



## 101ST GENERAL ASSEMBLY

### State of Illinois

### 2019 and 2020

### HB4911

Introduced 2/18/2020, by Rep. Delia C. Ramirez

#### SYNOPSIS AS INTRODUCED:

735 ILCS 5/9-121	
735 ILCS 5/9-122 new	
735 ILCS 5/15-1701	from Ch. 110, par. 15-1701
815 ILCS 505/2Z	from Ch. 121 1/2, par. 262Z

Amends the Eviction Article of the Code of Civil Procedure. Defines terms. Provides that a complaint for an eviction action shall include specified information. Provides that upon entry of an eviction order, the court shall make specified findings. Provides that a court file shall not be sealed if it pertains to an eviction in which: (1) the tenancy is commercial, or (2) the property that the plaintiff seeks possession of is a condominium unit and no tenants or occupants are named as defendants. Provides that the court may order that a court file in an eviction action be sealed if the interests of justice outweigh the interests of the public, taking specified factors in account. Provides that the court file shall be sealed: (1) in a foreclosure-related eviction action; (2) in a not-for-cause eviction; (3) if the parties to the eviction action so agree; and (4) in any action not resulting in an eviction order entered in favor of the plaintiff. Provides that any tenant or occupant named as a defendant in an eviction action may file a motion or petition to seal the court file. Provides the manner in which court files shall be sealed. Provides that the clerk of the circuit court shall automatically seal all eviction court files no later than 3 years after the plaintiff's initial filing with the court. Provides that if a person knows or has reasonable cause to know that information is derived from a sealed court file, he or she shall not disseminate the information. Provides, with exceptions, that a consumer reporting agency shall not disclose, or use in a consumer report, information regarding an eviction action in which there is no final disposition entered or the court file is sealed, and that any violation is an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act. Provides for damages in the amount of \$2,000 for each violation, or twice the actual and consequential damages sustained, whichever is greater, and the costs of the action. Makes conforming changes in the Mortgage Foreclosure Article of the Code of Civil Procedure and the Consumer Fraud and Deceptive Business Practices Act.

LRB101 17216 LNS 66619 b

1 AN ACT concerning civil law.

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

4 Section 5. The Code of Civil Procedure is amended by  
5 changing Sections 9-121 and 15-1701 and by adding Section 9-122  
6 as follows:

7 (735 ILCS 5/9-121)

8 Sec. 9-121. Sealing of court file.

9 (a) ~~Definition.~~ As used in this Section: ~~7~~

10 "Consumer report" has the meaning provided in Section 603  
11 of the Fair Credit Reporting Act, 15 U.S.C. 1681a(d).

12 "Consumer reporting agency" has the meaning provided in  
13 Section 603 of the Fair Credit Reporting Act, 15 U.S.C.  
14 1681a(f).

15 "Court ~~court~~ file" means the court file created when an  
16 eviction action is filed with the court, any document filed in  
17 the eviction action, and any document or other information,  
18 inscribed on a tangible medium or stored in an electronic or  
19 other medium, associated with the eviction action or court  
20 record.

21 "Dissemination" or "disseminate" means to publish,  
22 produce, print, manufacture, copy, distribute, sell, lease,  
23 exhibit, broadcast, display, transmit, or otherwise share

1 information in any format so as to make the information  
2 accessible to others.

3 "Foreclosure-related eviction" means an eviction action  
4 brought against a tenant under Section 9-207.5; as set forth in  
5 paragraph (6) of subsection (h) of Section 15-1701; or in which  
6 a bona fide tenant is named in the foreclosure action as a  
7 permissible party under Section 15-1501.

8 "For-cause eviction" means an eviction action in which the  
9 court finds that a tenant or occupant has materially breached  
10 the lease; or an eviction action brought against a tenant or an  
11 occupant as set forth in paragraph (7) of subsection (a) of  
12 Section 9-102 in which the court finds that a tenant or  
13 occupant materially violated the lease or covenants, rules,  
14 regulations, or bylaws of the condominium.

15 "Not-for-cause eviction" means an eviction action in which  
16 the court does not find that a tenant or occupant has  
17 materially breached the lease; or an eviction action brought  
18 against a tenant or an occupant as set forth in paragraph (7)  
19 of subsection (a) of Section 9-102 in which the court does not  
20 find that the tenant or occupant materially violated the lease  
21 or covenants, rules, regulations, or bylaws of the condominium.

22 "Not-for-cause eviction" includes an eviction action brought  
23 against a tenant or occupant on the basis that a tenant or  
24 occupant remains in the property after the termination of the  
25 lease or tenancy by its own limitation, condition, or terms, or  
26 by notice to quit or otherwise.

1       "Seal" or "sealing" means to make the court file  
2 unavailable to the public without a court order, but to  
3 physically and electronically maintain the records, unless the  
4 records would otherwise be destroyed due to age.

5       (a-5) A complaint for an eviction action shall include the  
6 following information:

7           (1) whether the tenancy is residential or commercial;

8           (2) the type of notice or demand that was given to  
9 defendant, if any;

10          (3) a statement alleging the basis for the eviction  
11 action, including whether a plaintiff alleges the eviction  
12 action is a for-cause eviction or not-for-cause eviction;

13          (4) a statement alleging whether the eviction action is  
14 a foreclosure-related eviction; and

15          (5) whether the property the plaintiff seeks  
16 possession of is a condominium unit, and if so, whether  
17 each defendant named in the action is an owner, tenant, or  
18 occupant of the unit.

19       Nothing in this subsection imposes any duty upon the clerk  
20 of the circuit court to inspect a complaint for an eviction  
21 action for compliance with this subsection.

22       (a-10) Upon entry of an eviction order against a defendant,  
23 or when a court is required to consider whether a court file is  
24 qualified for sealing under subsection (b) or (c) in accordance  
25 with subsection (e), the court shall make the following  
26 findings:

1           (1) whether the eviction action is a  
2           foreclosure-related eviction;

3           (2) whether the eviction action is a for-cause eviction  
4           or a not-for-cause eviction;

5           (3) whether the eviction action relates to a commercial  
6           tenancy and not a residential tenancy; and

7           (4) whether the property is a condominium, and if so,  
8           whether the tenant or occupant was evicted for cause.

9           (a-15) A court file shall not be sealed under this Section  
10          if it pertains to an eviction action in which: (1) the tenancy  
11          is commercial, and not residential; or (2) the property that  
12          the plaintiff seeks possession of is a condominium unit and no  
13          tenants or occupants are named as defendants in the action.

14          (b) ~~Discretionary sealing of court file.~~ The court may  
15          order that a court file in an eviction action be placed under  
16          seal, regardless of the final disposition of the action, if the  
17          interests of justice in sealing the court file outweigh the  
18          interests of the public in maintaining a public record of the  
19          case, including, but not limited to, under the following  
20          circumstances: ~~if~~

21                 (1) the court finds that the plaintiff's action is  
22                 sufficiently without a basis in fact or law, which may  
23                 include a lack of jurisdiction;

24                 (2) the judgment in favor of the plaintiff is for an  
25                 amount of \$1,000 or less;

26                 (3) the court finds that there is a prima facie defense

1 to the eviction action;

2 (4) the parties enter into a settlement agreement,  
3 including an agreed entry of judgment, that does not result  
4 in the plaintiff recovering possession; or

5 (5) the court determines that there are other grounds  
6 justifying the sealing of the court file ~~, that placing the~~  
7 ~~court file under seal is clearly in the interests of~~  
8 ~~justice, and that those interests are not outweighed by the~~  
9 ~~public's interest in knowing about the record.~~

10 (b-5) In determining a motion or petition to seal pursuant  
11 to subsection (b), the court may consider the following:

12 (1) the disposition of the eviction action relating to  
13 the court file;

14 (2) whether the sealing of the court file is disputed  
15 by the plaintiff, and if so, the adverse effects on the  
16 plaintiff if the case file is sealed;

17 (3) the amount of time between the filing of the  
18 eviction action and the filing of the motion or petition to  
19 seal the court file;

20 (4) the specific adverse consequences to the defendant  
21 if the court file remains a public record;

22 (5) whether there are any extenuating circumstances  
23 that may have led to the plaintiff bringing an eviction  
24 action against the tenant or occupant, including whether  
25 the tenant or occupant has any defenses to the action; and

26 (6) any other factor the court deems useful in

1 balancing the interests of justice against the interests of  
2 the public in accordance with subsection (b).

3 ~~(c) Mandatory sealing of court file. The court file~~  
4 ~~relating to an eviction action brought against a tenant under~~  
5 ~~Section 9-207.5 of this Code or as set forth in subdivision~~  
6 ~~(h)(6) of Section 15-1701 of this Code shall be placed under~~  
7 seal:

8 (1) in a foreclosure-related eviction action;

9 (2) in a not-for-cause eviction;

10 (3) if the parties to the eviction action so agree; and

11 (4) in an action not resulting in an eviction order  
12 entered in favor of the plaintiff.

13 (d) Except as provided in subsection (a-10), any tenant or  
14 occupant named as a defendant in an eviction action may file a  
15 motion or petition to seal the court file of the eviction  
16 action, including an action filed before the effective date of  
17 this amendatory Act of the 101st General Assembly.

18 (e) Court files shall be sealed as follows:

19 (1) Court files identified as qualifying for mandatory  
20 sealing under paragraph (1) or (2) of subsection (c) shall  
21 be sealed by court order as soon as it is apparent to the  
22 court that an action qualifies for mandatory sealing. The  
23 court shall examine the plaintiff's complaint and any other  
24 relevant information proffered by the parties, make  
25 findings in accordance with subsection (a-10), and order  
26 the court file sealed at the earliest upon filing and no

1 later than the return date on the original pleading filed  
2 by the plaintiff.

3 Nothing in this subsection imposes a duty upon the  
4 clerk of the circuit court to inspect a complaint for an  
5 eviction action to ensure compliance with this subsection.

6 (2) Court files identified as qualifying for mandatory  
7 sealing under paragraph (3) of subsection (c) shall be  
8 sealed by court order as soon as the parties' agreement to  
9 seal is entered by the court.

10 (3) Except as provided in this paragraph, court files  
11 identified as qualifying for mandatory sealing under  
12 paragraph (4) of subsection (c) shall be sealed by court  
13 order no later than entry of the final disposition of the  
14 action. The court shall seal the court file of an eviction  
15 action in which there is not a final disposition and no  
16 appeal is pending and there has been no action of record  
17 for over 6 months without another court date scheduled.

18 (4) All other court files, including, but not limited  
19 to, those pertaining to eviction actions filed before the  
20 effective date of this amendatory Act of the 101st General  
21 Assembly and those pertaining to eviction actions that  
22 qualify for mandatory sealing under subsection (c) but were  
23 misidentified as not qualifying for mandatory sealing,  
24 shall be sealed, upon motion or petition, if the court  
25 finds that the court file qualifies for mandatory sealing  
26 under subsection (c) or discretionary sealing under



1 subsection (b).

2 (5) In an eviction action in which the court determines  
3 a court file qualifies for mandatory sealing under  
4 subsection (c) or discretionary sealing under subsection  
5 (b), the court shall enter a separate order to seal the  
6 court file.

7 (6) In an eviction action in which the court finds that  
8 the court file is exempt from sealing under subsection  
9 (a-10), the court shall enter a separate order with that  
10 finding.

11 (f) Unless the court finds that the action involves either  
12 a commercial tenancy or a condominium unit in accordance with  
13 paragraph (3) or (4) of subsection (a-10), the clerk of the  
14 circuit court shall automatically seal all eviction action  
15 court files no later than 3 years after the plaintiff's initial  
16 filing with the court, regardless of the final disposition of  
17 the case. This subsection applies only to eviction actions  
18 filed after the effective date of this amendatory Act of the  
19 101st General Assembly.

20 (Source: P.A. 100-173, eff. 1-1-18.)

21 (735 ILCS 5/9-122 new)

22 Sec. 9-122. Dissemination and use of information contained  
23 in a sealed court file.

24 (a) If a person knows or has reasonable cause to know that  
25 information is derived from a sealed court file, he or she

1 shall not disseminate the information.

2 (b) A consumer reporting agency, including a tenant  
3 background screening service, shall not disclose the existence  
4 of, or information regarding, an eviction action if there is no  
5 final disposition entered by the court or if the court file is  
6 sealed under Section 9-121 or otherwise made confidential by  
7 the court, or use the action as a factor to determine any score  
8 or recommendation to be included in a consumer report  
9 pertaining to a person named in an action. A consumer reporting  
10 agency may include in a consumer report information found in a  
11 publicly available court file, if: (i) the consumer's full  
12 name, date of birth, social security number, and both the basis  
13 for and final disposition of the eviction action reported are  
14 included in the report; (ii) the consumer is permitted to  
15 include a 100-word statement about any court file included in  
16 any way in the report; and (iii) the information is removed  
17 from the report or from the calculation of any score or  
18 recommendation therein within 7 days of sealing of the court  
19 file from which it is derived.

20 Any violation of this subsection is an unlawful practice  
21 under the Consumer Fraud and Deceptive Business Practices Act.

22 (c) Any person who violates this Section shall be liable to  
23 the affected tenant or occupant for \$2,000 for each violation,  
24 or twice the actual and consequential damages sustained,  
25 whichever is greater, and the costs of the action, including  
26 reasonable attorney's fees.

1       (d) This Section does not apply to a tenant or occupant  
2 whose court file was sealed, his or her counsel, the court, or  
3 the clerk of the circuit court.

4       (e) Nothing in this Section shall be deemed to waive the  
5 rights or remedies of any consumer under any law, rule, or  
6 regulation.

7       (f) Nothing in this Section prohibits the dissemination of  
8 information regarding a money judgment for the sole purpose of  
9 enforcing the judgment pursuant to Article XII of the Code of  
10 Civil Procedure.

11       (g) Nothing in this Section prohibits the provision of the  
12 eviction order to a sheriff for the sole purpose of enforcement  
13 of the order.

14       (h) If any provision of this Section or its application to  
15 any person or circumstance is held invalid, the invalidity of  
16 that provision or application does not affect other provisions  
17 or applications of this Section that can be given effect  
18 without the invalid provision or application.

19       (735 ILCS 5/15-1701) (from Ch. 110, par. 15-1701)

20       Sec. 15-1701. Right to possession.

21       (a) General. The provisions of this Article shall govern  
22 the right to possession of the mortgaged real estate during  
23 foreclosure. Possession under this Article includes physical  
24 possession of the mortgaged real estate to the same extent to  
25 which the mortgagor, absent the foreclosure, would have been

1 entitled to physical possession. For the purposes of Part 17,  
2 real estate is residential real estate only if it is  
3 residential real estate at the time the foreclosure is  
4 commenced.

5 (b) Pre-Judgment. Prior to the entry of a judgment of  
6 foreclosure:

7 (1) In the case of residential real estate, the  
8 mortgagor shall be entitled to possession of the real  
9 estate except if (i) the mortgagee shall object and show  
10 good cause, (ii) the mortgagee is so authorized by the  
11 terms of the mortgage or other written instrument, and  
12 (iii) the court is satisfied that there is a reasonable  
13 probability that the mortgagee will prevail on a final  
14 hearing of the cause, the court shall upon request place  
15 the mortgagee in possession. If the residential real estate  
16 consists of more than one dwelling unit, then for the  
17 purpose of this Part residential real estate shall mean  
18 only that dwelling unit or units occupied by persons  
19 described in clauses (i), (ii) and (iii) of Section  
20 15-1219.

21 (2) In all other cases, if (i) the mortgagee is so  
22 authorized by the terms of the mortgage or other written  
23 instrument, and (ii) the court is satisfied that there is a  
24 reasonable probability that the mortgagee will prevail on a  
25 final hearing of the cause, the mortgagee shall upon  
26 request be placed in possession of the real estate, except

1           that if the mortgagor shall object and show good cause, the  
2           court shall allow the mortgagor to remain in possession.

3           (c) Judgment Through 30 Days After Sale Confirmation. After  
4           the entry of a judgment of foreclosure and through the 30th day  
5           after a foreclosure sale is confirmed:

6                   (1) Subsection (b) of Section 15-1701 shall be  
7           applicable, regardless of the provisions of the mortgage or  
8           other instrument, except that after a sale pursuant to the  
9           judgment the holder of the certificate of sale (or, if  
10          none, the purchaser at the sale) shall have the mortgagee's  
11          right to be placed in possession, with all rights and  
12          duties of a mortgagee in possession under this Article.

13                   (2) Notwithstanding paragraph (1) of subsection (b)  
14          and paragraph (1) of subsection (c) of Section 15-1701,  
15          upon request of the mortgagee, a mortgagor of residential  
16          real estate shall not be allowed to remain in possession  
17          between the expiration of the redemption period and through  
18          the 30th day after sale confirmation unless (i) the  
19          mortgagor pays to the mortgagee or such holder or  
20          purchaser, whichever is applicable, monthly the lesser of  
21          the interest due under the mortgage calculated at the  
22          mortgage rate of interest applicable as if no default had  
23          occurred or the fair rental value of the real estate, or  
24          (ii) the mortgagor otherwise shows good cause. Any amounts  
25          paid by the mortgagor pursuant to this subsection shall be  
26          credited against the amounts due from the mortgagor.

1           (d) After 30 Days After Sale Confirmation. The holder of  
2 the certificate of sale or deed issued pursuant to that  
3 certificate or, if no certificate or deed was issued, the  
4 purchaser, except to the extent the holder or purchaser may  
5 consent otherwise, shall be entitled to possession of the  
6 mortgaged real estate, as of the date 30 days after the order  
7 confirming the sale is entered, against those parties to the  
8 foreclosure whose interests the court has ordered terminated,  
9 without further notice to any party, further order of the  
10 court, or resort to proceedings under any other statute other  
11 than this Article. This right to possession shall be limited by  
12 the provisions governing entering and enforcing orders of  
13 possession under subsection (g) of Section 15-1508. If the  
14 holder or purchaser determines that there are occupants of the  
15 mortgaged real estate who have not been made parties to the  
16 foreclosure and had their interests terminated therein, the  
17 holder or purchaser may bring an eviction proceeding under  
18 subsection (h) of this Section, if applicable, or under Article  
19 IX of this Code to terminate the rights of possession of any  
20 such occupants. The holder or purchaser shall not be entitled  
21 to proceed against any such occupant under Article IX of this  
22 Code until after 30 days after the order confirming the sale is  
23 entered.

24           (e) Termination of Leases. A lease of all or any part of  
25 the mortgaged real estate shall not be terminated automatically  
26 solely by virtue of the entry into possession by (i) a

1 mortgagee or receiver prior to the entry of an order confirming  
2 the sale, (ii) the holder of the certificate of sale, (iii) the  
3 holder of the deed issued pursuant to that certificate, or (iv)  
4 if no certificate or deed was issued, the purchaser at the  
5 sale.

6 (f) Other Statutes; Instruments. The provisions of this  
7 Article providing for possession of mortgaged real estate shall  
8 supersede any other inconsistent statutory provisions. In  
9 particular, and without limitation, whenever a receiver is  
10 sought to be appointed in any action in which a foreclosure is  
11 also pending, a receiver shall be appointed only in accordance  
12 with this Article. Except as may be authorized by this Article,  
13 no mortgage or other instrument may modify or supersede the  
14 provisions of this Article.

15 (g) Certain Leases. Leases of the mortgaged real estate  
16 entered into by a mortgagee in possession or a receiver and  
17 approved by the court in a foreclosure shall be binding on all  
18 parties, including the mortgagor after redemption, the  
19 purchaser at a sale pursuant to a judgment of foreclosure and  
20 any person acquiring an interest in the mortgaged real estate  
21 after entry of a judgment of foreclosure in accordance with  
22 Sections 15-1402 and 15-1403.

23 (h) Proceedings Against Certain Occupants.

24 (1) The mortgagee-in-possession of the mortgaged real  
25 estate under Section 15-1703, a receiver appointed under  
26 Section 15-1704, a holder of the certificate of sale or

1 deed, or the purchaser may, at any time during the pendency  
2 of the foreclosure and up to 90 days after the date of the  
3 order confirming the sale, file a supplemental eviction  
4 petition against a person not personally named as a party  
5 to the foreclosure. This subsection (h) does not apply to  
6 any lessee with a bona fide lease of a dwelling unit in  
7 residential real estate in foreclosure.

8 (2) The supplemental eviction petition shall name each  
9 such occupant against whom an eviction order is sought and  
10 state the facts upon which the claim for relief is  
11 premised.

12 (3) The petitioner shall serve upon each named occupant  
13 the petition, a notice of hearing on the petition, and, if  
14 any, a copy of the certificate of sale or deed. The  
15 eviction proceeding, including service of the notice of the  
16 hearing and the petition, shall in all respects comport  
17 with the requirements of Article IX of this Code, except as  
18 otherwise specified in this Section. The hearing shall be  
19 no less than 21 days from the date of service of the  
20 notice.

21 (4) The supplemental petition shall be heard as part of  
22 the foreclosure proceeding and without the payment of  
23 additional filing fees. An eviction order obtained under  
24 this Section shall name each occupant whose interest has  
25 been terminated, shall recite that it is only effective as  
26 to the occupant so named and those holding under them, and



1 shall be enforceable for no more than 120 days after its  
2 entry, except that the 120-day period may be extended to  
3 the extent and in the manner provided in Section 9-117 of  
4 Article IX and except as provided in item (5) of this  
5 subsection (h).

6 (5) In a case of foreclosure where the occupant is  
7 current on his or her rent, or where timely written notice  
8 of to whom and where the rent is to be paid has not been  
9 provided to the occupant, or where the occupant has made  
10 good-faith efforts to make rental payments in order to keep  
11 current, any eviction order must allow the occupant to  
12 retain possession of the property covered in his or her  
13 rental agreement (i) for 120 days following the notice of  
14 the hearing on the supplemental petition that has been  
15 properly served upon the occupant, or (ii) through the  
16 duration of his or her lease, whichever is shorter,  
17 provided that if the duration of his or her lease is less  
18 than 30 days from the date of the order, the order shall  
19 allow the occupant to retain possession for 30 days from  
20 the date of the order. A mortgagee in possession, receiver,  
21 holder of a certificate of sale or deed, or purchaser at  
22 the judicial sale, who asserts that the occupant is not  
23 current in rent, shall file an affidavit to that effect in  
24 the supplemental petition proceeding. If the occupant has  
25 been given timely written notice of to whom and where the  
26 rent is to be paid, this item (5) shall only apply if the

1 occupant continues to pay his or her rent in full during  
2 the 120-day period or has made good-faith efforts to pay  
3 the rent in full during that period.

4 (6) The court records relating to a supplemental  
5 eviction petition filed under this subsection (h) against  
6 an occupant who is entitled to notice under item (5) of  
7 this subsection (h), ~~or~~ relating to an eviction action  
8 brought against an occupant who would have lawful  
9 possession of the premises but for the foreclosure of a  
10 mortgage on the property, or relating to a foreclosure  
11 action in which a tenant or occupant has been named as a  
12 defendant in the foreclosure action shall be ordered sealed  
13 and shall not be disclosed to any person, other than a law  
14 enforcement officer or any other representative of a  
15 governmental entity, except upon further order of the  
16 court.

17 (i) Termination of bona fide leases. The holder of the  
18 certificate of sale, the holder of the deed issued pursuant to  
19 that certificate, or, if no certificate or deed was issued, the  
20 purchaser at the sale shall not terminate a bona fide lease of  
21 a dwelling unit in residential real estate in foreclosure  
22 except pursuant to Article IX of this Code.

23 (Source: P.A. 100-173, eff. 1-1-18.)

24 Section 10. The Consumer Fraud and Deceptive Business  
25 Practices Act is amended by changing Section 2Z as follows:

1 (815 ILCS 505/2Z) (from Ch. 121 1/2, par. 262Z)

2 Sec. 2Z. Violations of other Acts. Any person who knowingly  
3 violates the Automotive Repair Act, the Automotive Collision  
4 Repair Act, the Home Repair and Remodeling Act, the Dance  
5 Studio Act, the Physical Fitness Services Act, the Hearing  
6 Instrument Consumer Protection Act, the Illinois Union Label  
7 Act, the Installment Sales Contract Act, the Job Referral and  
8 Job Listing Services Consumer Protection Act, the Travel  
9 Promotion Consumer Protection Act, the Credit Services  
10 Organizations Act, the Automatic Telephone Dialers Act, the  
11 Pay-Per-Call Services Consumer Protection Act, the Telephone  
12 Solicitations Act, the Illinois Funeral or Burial Funds Act,  
13 the Cemetery Oversight Act, the Cemetery Care Act, the Safe and  
14 Hygienic Bed Act, the Illinois Pre-Need Cemetery Sales Act, the  
15 High Risk Home Loan Act, the Payday Loan Reform Act, the  
16 Mortgage Rescue Fraud Act, subsection (a) or (b) of Section  
17 3-10 of the Cigarette Tax Act, subsection (a) or (b) of Section  
18 3-10 of the Cigarette Use Tax Act, the Electronic Mail Act, the  
19 Internet Caller Identification Act, paragraph (6) of  
20 subsection (k) of Section 6-305 of the Illinois Vehicle Code,  
21 Section 11-1431, 18d-115, 18d-120, 18d-125, 18d-135, 18d-150,  
22 or 18d-153 of the Illinois Vehicle Code, Article 3 of the  
23 Residential Real Property Disclosure Act, the Automatic  
24 Contract Renewal Act, the Reverse Mortgage Act, Section 25 of  
25 the Youth Mental Health Protection Act, the Personal

1 Information Protection Act, subsection (b) of Section 9-122 of  
2 the Code of Civil Procedure, or the Student Online Personal  
3 Protection Act commits an unlawful practice within the meaning  
4 of this Act.

5 (Source: P.A. 99-331, eff. 1-1-16; 99-411, eff. 1-1-16; 99-642,  
6 eff. 7-28-16; 100-315, eff. 8-24-17; 100-416, eff. 1-1-18;  
7 100-863, eff. 8-14-18.)