

AN ACT in relation to civil procedure.

Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:

Section 5. The Code of Civil Procedure is amended, if and only if House Bill 2784 of the 93rd General Assembly becomes law in the form in which it passed the General Assembly, by changing Section 2-1117 as follows:

(735 ILCS 5/2-1117) (from Ch. 110, par. 2-1117)

(Text of Section WITHOUT the changes made by P.A. 89-7,  
which has been held unconstitutional)

Sec. 2-1117. Joint liability.

Except as provided in Section 2-1118, in actions on account of bodily injury or death or physical damage to property, based on negligence, or product liability based on strict tort liability, all defendants found liable are jointly and severally liable for plaintiff's past and future medical and medically related expenses. Any defendant whose fault, as determined by the trier of fact, is less than 25% of the total fault attributable to the plaintiff, the defendants sued by the plaintiff, and any third party defendant except the plaintiff's employer, shall be severally liable for all other damages. Any defendant whose fault, as determined by the trier of fact, is 25% or greater of the total fault attributable to the plaintiff, the defendants sued by the plaintiff, and any third party defendants except the plaintiff's employer ~~who--could--have--been--sued--by--the plaintiff~~, shall be jointly and severally liable for all other damages.

(Source: 93HB2784enr.)

Section 99. Effective date. This Act takes effect upon

Public Act 093-0012  
SB729 Enrolled

LRB093 02915 WGH 02931 b

becoming law.