

HB0449



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB0449

by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

735 ILCS 5/2-201

from Ch. 110, par. 2-201

Amends the Code of Civil Procedure. Makes a technical change in a Section concerning commencement of actions and forms of process.

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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
5 changing Section 2-201 as follows:

6 (735 ILCS 5/2-201) (from Ch. 110, par. 2-201)

7 Sec. 2-201. Commencement of actions - Forms of process.

8 (a) Every action, unless otherwise expressly provided by
9 statute, shall be commenced by the ~~the~~ filing of a complaint.
10 The clerk shall issue summons upon request of the plaintiff.
11 The form and substance of the summons, and of all other
12 process, and the issuance of alias process, and the service of
13 copies of pleadings shall be according to rules.

14 (b) One or more duplicate original summonses may be issued,
15 marked "First Duplicate," "Second Duplicate," etc., as the case
16 may be, whenever it will facilitate the service of summons in
17 any one or more counties, including the county of venue.

18 (c) A court's jurisdiction is not affected by a technical
19 error in format of a summons if the summons has been issued by
20 a clerk of the court, the person or entity to be served is
21 identified as a defendant on the summons, and the summons is
22 properly served. This subsection is declarative of existing
23 law.

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1 (Source: P.A. 100-1048, eff. 8-23-18.)