



Sen. Michael Noland

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09500SB1865sam003

LRB095 13745 LCT 49418 a

1 AMENDMENT TO SENATE BILL 1865

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1865, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Parental Responsibility Law is amended by  
6 changing Sections 3 and 5 as follows:

7 (740 ILCS 115/3) (from Ch. 70, par. 53)

8 Sec. 3. Liability. The parent or legal guardian of an  
9 unemancipated minor who resides with such parent or legal  
10 guardian is liable for actual damages for the wilful or  
11 malicious acts of such minor which cause injury to a person or  
12 property, including damages caused by a minor who has been  
13 adjudicated a delinquent for violating Section 21-1.3 of the  
14 Criminal Code of 1961. Reasonable attorney's fees may be  
15 awarded to any a plaintiff ~~that is not a governmental unit~~ in  
16 any action under this Act. If the plaintiff is a governmental

1 unit, reasonable attorney's fees may be awarded up to \$15,000.

2 The changes to this Section made by this amendatory Act of  
3 the 95th General Assembly apply to causes of action accruing on  
4 or after its effective date.

5 (Source: P.A. 90-311, eff. 1-1-98.)

6 (740 ILCS 115/5) (from Ch. 70, par. 55)

7 Sec. 5. Limitation on damages; damages allowable. No  
8 recovery under this Act may exceed \$20,000 actual damages for  
9 each person, or legal entity as provided in Section 4 of this  
10 Act, for the first act or ~~each~~ occurrence of such wilful or  
11 malicious acts by the minor causing injury, and \$30,000 if a  
12 pattern or practice of wilful or malicious acts by a minor  
13 exists for a separate act or occurrence, in addition to taxable  
14 court costs and attorney's fees. In determining the damages to  
15 be allowed in an action under this Act for personal injury,  
16 only medical, dental and hospital expenses and expenses for  
17 treatment by Christian Science practitioners and nursing care  
18 appropriate thereto may be considered.

19 The changes to this Section made by this amendatory Act of  
20 the 95th General Assembly apply to causes of action accruing on  
21 or after its effective date.

22 (Source: P.A. 94-130, eff. 7-7-05.)".