



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3359

Introduced 2/18/2025, by Rep. Jennifer Gong-Gershowitz

SYNOPSIS AS INTRODUCED:

705 ILCS 305/20

from Ch. 78, par. 20

735 ILCS 5/2-1106

from Ch. 110, par. 2-1106

Amends the Jury Act. Increases the number of petit jurors that may be drawn to serve from 14 up to and including 16 if alternate jurors are required. Amends the Code of Civil Procedure. Allows the court to impanel up to and including 4 alternative jurors instead of 1 or 2. Applies to actions commenced or pending on or after January 1, 2026.

LRB104 11958 JRC 22051 b

1 AN ACT concerning courts.

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

4 Section 5. The Jury Act is amended by changing Section 20
5 as follows:

6 (705 ILCS 305/20) (from Ch. 78, par. 20)

7 Sec. 20. (a) It shall be the duty of the clerk of the court
8 at the commencement of each week at which any cause is to be
9 tried by a jury to write the name of each petit juror summoned
10 and retained for that week on a separate ticket, and put the
11 whole into a box or other place for safekeeping; and as often
12 as it shall be necessary to impanel a jury, the clerk, sheriff
13 or coroner shall, in the presence of the court, draw by chance
14 12 names (or from 14 up to and including 16 where alternate
15 jurors are required) out of such box or other place, which
16 shall designate the persons to be sworn on the jury, and in the
17 same manner for the second jury, in their turn, as the court
18 may order and direct. The attorney for any party litigant in
19 any cause assigned to jury trial shall have the right to be
20 present in person at the time and place when the random
21 selection of jurors for trial of said cause is drawn by lot to
22 be assigned to the trial judge for voir dire examination; a
23 party litigant whose attorney is present at the selection

1 process waives any objection to the selection procedure unless
2 the same is asserted prior to the time any prospective juror is
3 called for voir dire examination.

4 (b) Notwithstanding the provisions of subsection (a),
5 names of jurors may be randomly drawn by computer.

6 (c) The changes made to this Section by this amendatory
7 Act of the 104th General Assembly apply to actions commenced
8 or pending on or after January 1, 2026.

9 (Source: P.A. 86-1053.)

10 Section 10. The Code of Civil Procedure is amended by
11 changing Section 2-1106 as follows:

12 (735 ILCS 5/2-1106) (from Ch. 110, par. 2-1106)

13 Sec. 2-1106. Peremptory challenges - Alternate jurors. (a)
14 Each side shall be entitled to 5 peremptory challenges. If
15 there is more than one party on any side, the court may allow
16 each side additional peremptory challenges, not to exceed 3,
17 on account of each additional party on the side having the
18 greatest number of parties. Each side shall be allowed an
19 equal number of peremptory challenges. If the parties on a
20 side are unable to agree upon the allocation of peremptory
21 challenges among themselves, the allocation shall be
22 determined by the court.

23 (b) The court may direct that up to and including 4 ~~1 or 2~~
24 jurors in addition to the regular panel be impanelled to serve

1 as alternate jurors. Alternate jurors, in the sequence in
2 which they are ordered into the jury box, shall replace jurors
3 who, prior to the time the jury retires to consider its
4 verdict, become unable to perform their duties. Alternate
5 jurors shall be drawn in the same manner, have the same
6 qualifications, be subject to the same examination and
7 challenges, take the same oath, and have the same functions,
8 powers, facilities, and privileges as the principal jurors. An
9 alternate juror who does not replace a principal juror shall
10 be discharged at the time the jury retires to consider its
11 verdict. If alternate jurors are called each side shall be
12 allowed one additional peremptory challenge, regardless of the
13 number of alternate jurors called. The additional peremptory
14 challenge may be used only against an alternate juror, but any
15 unexercised peremptory challenges may be used against an
16 alternate juror.

17 (c) The changes made to this Section by this amendatory
18 Act of the 104th General Assembly apply to actions commenced
19 or pending on or after January 1, 2026.

20 (Source: P.A. 83-707.)