

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
5 changing Sections 2-1303, 2-1602, and 12-108 as follows:

6 (735 ILCS 5/2-1303) (from Ch. 110, par. 2-1303)

7 Sec. 2-1303. Interest on judgment.

8 (a) Except as provided in subsection (b), judgments

9 ~~Judgments~~ recovered in any court shall draw interest at the
10 rate of 9% per annum from the date of the judgment until
11 satisfied or 6% per annum when the judgment debtor is a unit of
12 local government, as defined in Section 1 of Article VII of the
13 Constitution, a school district, a community college district,
14 or any other governmental entity. When judgment is entered upon
15 any award, report or verdict, interest shall be computed at the
16 above rate, from the time when made or rendered to the time of
17 entering judgment upon the same, and included in the judgment.
18 Interest shall be computed and charged only on the unsatisfied
19 portion of the judgment as it exists from time to time. The
20 judgment debtor may by tender of payment of judgment, costs and
21 interest accrued to the date of tender, stop the further
22 accrual of interest on such judgment notwithstanding the
23 prosecution of an appeal, or other steps to reverse, vacate or

1 modify the judgment.

2 (b) (1) As used in this Section:

3 "Consumer debt" means money or property, or the equivalent,
4 due or owing, or alleged to be due or owing, from a natural
5 person by reason of a transaction in which property, services,
6 or money is acquired by that natural person primarily for
7 personal, family, or household purposes.

8 "Consumer debt judgment" means a judgment recovered in any
9 court against one or more natural persons arising out of
10 consumer debt. "Consumer debt judgment" does not include any
11 compensation for bodily injury or death, nor any judgment
12 entered where the debt is guaranteed by or contains a joint and
13 several liability provision between a natural person and a
14 business, whether or not that business is legally constituted
15 under the laws of this State or any other state.

16 (2) Notwithstanding subsection (a), consumer debt
17 judgments of \$25,000 or less shall draw interest from the date
18 of the judgment until satisfied at the rate of 5% per annum.

19 (3) The judgment debtor may, by tender of payment of
20 judgment, costs, and interest accrued to the date of tender,
21 stop the further accrual of interest on the consumer debt
22 judgment, notwithstanding the prosecution of an appeal, or
23 other steps to reverse, vacate, or modify the judgment.

24 (4) This subsection applies to all consumer debt judgments
25 entered into after the effective date of this amendatory Act of
26 the 101st General Assembly.

1 (Source: P.A. 85-907.)

2 (735 ILCS 5/2-1602)

3 Sec. 2-1602. Revival of judgment.

4 (a) Except as provided in subsection (a-5), a ~~A~~ judgment
5 may be revived by filing a petition to revive the judgment in
6 the seventh year after its entry, or in the seventh year after
7 its last revival, or in the twentieth year after its entry, or
8 at any other time within 20 years after its entry if the
9 judgment becomes dormant and by serving the petition and
10 entering a court order for revival as provided in the following
11 subsections. The provisions of this amendatory Act of the 96th
12 General Assembly are declarative of existing law.

13 (a-5) A consumer debt judgment as defined in subsection (b)
14 of Section 2-1303 may be revived by filing a petition to revive
15 the consumer debt judgment no later than 10 years after its
16 entry and by serving the petition and entering a court order
17 for revival as provided in this Section.

18 (b) A petition to revive a judgment shall be filed in the
19 original case in which the judgment was entered. The petition
20 shall include a statement as to the original date and amount of
21 the judgment, court costs expended, accrued interest, and
22 credits to the judgment, if any.

23 (c) Service of notice of the petition to revive a judgment
24 shall be made in accordance with Supreme Court Rule 106.

25 (d) An order reviving a judgment shall be for the original

1 amount of the judgment. The plaintiff may recover interest and
2 court costs from the date of the original judgment. Credits to
3 the judgment shall be reflected by the plaintiff in
4 supplemental proceedings or execution.

5 (e) If a judgment debtor has filed for protection under the
6 United States Bankruptcy Code and failed to successfully
7 adjudicate and remove a lien filed by a judgment creditor, then
8 the judgment may be revived only as to the property to which a
9 lien attached before the filing of the bankruptcy action.

10 (f) A judgment may be revived as to fewer than all judgment
11 debtors, and such order for revival of judgment shall be final,
12 appealable, and enforceable.

13 (g) This Section does not apply to a child support judgment
14 or to a judgment recovered in an action for damages for an
15 injury described in Section 13-214.1, which need not be revived
16 as provided in this Section and which may be enforced at any
17 time as provided in Section 12-108.

18 (h) If a judgment becomes dormant during the pendency of an
19 enforcement proceeding against wages under Part 14 of this
20 Article or under Article XII, the enforcement may continue to
21 conclusion without revival of the underlying judgment so long
22 as the enforcement is done under court supervision and includes
23 a wage deduction order or turn over order and is against an
24 employer, garnishee, or other third party respondent.

25 (Source: P.A. 98-557, eff. 1-1-14; 99-744, eff. 8-5-16.)

1 (735 ILCS 5/12-108) (from Ch. 110, par. 12-108)

2 Sec. 12-108. Limitation on enforcement.

3 (a) Except as herein provided, no judgment shall be
4 enforced after the expiration of 7 years from the time the same
5 is rendered, except upon the revival of the same by a
6 proceeding provided by Section 2-1601 of this Act; but real
7 estate, levied upon within the 7 years, may be sold to enforce
8 the judgment at any time within one year after the expiration
9 of the 7 years. A judgment recovered in an action for damages
10 for an injury described in Section 13-214.1 may be enforced at
11 any time. Child support judgments, including those arising by
12 operation of law, may be enforced at any time.

13 (b) No judgment shall be enforced against a police officer
14 employed by a municipality if the corporate authority of the
15 municipality files with the clerk of the court in which the
16 judgment was entered a statement certifying: (1) such police
17 officer was employed by the municipality and was within the
18 scope and course of his employment at the time of the
19 occurrence giving rise to the action in which the judgment is
20 entered and (2) the municipality indemnifies the police officer
21 in the amount of the judgment and interest thereon. In such
22 event, the judgment creditor may enforce the judgment against
23 the municipality in the same manner and to the same extent as
24 if the municipality were the judgment debtor.

25 (c) If a judgment or a consumer debt judgment becomes
26 dormant during the pendency of an enforcement proceeding

1 against wages under of Part 14 of Article II or Part 8 of
2 Article XII, the enforcement may continue to conclusion if the
3 enforcement is done under court supervision and includes a wage
4 deduction order or turn over order and is against an employer,
5 garnishee, or other third party respondent.

6 (Source: P.A. 90-18, eff. 7-1-97.)