



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2468

Introduced 2/19/2021, by Rep. Deanne M. Mazzochi

SYNOPSIS AS INTRODUCED:

New Act

Creates Civil Conspiracy to Cause Unlawful Harm to Persons or Property Act. Provides that it shall be a civil cause of action for conspiracy to cause unlawful harm to persons or property where 2 or more persons: (1) conspire to cause unlawful harm to persons or property through an overt act or acts in furtherance of the conspiracy to provide funding in furtherance of the conspiracy, distribute funding in furtherance of the conspiracy, encourage funding for or participation in unlawful harm to persons or property, or participate in an act or acts of unlawful harm to persons or property; and (2) the conspiracy actually led to assault, battery, wrongful death, homicide, other serious bodily injury, damage to public or private property, destruction of public or private property, or theft of public or private property. Provides that any person who participates in the conspiracy to cause unlawful harm to persons or property shall be liable for damages caused by any other member participating in the conspiracy. Provides that an action may be brought by specified persons and entities. Provides that any person found liable in an action for conspiracy to cause unlawful harm to persons or property shall be jointly and severally liable for any actual and reasonably foreseeable damages plus reasonable attorney's fees and court costs. Effective immediately.

LRB102 14949 LNS 20304 b

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 1. Short title. This Act may be cited as the Civil
5 Conspiracy to Cause Unlawful Harm to Persons or Property Act.

6 Section 5. Cause of action.

7 (a) It shall be a civil cause of action in this State for
8 conspiracy to cause unlawful harm to persons or property where
9 2 or more persons:

10 (1) conspire to cause unlawful harm to persons or
11 property through an overt act or acts in furtherance of
12 the conspiracy to:

13 (A) provide funding in furtherance of the
14 conspiracy;

15 (B) distribute funding in furtherance of the
16 conspiracy;

17 (C) encourage funding for or participation in
18 unlawful harm to persons or property; or

19 (D) participate in an act or acts of unlawful harm
20 to persons or property; and

21 (2) the conspiracy actually led to:

22 (A) assault;

23 (B) battery;

- 1 (C) wrongful death;
2 (D) homicide;
3 (E) other serious bodily injury;
4 (F) damage to public or private property;
5 (G) destruction of public or private property; or
6 (H) theft of public or private property.

7 (b) Any person who participates in the conspiracy to cause
8 unlawful harm to persons or property shall be liable for
9 damages caused by any other member participating in the
10 conspiracy.

11 (c) An action under this Section may be brought by:

12 (1) any person who suffered harm to his or her person
13 or private property under paragraph (2) of subsection (a);

14 (2) any person bringing an action on behalf of another
15 person under paragraph (1) of subsection (c) who is unable
16 to bring an action on his or her own behalf; and

17 (3) any city, village, municipality, township, county,
18 other form of local government, or the State suffering
19 harm to public property under its control under
20 subparagraphs (F), (G), or (H) of paragraph (2) of
21 subsection (a).

22 Section 10. Damages. Any person found liable in a civil
23 action for conspiracy to cause unlawful harm to persons or
24 property shall be jointly and severally liable for any actual
25 and reasonably foreseeable damages plus reasonable attorney's

1 fees and court costs.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.