

1 AN ACT relating to commercial transactions.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Uniform Commercial Code is amended by  
5 changing Section 1-102 as follows:

6 (810 ILCS 5/1-102) (from Ch. 26, par. 1-102)

7 Sec. 1-102. Purposes, rules of construction, variation  
8 by agreement.

9 (1) This Act shall be liberally construed. This Act  
10 shall be and applied to promote its underlying purposes and  
11 policies.

12 (2) Underlying purposes and policies of this Act are

13 (a) to simplify, clarify and modernize the law  
14 governing commercial transactions;

15 (b) to permit the continued expansion of commercial  
16 practices through custom, usage and agreement of the parties;

17 (c) to make uniform the law among the various  
18 jurisdictions.

19 (3) The effect of provisions of this Act may be varied  
20 by agreement, except as otherwise provided in this Act and  
21 except that the obligations of good faith, diligence,  
22 reasonableness and care prescribed by this Act may not be  
23 disclaimed by agreement but the parties may by agreement  
24 determine the standards by which the performance of such  
25 obligations is to be measured if such standards are not  
26 manifestly unreasonable.

27 (4) The presence in certain provisions of this Act of  
28 the words "unless otherwise agreed" or words of similar  
29 import does not imply that the effect of other provisions may  
30 not be varied by agreement under subsection (3).

31 (5) In this Act unless the context otherwise requires

1           (a) words in the singular number include the  
2 plural, and in the plural include the singular;

3           (b) words of the masculine gender include the  
4 feminine and the neuter, and when the sense so indicates  
5 words of the neuter gender may refer to any gender.

6 (Source: Laws 1961, p. 2101.)