

1                                    AMENDMENT TO HOUSE BILL 2784

2            AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2784 by replacing  
3 everything after the enacting clause with the following:

4            "Section 5. The Code of Civil Procedure is amended by  
5 changing Section 2-1117 as follows:

6            (735 ILCS 5/2-1117) (from Ch. 110, par. 2-1117)  
7            (Text of Section WITHOUT the changes made by P.A. 89-7,  
8 which has been held unconstitutional)  
9            Sec. 2-1117. Joint liability.

10           Except as provided in Section 2-1118, in actions on  
11 account of bodily injury or death or physical damage to  
12 property, based on negligence, or product liability based on  
13 strict tort liability, all defendants found liable are  
14 jointly and severally liable for plaintiff's past and future  
15 medical and medically related expenses. Any defendant whose  
16 fault, as determined by the trier of fact, is less than 25%  
17 of the total fault attributable to the plaintiff, the  
18 defendants sued by the plaintiff, and any third party  
19 defendant except the plaintiff's employer who could have been  
20 sued--by--the--plaintiff, shall be severally liable for all  
21 other damages. Any defendant whose fault, as determined by  
22 the trier of fact, is 25% or greater of the total fault

1 attributable to the plaintiff, the defendants sued by the  
2 plaintiff, and any third party defendants who could have been  
3 sued by the plaintiff, shall be jointly and severally liable  
4 for all other damages.

5 (Source: P.A. 84-1431.)

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law."