



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5278

by Rep. Scott Drury

SYNOPSIS AS INTRODUCED:

735 ILCS 5/13-201

from Ch. 110, par. 13-201

Amends the Code of Civil Procedure. Provides that when slander, libel, or publication of matter violating the right of privacy is committed anonymously, under a false or fictitious name, or without identifying the speaker, author, or publisher sufficiently to permit an action to be commenced against the person, the period of limitations shall not run during the time period in which the person entitled to bring the action undertakes to discover the identity of one who may be responsible in damages via a pre-suit action. Provides that in no event may an action be commenced more than 3 years after the commission of the slander, libel, or publication of matter violating the right of privacy.

LRB098 16204 HEP 51263 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 13-201 as follows:

6 (735 ILCS 5/13-201) (from Ch. 110, par. 13-201)
7 Sec. 13-201. Defamation - Privacy.

8 (a) Except as otherwise provided in this Section, actions
9 ~~Actions~~ for slander, libel or for publication of matter
10 violating the right of privacy, shall be commenced within one
11 year next after the cause of action accrued.

12 (b) When slander, libel, or publication of matter violating
13 the right of privacy is committed anonymously, under a false or
14 fictitious name, or without identifying the speaker, author, or
15 publisher sufficiently to permit an action to be commenced
16 against the person, the period of limitations shall not run
17 during the time period in which the person entitled to bring
18 the action undertakes to discover the identity of one who may
19 be responsible in damages via an action or actions brought
20 under Illinois Supreme Court Rule 224 or Federal Rule of Civil
21 Procedure 27 or similar actions for pre-suit discovery under
22 the law of other states or nations. In no event may an action
23 be commenced under this subsection (b) more than 3 years after

1 the commission of the slander, libel, or publication of matter
2 violating the right of privacy.

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