

1 AN ACT concerning business.

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

4 Section 1. Short title. This Act may be cited as the
5 Service Appointment Fairness Act.

6 Section 5. Service appointment times.

7 (a) If a person provides a service to a consumer,
8 including a repair or installation service, and the provision
9 of the service requires entry to the consumer's dwelling or
10 requires the consumer to be present at the consumer's property
11 for the service to be provided, the service provider shall:

12 (1) schedule an appointment with the consumer; and

13 (2) provide the consumer with reasonable notice of an
14 estimated time or range of times during which the service
15 provider will arrive to provide the service.

16 (b) If the estimated range of time provided under
17 paragraph (2) of subsection (a) exceeds 2 hours, the service
18 provider shall notify the consumer by telephone no later than
19 one hour before the service provider's anticipated arrival
20 time. The notice shall state the specific time at which the
21 service provider expects to arrive. If the consumer does not
22 answer the telephone, the service provider may leave a
23 voicemail message to satisfy the requirements of this

1 subsection.

2 (c) If the provider fails to satisfy the requirements of
3 paragraph (2) of subsection (a), fails to satisfy the
4 requirements of subsection (b), or fails to arrive within 30
5 minutes of the time stated in the telephone call or voicemail
6 message as provided in subsection (b), the provider shall not
7 charge the consumer any fee or additional charge if the
8 consumer is not present when the service provider arrives.

9 Section 10. Enforcement.

10 (a) The Attorney General or the State's Attorney of any
11 county in this State may bring an action in the name of the
12 People of this State against any person to restrain and
13 prevent any pattern or practice in violation of subsection (c)
14 of Section 5. In the enforcement of subsection (c) of Section
15 5, the Attorney General or the State's Attorney may accept an
16 assurance of voluntary compliance from anyone engaged in any
17 conduct, act, or practice deemed in violation of subsection
18 (c) of Section 5. Failure to perform the terms of any such
19 assurance constitutes prima facie evidence of a violation of
20 subsection (c) of Section 5.

21 (b) A violation of subsection (c) of Section 5 constitutes
22 an unlawful practice under the Consumer Fraud and Deceptive
23 Business Practices Act. All remedies, penalties, and authority
24 granted to the Attorney General or the State's Attorney by the
25 Consumer Fraud and Deceptive Business Practices Act shall be

1 available to the Attorney General or the State's Attorney for
2 the enforcement of subsection (c) of Section 5.

3 Section 15. Action for actual damages. Any person who
4 suffers actual damage as a result of a violation of subsection
5 (c) of Section 5 may bring an action under Section 10a of the
6 Consumer Fraud and Deceptive Business Practices Act.

7 Section 90. The Consumer Fraud and Deceptive Business
8 Practices Act is amended by adding Section 2MMMM as follows:

9 (815 ILCS 505/2MMMM new)

10 Sec. 2MMMM. Violations of the Service Appointment Fairness
11 Act. Any person who violates subsection (c) of Section 5 of the
12 Service Appointment Fairness Act commits an unlawful practice
13 within the meaning of this Act.