

AN ACT in relation to civil procedure.

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

Section 5. The Code of Civil Procedure is amended by
changing Section 2-1117 as follows:

(735 ILCS 5/2-1117) (from Ch. 110, par. 2-1117)

(Text of Section WITHOUT the changes made by P.A. 89-7,
which has been held unconstitutional)

Sec. 2-1117. Joint liability.

Except as provided in Section 2-1118, in actions on
account of bodily injury or death or physical damage to
property, based on negligence, or product liability based on
strict tort liability, all defendants found liable are
jointly and severally liable for plaintiff's past and future
medical and medically related expenses. Any defendant whose
fault, as determined by the trier of fact, is less than 25%
of the total fault attributable to the plaintiff, the
defendants sued by the plaintiff, and any third party
defendant except the plaintiff's employer who could have been
sued by the plaintiff, shall be severally liable for all
other damages. Any defendant whose fault, as determined by
the trier of fact, is 25% or greater of the total fault
attributable to the plaintiff, the defendants sued by the
plaintiff, and any third party defendants who could have been
sued by the plaintiff, shall be jointly and severally liable
for all other damages.

(Source: P.A. 84-1431.)

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