



Sen. Rachel Ventura

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10300SB0371sam001

LRB103 02778 SPS 64867 a

1 AMENDMENT TO SENATE BILL 371

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 371 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 2PP as follows:

6 (815 ILCS 505/2PP)

7 (Text of Section before amendment by P.A. 103-87)

8 Sec. 2PP. Mail; disclosure. It is an unlawful practice  
9 under this Act to knowingly mail or send or cause to be mailed  
10 or sent a postcard or letter to a recipient in this State if:

11 (1) the postcard or letter contains a request that the  
12 recipient call a telephone number; and

13 (2) the postcard or letter is mailed or sent to induce  
14 the recipient to call the telephone number so that goods,  
15 services, or other merchandise, as defined in Section 1,  
16 may be offered for sale to the recipient; and

1           (3) the postcard or letter does not disclose that  
2 goods, services, or other merchandise, as defined in  
3 Section 1, may be offered for sale if the recipient calls  
4 the telephone number.

5 (Source: P.A. 95-331, eff. 8-21-07.)

6 (Text of Section after amendment by P.A. 103-87)

7 Sec. 2PP. Mail; disclosure.

8 (a) It is an unlawful practice under this Act for a company  
9 not connected to the company from which the recipient has  
10 purchased or obtained goods, services, or other merchandise,  
11 as defined in Section 1, to knowingly mail or send or cause to  
12 be mailed or sent a postcard or letter to a recipient in this  
13 State if:

14 (1) the postcard or letter contains a request that the  
15 recipient contact the sender by mail, telephone, email,  
16 website, or other prescribed means and the primary purpose  
17 of the postcard or letter is the commercial advertisement  
18 or promotion of goods, services, or other merchandise, as  
19 defined in Section 1; and

20 (2) the postcard or letter is mailed or sent to induce  
21 the recipient to contact the sender by mail, telephone,  
22 email, website, or other prescribed means so that goods,  
23 services, or other merchandise, as defined in Section 1,  
24 may be offered for sale to the recipient; and

25 (3) the postcard or letter does not disclose or

1       disclaim that it is not a bill and that it is a  
2       solicitation for goods, services, or other merchandise, as  
3       defined in Section 1, that may be offered for sale if the  
4       recipient contacts the sender by mail, telephone, email,  
5       website, or any other prescribed means; and

6           (4) the postcard or letter does not disclose or  
7       disclaim the sender's full legal name and any assumed or  
8       fictitious names used by the sender ~~any and all~~  
9       ~~affiliations or lack thereof.~~

10       (b) All disclosures and disclaimers required by this  
11       Section appearing on a postcard or letter must be  
12       conspicuously located at the top of the postcard or letter, be  
13       easily readable in clear and unambiguous language, and be  
14       printed in at least 14-point bold-face font in a  
15       black-outlined box. Postcards or letters sent in compliance  
16       with the consumer protections of the Truth in Lending Act, 15  
17       U.S.C. 1601 et seq., or the Truth in Savings Act, 12 U.S.C.  
18       4301 et seq., are deemed to be in compliance with this Section.

19       (Source: P.A. 103-87, eff. 1-1-24.)

20       Section 95. No acceleration or delay. Where this Act makes  
21       changes in a statute that is represented in this Act by text  
22       that is not yet or no longer in effect (for example, a Section  
23       represented by multiple versions), the use of that text does  
24       not accelerate or delay the taking effect of (i) the changes  
25       made by this Act or (ii) provisions derived from any other

1 Public Act.

2 Section 99. Effective date. This Act takes effect January  
3 1, 2024.".