



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB3522

Introduced 2/28/2007, by Rep. Careen M Gordon

SYNOPSIS AS INTRODUCED:

815 ILCS 505/2ZZ new

Amends the Consumer Fraud and Deceptive Business Practices Act. Applies to gift cards that meet these criteria: the card is purchased at a retail establishment on a prepaid basis in a certain dollar value; a unique account or code number is printed on the card; the account or code number printed on the card is not hidden by a coating that is removed after the card is purchased; the card is honored by one or more retail establishments and also by one or more online merchants for goods or services, and the amount of the purchase is deducted from the value of the card; and purchases may be made with the card through an online merchant by entering the account or code number printed on the card without any requirement that the card itself be presented. Provides that if a consumer who purchased a gift card from a retail establishment presents to the retail establishment the gift card and the purchase receipt indicating the original value of the gift card and informs the retail establishment that part or all of the dollar value of the gift card has been deducted but was not used by the purchaser or the intended recipient of the gift card, the retail establishment shall refund to the consumer the amount so deducted. Makes violation an unlawful practice within the meaning of the Act.

LRB095 07241 LCT 27376 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 2ZZ as follows:

6 (815 ILCS 505/2ZZ new)

7 Sec. 2ZZ. Gift cards; refunds.

8 (a) As used in this Section only:

9 (1) "Gift card" means a numbered plastic card that
10 meets all of the following criteria:

11 (A) The card is purchased by a consumer at a retail
12 establishment on a prepaid basis in a certain dollar
13 value.

14 (B) A unique account or code number is printed on
15 the card.

16 (C) The account or code number printed on the card
17 is not hidden by a coating that is removed after the
18 card is purchased.

19 (D) The card is honored by one or more retail
20 establishments and also by one or more online merchants
21 for goods or services, and the amount of the purchase
22 is deducted from the value of the card.

23 (E) Purchases may be made with the card through one

1 or more online merchants by entering the account or
2 code number printed on the card, without any
3 requirement that the card itself be presented.

4 (2) "Online merchant" means a merchant that sells goods
5 or services through the Internet or through other
6 electronic communications.

7 (b) If a consumer who purchased a gift card from a retail
8 establishment presents to the retail establishment the gift
9 card and the purchase receipt indicating the original value of
10 the gift card and informs the retail establishment that part or
11 all of the dollar value of the gift card has been deducted but
12 was not used by the purchaser or the intended recipient of the
13 gift card, the retail establishment shall refund to the
14 consumer the amount so deducted.

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