



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/06/04, by Michael J. Madigan

SYNOPSIS AS INTRODUCED:

735 ILCS 5/2-101

from Ch. 110, par. 2-101

Amends the Code of Civil Procedure. Makes a stylistic change in provisions concerning venue.

LRB093 17108 LCB 42774 b

1 AN ACT concerning 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 2-101 as follows:

6 (735 ILCS 5/2-101) (from Ch. 110, par. 2-101)

7 Sec. 2-101. Generally. Except as otherwise provided in this
8 Act, every action must be commenced (1) in the county of
9 residence of any defendant who is joined in good faith and with
10 probable cause for the purpose of obtaining a judgment against
11 him or her and not solely for the purpose of fixing venue in
12 that county, or (2) in the county in which the transaction or
13 some part of the transaction ~~thereof~~ occurred out of which the
14 cause of action arose.

15 If a check, draft, money order, or other instrument for the
16 payment of child support payable to or delivered to the State
17 Disbursement Unit established under Section 10-26 of the
18 Illinois Public Aid Code is returned by the bank or depository
19 for any reason, venue for the enforcement of any criminal
20 proceedings or civil cause of action for recovery and attorney
21 fees shall be in the county where the principal office of the
22 State Disbursement Unit is located.

23 If all defendants are nonresidents of the State, an action
24 may be commenced in any county.

25 If the corporate limits of a city, village or town extend
26 into more than one county, then the venue of an action or
27 proceeding instituted by that municipality to enforce any fine,
28 imprisonment, penalty or forfeiture for violation of any
29 ordinance of that municipality, regardless of the county in
30 which the violation was committed or occurred, may be in the
31 appropriate court (i) in the county wherein the office of the
32 clerk of the municipality is located or (ii) in any county in

1 which at least 35% of the territory within the municipality's
2 corporate limits is located.

3 (Source: P.A. 91-212, eff. 7-20-99.)