

August 21, 2015

To the Honorable Members of  
The Illinois House of Representatives  
99th General Assembly:

Today I veto House Bill 488 from the 99th General Assembly in order to protect Illinois from new legal claims that will clog the court system and drive up litigation costs.

House Bill 488 would shift attorney's fees to parties that prevail in obtaining an injunction under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Illinois and federal law generally disfavor shifting attorney's fees; fees should only be awarded to successful plaintiffs in rare and special cases, usually where attorneys identify and advance important legal rights. Attorney's fees are not appropriate in most cases, and they are not appropriate in this case: fee shifting would not advance public safety.

Public safety and enforcement are properly the responsibility of the State. This bill would effectively shift that responsibility from the State to trial lawyers, who would pursue new and costly litigation for greater potential reward. This will burden the court system and delay other proceedings.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 488, entitled "AN ACT concerning regulation," with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner  
GOVERNOR