

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 Drug or Alcohol Impaired Minor
5 Responsibility Act is amended by changing Section 5 as
6 follows:

7 (740 ILCS 58/5)

8 Sec. 5. Responsibility of person who supplies alcoholic
9 liquor or illegal drugs to a person under 18 years of age.

10 (a) Any person at least 18 years of age who willfully
11 supplies alcoholic liquor or illegal drugs to a person under
12 18 years of age and causes the impairment of such person shall
13 be liable for death or injuries to persons or property caused
14 by the impairment of such person.

15 (b) A person, or the surviving spouse and next of kin of
16 any person, who is injured, in person or property, by an
17 impaired person under the age of 18, and a person under age 18
18 who is injured in person or property by an impairment that was
19 caused by alcoholic liquor or illegal drugs that were
20 willfully supplied by a person over 18 years of age, has a
21 right of action in his or her own name, jointly and severally,
22 for damages (including reasonable attorney's fees and
23 expenses) against any person:

1 (i) who, by willfully selling, giving, or delivering
2 alcoholic liquor or illegal drugs, causes or contributes
3 to the impairment of the person under the age of 18; or

4 (ii) who, by willfully permitting consumption of
5 alcoholic liquor or illegal drugs on ~~non-residential~~
6 premises owned or controlled by the person over the age of
7 18, causes or contributes to the impairment of the person
8 under the age of 18.

9 (c) An action for damages under this Section is barred
10 unless commenced within 2 years after the right of action
11 arises.

12 (Source: P.A. 93-588, eff. 1-1-04.)