

1 AN ACT concerning regulation.

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

4 Section 5. The Currency Exchange Act is amended by changing
5 Sections 3.3 and 4 as follows:

6 (205 ILCS 405/3.3) (from Ch. 17, par. 4807)

7 Sec. 3.3. Additional public services.

8 (a) Nothing in this Act shall prevent the Secretary from
9 authorizing a currency exchange, group of currency exchanges,
10 or association of currency exchanges to render additional
11 services to the public if the services are consistent with the
12 provisions of this Act, are within its meaning, are in the best
13 interest of the public, and benefit the general welfare. A
14 currency exchange, group of currency exchanges, or association
15 of currency exchanges must request, in writing, the Secretary's
16 approval of the additional service prior to rendering such
17 additional service to the public. Any approval under this
18 Section shall be deemed an approval for all currency exchanges.
19 Any currency exchange wishing to provide an additional service
20 as approved by the Secretary must provide notice to the
21 Secretary 30 days prior to offering the approved additional
22 service to the public. The Secretary may charge an additional
23 service investigation fee of \$500 per application. Upon receipt

1 of an application, the Secretary shall examine the application
2 for completeness and notify the applicant of any deficiency
3 within 10 days after receipt. The Secretary shall approve or
4 deny every application within 45 days after the filing of a
5 complete application. If the application is denied, the
6 Secretary shall send by United States mail notice of the denial
7 to the applicant at the address set forth in the application.
8 If an application is denied, the applicant may, within 10 days
9 after the date of the notice of denial, make a written request
10 to the Secretary for a hearing on the application, and the
11 Secretary shall set a time and place for the hearing. The
12 hearing shall be set for a date after the receipt by the
13 Secretary of the request for hearing, and written notice of the
14 time and place of the hearing shall be mailed to the applicant
15 no later than 15 days before the date of the hearing. The
16 applicant shall pay the actual cost of making the transcript of
17 the hearing prior to the Secretary's issuing his or her
18 decision following the hearing. If, following the hearing, the
19 application is denied, the Secretary shall, within 20 days
20 thereafter, prepare and keep on file in his or her office a
21 written order of the denial, which shall contain his or her
22 findings and the reasons supporting the denial, and shall send
23 by United States mail a copy of the written order of denial to
24 the applicant at the address set forth in the application,
25 within 5 days after the filing of the order. The Secretary's
26 decision may be subject to review as provided in Section 22.01

1 of this Act. The Secretary may, ~~at his or her discretion,~~ after
2 a public hearing held at least 30 days after the giving of
3 written notice to the affected currency exchange, revoke any
4 authorization under this Section after giving ~~on~~ 60 days' days
5 written notice to the affected currency exchange. If a
6 previously granted application is revoked after a public
7 hearing, the Secretary shall, within 20 days thereafter,
8 prepare and keep on file in his or her office a written order
9 of revocation, which shall contain his or her findings and the
10 reasons supporting the revocation, and shall send by United
11 States mail a copy of the written order of revocation to the
12 applicant at the address set forth in the application, within 5
13 days after the filing of the order. The Secretary's decision
14 may be subject to review as provided in Section 22.01 of this
15 Act.

16 (b) (Blank).

17 (Source: P.A. 97-315, eff. 1-1-12.)

18 (205 ILCS 405/4) (from Ch. 17, par. 4808)

19 Sec. 4. License application; contents; fees. Application
20 for such license shall be in writing under oath and in the form
21 prescribed and furnished by the Secretary. Each application
22 shall contain the following:

23 (a) The full name and address (both of residence and
24 place of business) of the applicant, and if the applicant
25 is a partnership, limited liability company, or

1 association, of every member thereof, and the name and
2 business address if the applicant is a corporation;

3 (b) The county and municipality, with street and
4 number, if any, where the community currency exchange is to
5 be conducted, if the application is for a community
6 currency exchange license;

7 (c) If the application is for an ambulatory currency
8 exchange license, the name and address of the employer at
9 each location to be served by it; and

10 (d) The applicant's occupation or profession; a
11 detailed statement of his business experience for the 10
12 years immediately preceding his application; a detailed
13 statement of his finances; his present or previous
14 connection with any other currency exchange; whether he has
15 ever been involved in any civil or criminal litigation, and
16 the material facts pertaining thereto; whether he has ever
17 been committed to any penal institution or admitted to an
18 institution for the care and treatment of mentally ill
19 persons; and the nature of applicant's occupancy of the
20 premises to be licensed where the application is for a
21 community currency exchange license. If the applicant is a
22 partnership, the information specified herein shall be
23 required of each partner. If the applicant is a
24 corporation, the said information shall be required of each
25 officer, director and stockholder thereof along with
26 disclosure of their ownership interests. If the applicant

1 is a limited liability company, the information required by
2 this Section shall be provided with respect to each member
3 and manager along with disclosure of their ownership
4 interests.

5 A community currency exchange license application shall be
6 accompanied by a fee of \$500, prior to January 1, 2012. After
7 January 1, 2012 the fee shall be \$750. After January 1, 2014
8 the fee shall be \$1,000. for the cost of investigating the
9 applicant. If the ownership of a licensee changes, in whole or
10 in part, a new application must be filed pursuant to this
11 Section along with a \$500 fee if the licensee's ownership
12 interests have been transferred or sold to a new person or
13 entity or a fee of \$300 if the licensee's ownership interests
14 have been transferred or sold to a current holder or holders of
15 the licensee's ownership interests. When the application for a
16 community currency exchange license has been approved by the
17 Secretary and the applicant so advised, an additional sum of
18 \$400 as an annual license fee for a period terminating on the
19 last day of the current calendar year shall be paid to the
20 Secretary by the applicant; provided, that the license fee for
21 an applicant applying for such a license after July 1st of any
22 year shall be \$200 for the balance of such year. Upon receipt
23 of a community currency exchange license application, the
24 Secretary shall examine the application for completeness and
25 notify the applicant of any deficiency within 10 days after
26 receipt. The Secretary shall approve or deny every application

1 within 45 days after the filing of a complete application. If
2 the application is denied, the Secretary shall send by United
3 States mail notice of the denial to the applicant at the
4 address set forth in the application. If an application is
5 denied, the applicant may, within 10 days after the date of the
6 notice of denial, make a written request to the Secretary for a
7 hearing on the application, and the Secretary shall set a time
8 and place for the hearing. The hearing shall be set for a date
9 after the receipt by the Secretary of the request for hearing,
10 and written notice of the time and place of the hearing shall
11 be mailed to the applicant no later than 15 days before the
12 date of the hearing. The applicant shall pay the actual cost of
13 making the transcript of the hearing prior to the Secretary's
14 issuing his or her decision following the hearing. If,
15 following the hearing, the application is denied, the Secretary
16 shall, within 20 days thereafter, prepare and keep on file in
17 his or her office a written order of the denial, which shall
18 contain his or her findings and the reasons supporting the
19 denial, and shall send by United States mail a copy of the
20 written order of denial to the applicant at the address set
21 forth in the application, within 5 days after the filing of the
22 order. The Secretary's decision may be subject to review as
23 provided in Section 22.01 of this Act.

24 An application for an ambulatory currency exchange license
25 shall be accompanied by a fee of \$100, which fee shall be for
26 the cost of investigating the applicant. An approved applicant

1 shall not be required to pay the initial investigation fee of
2 \$100 more than once. When the application for an ambulatory
3 currency exchange license has been approved by the Secretary,
4 and such applicant so advised, such applicant shall pay an
5 annual license fee of \$25 for each and every location to be
6 served by such applicant; provided that such license fee for an
7 approved applicant applying for such a license after July 1st
8 of any year shall be \$12 for the balance of such year for each
9 and every location to be served by such applicant. Such an
10 approved applicant for an ambulatory currency exchange
11 license, when applying for a license with respect to a
12 particular location, shall file with the Secretary, at the time
13 of filing an application, a letter of memorandum, which shall
14 be in writing and under oath, signed by the owner or authorized
15 representative of the business whose employees are to be
16 served; such letter or memorandum shall contain a statement
17 that such service is desired, and that the person signing the
18 same is authorized so to do. The Secretary shall thereupon
19 verify the authenticity of the letter or memorandum and the
20 authority of the person who executed it, to do so.

21 (Source: P.A. 97-315, eff. 1-1-12.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.