



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB1772

Introduced 2/20/2009, by Sen. Kirk W. Dillard

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Transparency in Lawsuits Protection Act. Provides that the purpose of the Act is to ensure that any Act, regulatory or otherwise, enacted in this State shall not create a private right of action unless such a right is expressly stated in the Act. Provides that any Act enacted in this State creating a private right of action shall contain express language providing for such a right and that courts of this State shall not construe a statute to imply a private right of action in the absence of such express language. Applies to any action that has not yet been initiated or is pending on the effective date of the Act. Effective immediately.

LRB096 11395 WGH 21859 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 1. Short title. This Act may be cited as the  
5 Transparency in Lawsuits Protection Act.

6 Section 5. Purpose. The purpose of this Act is to ensure  
7 that any Act, regulatory or otherwise, enacted in this State  
8 shall not create a private right of action unless such a right  
9 is expressly stated in the Act.

10 Section 10. Transparency required. Any Act enacted in this  
11 State creating a private right of action shall contain express  
12 language providing for such a right. Courts of this State shall  
13 not construe a statute to imply a private right of action in  
14 the absence of such express language.

15 Section 15. Applicability. This Act shall apply to any  
16 action that has not yet been initiated or is pending on the  
17 effective date of this Act.

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law.