



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB2159

Introduced 2/14/2005, by Rep. Michael J. Madigan - Barbara Flynn Currie - John A. Fritchey

SYNOPSIS AS INTRODUCED:

735 ILCS 5/2-801

from Ch. 110, par. 2-801

Amends the Code of Civil Procedure. Makes a technical change in provisions concerning the maintenance of class actions.

LRB094 03009 LCB 33010 b

1 AN ACT concerning civil law.

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

4 Section 5. The Code of Civil Procedure is amended by
5 changing Section 2-801 as follows:

6 (735 ILCS 5/2-801) (from Ch. 110, par. 2-801)

7 Sec. 2-801. Prerequisites for the maintenance of a class
8 action. An action may be maintained as a class action in any
9 court of this State and ~~and~~ a party may sue or be sued as a
10 representative party of the class only if the court finds:

11 (1) The class is so numerous that joinder of all members is
12 impracticable.

13 (2) There are questions of fact or law common to the class,
14 which common questions predominate over any questions
15 affecting only individual members.

16 (3) The representative parties will fairly and adequately
17 protect the interest of the class.

18 (4) The class action is an appropriate method for the fair
19 and efficient adjudication of the controversy.

20 (Source: P.A. 82-280.)