



Rep. André Thapedi

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10000HB0188ham001

LRB100 03354 HEP 24511 a

1 AMENDMENT TO HOUSE BILL 188

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 188 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Code of Civil Procedure is amended by  
5 changing Section 2-301 as follows:

6 (735 ILCS 5/2-301) (from Ch. 110, par. 2-301)

7 Sec. 2-301. Objections to jurisdiction over the person.

8 (a) Prior to the filing of any other pleading or motion  
9 other than a motion for an extension of time to answer or  
10 otherwise appear or a motion brought pursuant to subsection (e)  
11 of Section 2-1301 of this Code or a petition brought pursuant  
12 to Section 2-1401 or 2-1401.1 of this Code, a party may object  
13 to the court's jurisdiction over the party's person, either on  
14 the ground that the party is not amenable to process of a court  
15 of this State or on the ground of insufficiency of process or  
16 insufficiency of service of process, by filing a motion to

1 dismiss the entire proceeding or any cause of action involved  
2 in the proceeding or by filing a motion to quash service of  
3 process. Such a motion may be made singly or included with  
4 others in a combined motion, but the parts of a combined motion  
5 must be identified in the manner described in Section 2-619.1.  
6 Unless the facts that constitute the basis for the objection  
7 are apparent from papers already on file in the case, the  
8 motion must be supported by an affidavit setting forth those  
9 facts.

10 (a-5) If the objecting party files a responsive pleading or  
11 a motion (other than a motion for an extension of time to  
12 answer or otherwise appear or a motion brought pursuant to  
13 subsection (e) of Section 2-1301 of this Code or a petition  
14 brought pursuant to Section 2-1401 or 2-1401.1 of this Code)  
15 prior to the filing of a motion in compliance with subsection  
16 (a), that party waives all objections to the court's  
17 jurisdiction over the party's person.

18 (b) In disposing of a motion objecting to the court's  
19 jurisdiction over the person of the objecting party, the court  
20 shall consider all matters apparent from the papers on file in  
21 the case, affidavits submitted by any party, and any evidence  
22 adduced upon contested issues of fact. The court shall enter an  
23 appropriate order sustaining or overruling the objection. No  
24 determination of any issue of fact in connection with the  
25 objection is a determination of the merits of the case or any  
26 aspect thereof. A decision adverse to the objector does not

1 preclude the objector from making any motion or defense which  
2 he or she might otherwise have made.

3 (c) Error in ruling against the objecting party on the  
4 objection is waived by the party's taking part in further  
5 proceedings unless the objection is on the ground that the  
6 party is not amenable to process issued by a court of this  
7 State.

8 (Source: P.A. 91-145, eff. 1-1-00.)".