



Sen. Cristina Castro

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1 AMENDMENT TO SENATE BILL 3102

2 AMENDMENT NO. _____. Amend Senate Bill 3102 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Consumer Fraud and Deceptive Business
5 Practices Act is amended by changing Section 2LLL as follows:

6 (815 ILCS 505/2LLL)

7 Sec. 2LLL. Retail rebates.

8 (a) In this Section, "rebate card" means a card, code, or
9 other device that is issued both (i) to a consumer in
10 connection with the consumer's purchase of a product or service
11 and the consumer's completion of the rebate submission process
12 as part of a rebate program operated or administered by a
13 merchant or product manufacturer and (ii) on a prepaid basis
14 primarily for personal, family, or household purposes to a
15 consumer in a specified amount, whether or not that amount may
16 be increased or reloaded, and is redeemable upon presentation

1 at multiple unaffiliated merchants for goods or services or
2 usable at automated teller machines. "Rebate card" does not
3 include (i) a payroll card as defined in the Illinois Wage
4 Payment and Collection Act, (ii) a gift card as defined in the
5 Revised Uniform Unclaimed Property Act, (iii) a stored-value
6 card, as defined in the Revised Uniform Unclaimed Property Act,
7 that is not issued to a consumer in connection with (1) the
8 consumer's purchase of a product or service and (2) the
9 consumer's completion of the rebate submission process as part
10 of a rebate program operated or administered by a merchant or
11 product manufacturer, or (iv) in-store credit for returned
12 merchandise redeemable for merchandise, goods, or services
13 upon presentation at a single merchant or an affiliated group
14 of merchants.

15 (b) Any person who offers a rebate to consumers at retail
16 on any merchandise must conspicuously display and clearly
17 disclose to the consumer the type of rebate being offered,
18 whether additional fees may apply on the rebate offered, and
19 the form of remittance that will be provided to the consumer.

20 (c) It is an unlawful practice within the meaning of this
21 Act for any person to offer to consumers at retail a rebate
22 when the rebate is made on a rebate card that charges dormancy
23 fees or other post-issuance fees, except fees for card
24 replacement.

25 (d) Any person who violates this Section commits an
26 unlawful practice within the meaning of this Act.

1 (Source: P.A. 97-308, eff. 1-1-12.)".