

1 AMENDMENT TO HOUSE BILL 2188

2 AMENDMENT NO. _____. Amend House Bill 2188 on page 1, by
3 replacing line 1 with the following:

4 "AN ACT in relation to identity theft."; and

5 on page 2, by inserting below line 24 the following:

6 "Section 10. The Consumer Fraud and Deceptive Business
7 Practices Act is amended by adding Section 2MM as follows:

8 (815 ILCS 505/2MM new)

9 Sec. 2MM. Verification of accuracy of credit reporting
10 information used to extend consumers credit.

11 (a) A credit card issuer who mails an offer or
12 solicitation to apply for a credit card and who receives a
13 completed application in response to the offer or
14 solicitation which lists an address that is not substantially
15 the same as the address on the offer or solicitation may not
16 issue a credit card based on that application until
17 reasonable steps have been taken to verify the applicant's
18 change of address.

19 (b) Any person who uses a consumer credit report in
20 connection with the approval of credit based on the

1 application for an extension of credit, and who has received
2 notification of a police report filed with a consumer
3 reporting agency that the applicant has been a victim of
4 financial identity theft, as defined in Section 16G-15 of
5 the Criminal Code of 1961, may not lend money or extend
6 credit without taking reasonable steps to verify the
7 consumer's identity and confirm that the application for an
8 extension of credit is not the result of financial identity
9 theft.

10 (c) For purposes of this Section, "extension of credit"
11 does not include an increase in an existing open-end credit
12 plan, as defined in Regulation Z of the Federal Reserve
13 System (12 C.F.R. 226.2), or any change to or review of an
14 existing credit account.

15 (d) Any person who violates subsection (a) or subsection
16 (b) commits an unlawful practice within the meaning of this
17 Act."