

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 13-207 as follows:

6 (735 ILCS 5/13-207) (from Ch. 110, par. 13-207)

7 Sec. 13-207. Counterclaim or set-off. A defendant may  
8 plead a set-off or counterclaim barred by the statute of  
9 limitation or the statute of repose, while held and owned by  
10 him or her, to any action, the cause of which was owned by the  
11 plaintiff or person under whom he or she claims, before such  
12 set-off or counterclaim was so barred, and not otherwise. This  
13 section shall not affect the right of a bona fide assignee of a  
14 negotiable instrument assigned before due. The changes made to  
15 this Section by this amendatory Act of the 102nd General  
16 Assembly apply to claims initiated on or after the effective  
17 date of this amendatory Act of the 102nd General Assembly and  
18 to claims intentionally filed to preclude a defendant a  
19 reasonable opportunity to file a counterclaim within the  
20 original limitation period.

21 (Source: P.A. 83-707.)

22 Section 99. Effective date. This Act takes effect upon

1 becoming law.