

AN ACT concerning business.

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

Section 1. Short title. This Act may be cited as the Service Appointment Fairness Act.

Section 5. Service appointment times.

(a) If a person provides a service to a consumer, including a repair or installation service, and the provision of the service requires entry to the consumer's dwelling or requires the consumer to be present at the consumer's property for the service to be provided, the service provider shall:

(1) schedule an appointment with the consumer; and

(2) provide the consumer with reasonable notice of an estimated time or range of times during which the service provider will arrive to provide the service.

(b) If the estimated range of time provided under paragraph (2) of subsection (a) exceeds 2 hours, the service provider shall notify the consumer by telephone no later than one hour before the service provider's anticipated arrival time. The notice shall state the specific time at which the service provider expects to arrive. If the consumer does not answer the telephone, the service provider may leave a voicemail message to satisfy the requirements of this

subsection.

(c) If the provider fails to satisfy the requirements of paragraph (2) of subsection (a), fails to satisfy the requirements of subsection (b), or fails to arrive within 30 minutes of the time stated in the telephone call or voicemail message as provided in subsection (b), the provider shall not charge the consumer any fee or additional charge if the consumer is not present when the service provider arrives.

Section 10. Enforcement.

(a) The Attorney General or the State's Attorney of any county in this State may bring an action in the name of the People of this State against any person to restrain and prevent any pattern or practice in violation of subsection (c) of Section 5. In the enforcement of subsection (c) of Section 5, the Attorney General or the State's Attorney may accept an assurance of voluntary compliance from anyone engaged in any conduct, act, or practice deemed in violation of subsection (c) of Section 5. Failure to perform the terms of any such assurance constitutes prima facie evidence of a violation of subsection (c) of Section 5.

(b) A violation of subsection (c) of Section 5 constitutes an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act. All remedies, penalties, and authority granted to the Attorney General or the State's Attorney by the Consumer Fraud and Deceptive Business Practices Act shall be

available to the Attorney General or the State's Attorney for the enforcement of subsection (c) of Section 5.

Section 15. Action for actual damages. Any person who suffers actual damage as a result of a violation of subsection (c) of Section 5 may bring an action under Section 10a of the Consumer Fraud and Deceptive Business Practices Act.

Section 90. The Consumer Fraud and Deceptive Business Practices Act is amended by adding Section 2MMMM as follows:

(815 ILCS 505/2MMMM new)

Sec. 2MMMM. Violations of the Service Appointment Fairness Act. Any person who violates subsection (c) of Section 5 of the Service Appointment Fairness Act commits an unlawful practice within the meaning of this Act.