



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4573

Introduced 1/11/2006, by Rep. Robert S. Molaro

SYNOPSIS AS INTRODUCED:

815 ILCS 505/2XX new

Amends the Consumer Fraud and Deceptive Business Practices Act. Makes it an unlawful practice for any lender under a revolving credit arrangement to charge a late fee on that account if: (i) the lender provides the debtor with a statement that contains a due date; (ii) the lender has an automated payment system; and (iii) the debtor pays the bill at any time before midnight central time on the due date listed on the statement using the automated payment system. Makes it an unlawful practice for any lender under a revolving credit arrangement to report a late payment of a debtor to any credit reporting agencies if the debtor has paid the bill at any time before midnight central time on the due date listed on the statement using the automated payment system. Effective immediately.

LRB094 16776 LCT 52047 b

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

6 (815 ILCS 505/2XX new)

7 Sec. 2XX. Credit card late fees; credit reporting.

8 (a) It is an unlawful practice under this Act for any
9 lender under a revolving credit arrangement to charge a late
10 fee on that account if:

11 (1) the lender provides the debtor with a statement
12 that contains a due date;

13 (2) the lender has an automated payment system; and

14 (3) the debtor pays the bill at any time before
15 midnight central time on the due date listed on the
16 statement using the automated payment system.

17 (b) It is an unlawful practice under this Act for any
18 lender under a revolving credit arrangement to report a late
19 payment of a debtor to any credit reporting agencies if the
20 debtor has paid the bill at any time before midnight central
21 time on the due date listed on the statement using the
22 automated payment system.

23 (c) For purposes of this Section, "automated payment
24 system" includes any payment method that allows the debtor to
25 make a payment by telephone, without speaking to a live person,
26 or through use of the Internet.

27 Section 99. Effective date. This Act takes effect upon
28 becoming law.