

1 AN ACT in relation to civil procedure.

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

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
23 attributable to the plaintiff, the defendants sued by the
24 plaintiff, and any third party defendants who could have been
25 sued by the plaintiff, shall be jointly and severally liable
26 for all other damages.

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

28 Section 99. Effective date. This Act takes effect upon
29 becoming law.