

SB3498



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3498

Introduced 2/10/2010, by Sen. Kirk W. Dillard

SYNOPSIS AS INTRODUCED:

735 ILCS 5/13-226 new
735 ILCS 5/13-213 rep.

Amends the Code of Civil Procedure. Prohibits bringing a claim in a civil action if the claim is based, in whole or in part, on an act or omission that occurred more than 15 years before the claim was brought. Contains applicability provisions. Repeals a provision concerning limitations in product liability actions. Effective immediately.

LRB096 19819 AJ0 35266 b

A BILL FOR

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 adding
5 Section 13-226 as follows:

6 (735 ILCS 5/13-226 new)

7 Sec. 13-226. Statute of repose in tort actions.

8 (a) No claim may be brought against any defendant in any
9 civil action if the claim is based, in whole or in part, on any
10 act or omission that occurred more than 15 years before the
11 claim was brought.

12 (b) This Section applies to every civil action in any court
13 in this State, whether suit thereon was commenced prior to or
14 after the effective date of this amendatory Act of the 96th
15 General Assembly. Notwithstanding the foregoing, however, this
16 Section does not apply to any civil action in which the trial
17 commenced prior to the effective date of this amendatory Act of
18 the 96th General Assembly. For purposes of the preceding
19 sentence, a jury trial is deemed to have commenced when the
20 jury has been empaneled and a bench trial is deemed to have
21 commenced when opening statements begin.

22 (735 ILCS 5/13-213 rep.)

1 Section 10. The Code of Civil Procedure is amended by
2 repealing Section 13-213.

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