

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 4-101 as follows:

6 (735 ILCS 5/4-101) (from Ch. 110, par. 4-101)

7 Sec. 4-101. Cause. In any court having competent
8 jurisdiction, a creditor having a money claim, whether
9 liquidated or unliquidated, and whether sounding in contract
10 or tort, or based upon a statutory cause of action created by
11 law in favor of the People of the State of Illinois, or any
12 agency of the State, may have an attachment against the
13 property of his or her debtor, or that of any one or more of
14 several debtors, either at the time of commencement of the
15 action or thereafter, when the claim exceeds \$20, in any one
16 of the following cases:

17 1. Where the debtor is not a resident of this
18 State.

19 2. When the debtor conceals himself or herself or
20 stands in defiance of an officer, so that process cannot
21 be served upon him or her.

22 3. Where the debtor has departed from this State
23 with the intention of having his or her effects removed
24 from this State.

25 4. Where the debtor is about to depart from this
26 State with the intention of having his or her effects
27 removed from this State.

28 5. Where the debtor is about to remove his or her
29 property from this State to the injury of such creditor.

30 6. Where the debtor has within 2 years preceding
31 the filing of the affidavit required, fraudulently

1 conveyed or assigned his or her effects, or a part
2 thereof, so as to hinder or delay his or her creditors.

3 7. Where the debtor has, within 2 years prior to
4 the filing of such affidavit, fraudulently concealed or
5 disposed of his or her property so as to hinder or delay
6 his or her creditors.

7 8. Where the debtor is about fraudulently to
8 conceal, assign, or otherwise dispose of his or her
9 property or effects, so as to hinder or delay his or her
10 creditors.

11 9. Where the debt sued for was fraudulently
12 contracted on the part of the debtor. The statements of
13 the debtor, his or her agent or attorney, which
14 constitute the fraud, shall have been reduced to writing,
15 and his or her signature attached thereto, by himself or
16 herself, agent or attorney.

17 10. When the debtor is a person convicted of first
18 degree murder, a Class X felony, or aggravated
19 kidnapping, or found not guilty by reason of insanity or
20 guilty but mentally ill of first degree murder, a Class X
21 felony, or aggravated kidnapping, against the creditor
22 and that crime makes the creditor a "victim" under the
23 Criminal Victims' Asset Discovery Act.

24 11. When the debtor is referred by the Department
25 of Corrections to a-defendant-in-a-suit-brought-by the
26 Attorney General under Section 3-7-6 of the Unified Code
27 of Corrections to recover the expenses incurred as a
28 result of that debtor's cost of incarceration.

29 (Source: P.A. 89-428, eff. 12-13-95; 90-85, eff. 7-10-97.)