



## 93RD GENERAL ASSEMBLY

### State of Illinois

### 2003 and 2004

Introduced 02/06/04, by Tom Cross

#### SYNOPSIS AS INTRODUCED:

735 ILCS 5/2-101

from Ch. 110, par. 2-101

Amends the Code of Civil Procedure. Makes a stylistic change in provisions concerning venue.

LRB093 14606 LCB 40114 b

1 AN ACT concerning civil procedure.

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 2-101 as follows:

6 (735 ILCS 5/2-101) (from Ch. 110, par. 2-101)

7 Sec. 2-101. Generally. Except as otherwise provided in this  
8 Act, every action must be commenced (1) in the county of  
9 residence of any defendant who is joined in good faith and with  
10 probable cause for the purpose of obtaining a judgment against  
11 him or her and not solely for the purpose of fixing venue in  
12 that county, or (2) in the county in which the transaction or  
13 some part of the transaction ~~thereof~~ occurred out of which the  
14 cause of action arose.

15 If a check, draft, money order, or other instrument for the  
16 payment of child support payable to or delivered to the State  
17 Disbursement Unit established under Section 10-26 of the  
18 Illinois Public Aid Code is returned by the bank or depository  
19 for any reason, venue for the enforcement of any criminal  
20 proceedings or civil cause of action for recovery and attorney  
21 fees shall be in the county where the principal office of the  
22 State Disbursement Unit is located.

23 If all defendants are nonresidents of the State, an action  
24 may be commenced in any county.

25 If the corporate limits of a city, village or town extend  
26 into more than one county, then the venue of an action or  
27 proceeding instituted by that municipality to enforce any fine,  
28 imprisonment, penalty or forfeiture for violation of any  
29 ordinance of that municipality, regardless of the county in  
30 which the violation was committed or occurred, may be in the  
31 appropriate court (i) in the county wherein the office of the  
32 clerk of the municipality is located or (ii) in any county in

1 which at least 35% of the territory within the municipality's  
2 corporate limits is located.

3 (Source: P.A. 91-212, eff. 7-20-99.)