

1 AN ACT concerning tort immunity.

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

4 Section 5. The Local Governmental and Governmental
5 Employees Tort Immunity Act is amended by changing Section
6 8-101 as follows:

7 (745 ILCS 10/8-101) (from Ch. 85, par. 8-101)

8 Sec. 8-101. Limitation.

9 (a) No civil action other than an action described in
10 subsection (b) may be commenced in any court against a local
11 entity or any of its employees for any injury unless it is
12 commenced within one year from the date that the injury was
13 received or the cause of action accrued.

14 (b) No action for damages for injury or death against
15 any local public entity or public employee, whether based
16 upon tort, or breach of contract, or otherwise, arising out
17 of patient care shall be brought more than 2 years after the
18 date on which the claimant knew, or through the use of
19 reasonable diligence should have known, or received notice in
20 writing of the existence of the injury or death for which
21 damages are sought in the action, whichever of those dates
22 occurs first, but in no event shall such an action be brought
23 more than 4 years after the date on which occurred the act or
24 omission or occurrence alleged in the action to have been the
25 cause of the injury or death.

26 (c) For purposes of this Article, the term "civil
27 action" includes any action, whether based upon the common
28 law or statutes or Constitution of this State.

29 (d) The changes made by this amendatory Act of the 93rd
30 General Assembly apply to an action or proceeding pending on
31 or after this amendatory Act's effective date, unless those

1 changes (i) take away or impair a vested right that was
2 acquired under existing law or (ii) with regard to a past
3 transaction or past consideration, create a new obligation,
4 impose a new duty, or attach a new disability.

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

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