

1 AN ACT concerning business transactions.

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

4 Section 5. The Consumer Fraud and Deceptive Business  
5 Practices Act is amended by adding Section 2P.1 as follows:

6 (815 ILCS 505/2P.1 new)

7 Sec. 2P.1. Telemarketing; free trials.

8 (a) As used in this Section, "telemarketing" means a  
9 plan, program, or campaign which is conducted to induce the  
10 purchase of goods or services by use of one or more  
11 telephones and which involves calls to or from more than one  
12 consumer.

13 (b) A person or entity that, by means of a telemarketing  
14 plan, program, or campaign, offers free goods or services to  
15 an Illinois consumer on a trial basis and assesses a periodic  
16 fee or charge for the goods or services after the end of the  
17 free trial period, must send to any consumer who accepts the  
18 free goods or services a form that the consumer may use to  
19 indicate his or her agreement to pay the periodic fee or  
20 charge after the end of the free trial period. The person or  
21 entity must not assess any fee or charge for the goods or  
22 services after the end of the free trial period if the person  
23 or entity does not receive a signed form from the consumer in  
24 which the consumer agrees to pay the periodic fee or charge  
25 after the end of the free trial period.

26 (c) Violation of this Section constitutes an unlawful  
27 practice within the meaning of this Act.