

# HB4746



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

**HB4746**

Introduced 2/18/2020, by Rep. Deanne M. Mazzochi

### SYNOPSIS AS INTRODUCED:

735 ILCS 5/5-109.5 new

Amends the Code of Civil Procedure. Provides that in an action based upon an allegation of the use of excessive force by an officer in the line of duty, if the court finds that the officer used a level of force necessary to effectuate the arrest and protect his or her life or the life of another, the court shall award attorney's fees to the officer.

LRB101 17947 LNS 67383 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 5-109.5 as follows:

6 (735 ILCS 5/5-109.5 new)

7 Sec. 5-109.5. Attorney's fees for prevailing officer. In an  
8 action based upon an allegation of the use of excessive force  
9 by an officer in the line of duty, if the court finds that the  
10 officer used a level of force necessary to effectuate the  
11 arrest and protect his or her life or the life of another, the  
12 court shall award attorney's fees to the officer.