

1 AN ACT in relation to criminal law.

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

4 Section 5. The Criminal Code of 1961 is amended by
5 changing Section 17-5 as follows:

6 (720 ILCS 5/17-5) (from Ch. 38, par. 17-5)

7 Sec. 17-5. Deceptive collection practices.

8 A collection agency as defined in the "Collection Agency
9 Act" or any employee of the such collection agency commits a
10 deceptive collection practice when, with the intent to
11 collect a debt owed to a person, corporation, or other
12 entity, he:

13 (a) represents falsely that he is an attorney, a
14 policeman, a sheriff or deputy sheriff, a bailiff, a county
15 clerk or employee of a county clerk's office, or any other
16 person who by statute is authorized to enforce the law or any
17 order of a court; or

18 (b) while attempting to collect an alleged debt,
19 misrepresents to the alleged debtor or to his immediate
20 family the corporate, partnership or proprietary name or
21 other trade or business name under which the debt collector
22 is engaging in debt collections and which he is legally
23 authorized to use; or

24 (c) while attempting to collect an alleged debt, adds to
25 the debt any service charge, interest or penalty which he is
26 not entitled by law to add; or

27 (d) threatens to ruin, destroy, or otherwise adversely
28 affect an alleged debtor's credit rating unless, at the same
29 time, a disclosure is made in accordance with federal law
30 that the alleged debtor has a right to inspect his credit
31 rating; or

1 (e) accepts from an alleged debtor a payment which he
2 knows is not owed.

3 The commission of a deceptive collection practice is a
4 Business Offense punishable by a fine not to exceed \$3,000.

5 (Source: P.A. 78-1248.)