

HB0035



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB0035

Introduced 1/12/2023, by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

740 ILCS 180/1

from Ch. 70, par. 1

Amends the Wrongful Death Act. Allows for the recovery of punitive damages in a wrongful death action.

LRB103 03554 LNS 48560 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 Wrongful Death Act is amended by changing
5 Section 1 as follows:

6 (740 ILCS 180/1) (from Ch. 70, par. 1)

7 (Text of Section WITHOUT the changes made by P.A. 89-7,
8 which has been held unconstitutional)

9 Sec. 1. Whenever the death of a person shall be caused by
10 wrongful act, neglect or default, and the act, neglect or
11 default is such as would, if death had not ensued, have
12 entitled the party injured to maintain an action and recover
13 damages, including punitive damages, in respect thereof, then
14 and in every such case the person who or company or corporation
15 which would have been liable if death had not ensued, shall be
16 liable to an action for damages, including punitive damages,
17 notwithstanding the death of the person injured, and although
18 the death shall have been caused under such circumstances as
19 amount in law to felony.

20 (Source: Laws 1853, p. 97.)