



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB2708

Introduced 2/26/2007, by Rep. Michael J. Madigan - Barbara Flynn Currie - John A. Fritchey

SYNOPSIS AS INTRODUCED:

735 ILCS 5/16-101

from Ch. 110, par. 16-101

Amends the Code of Civil Procedure. Makes a technical change in a Section concerning the availability of relief by ne exeat republica.

LRB095 00836 AJO 20838 b

1 AN ACT concerning civil law.

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 16-101 as follows:

6 (735 ILCS 5/16-101) (from Ch. 110, par. 16-101)

7 Sec. 16-101. Availability of remedy. Relief by ne exeat
8 republica may be granted, in cases where the ~~the~~ debt or claim
9 is not actually due, but exists fairly and bona fide in
10 expectancy at the time of making application, and in cases
11 where the claim is due; and it is not necessary, to authorize
12 the granting of such relief by ne exeat, that the applicant
13 show that his or her debt or claim is purely of an equitable
14 character.

15 (Source: P.A. 82-280.)