

1 AN ACT in relation to civil liabilities.

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

4 Section 5. The Alienation of Affections Act is amended
5 by changing Section 1 as follows:

6 (740 ILCS 5/1) (from Ch. 40, par. 1901)

7 Sec. 1. Public policy. It is hereby declared, as a
8 matter of legislative determination, that the remedy
9 heretofore provided by law for the enforcement of the action
10 for alienation of affections has been subjected to grave
11 abuses and has been used as an instrument for blackmail by
12 unscrupulous persons for their unjust enrichment, due to the
13 indefiniteness of the damages recoverable in such actions and
14 the consequent fear of persons threatened with such actions
15 that exorbitant damages might be assessed against them. It is
16 also hereby declared that the award of monetary damages in
17 such actions is ineffective as a recompense for genuine
18 mental or emotional distress. Accordingly, it is hereby
19 declared as the public policy of the state that the best
20 interests of the people of the state will be served by
21 limiting the damages recoverable in such actions and by
22 leaving any punishment of wrongdoers guilty of alienation of
23 affections to proceedings under the criminal laws of the
24 state, rather than to the imposition of punitive, exemplary,
25 vindictive, or aggravated damages in actions for alienation
26 of affections. Consequently, in the public interest, the
27 necessity for the enactment of this chapter is hereby
28 declared as a matter of legislative determination.

29 (Source: Laws 1947, p. 796.)