

1 AN ACT concerning domestic violence.

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

4 Section 5. The Consumer Installment Loan Act is amended by
5 adding Section 20.8 as follows:

6 (205 ILCS 670/20.8 new)

7 Sec. 20.8. Coerced debt.

8 (a) In this Section, "coerced debt" means any debt
9 incurred through a loan subject to this Act or a portion of the
10 debt, except for debt secured by real property, that was
11 incurred by the debtor because of fraud, duress, intimidation,
12 threat, force, coercion, undue influence, or the
13 non-consensual use of the debtor's personal identifying
14 information between family or household members, as defined in
15 Section 103 of the Illinois Domestic Violence Act of 1986, as a
16 result of abuse or exploitation, as defined in Section 103 of
17 the Illinois Domestic Violence Act of 1986, or due to human
18 trafficking, as defined in subsections (b), (c), and (d) of
19 Section 10-9 of the Criminal Code of 2012.

20 (b) In any lawsuit or arbitration to collect a debt,
21 subject to this Act, it is an affirmative defense that the debt
22 is or is partially coerced debt to the plaintiff and the court
23 or arbitrator.

1 (c) A plaintiff has the burden to disprove the debtor's
2 defense by a preponderance of the evidence.