

HB4384



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4384

Introduced 1/29/2020, by Rep. Deanne M. Mazzochi - Daniel Swanson

SYNOPSIS AS INTRODUCED:

735 ILCS 5/14-110 new

Amends the Code of Civil Procedure. Provides that if the court determines that a petition for mandamus is frivolous or patently without merit, it shall dismiss the petition on its own motion. Provides that the order of dismissal is a final judgment and shall be served upon the petitioner by certified mail within 10 days of its entry.

LRB101 17412 LNS 66819 b

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 adding
5 Section 14-110 as follows:

6 (735 ILCS 5/14-110 new)

7 Sec. 14-110. Dismissal of frivolous claims. If the court
8 determines that a petition for mandamus is frivolous or
9 patently without merit, it shall dismiss the petition on its
10 own motion, in a written order, specifying the findings of fact
11 and conclusions of law it made in reaching its decision. The
12 order of dismissal is a final judgment and shall be served upon
13 the petitioner by certified mail within 10 days of its entry.