

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 Parental Responsibility Law is amended by
5 changing Sections 3 and 5 as follows:

6 (740 ILCS 115/3) (from Ch. 70, par. 53)

7 Sec. 3. Liability. The parent or legal guardian of an
8 unemancipated minor who resides with such parent or legal
9 guardian is liable for actual damages for the wilful or
10 malicious acts of such minor which cause injury to a person or
11 property, including damages caused by a minor who has been
12 adjudicated a delinquent for violating Section 21-1.3 of the
13 Criminal Code of 1961. Reasonable attorney's fees may be
14 awarded to any a plaintiff ~~that is not a governmental unit~~ in
15 any action under this Act. If the plaintiff is a governmental
16 unit, reasonable attorney's fees may be awarded up to \$15,000.

17 The changes to this Section made by this amendatory Act of
18 the 95th General Assembly apply to causes of action accruing on
19 or after its effective date.

20 (Source: P.A. 90-311, eff. 1-1-98.)

21 (740 ILCS 115/5) (from Ch. 70, par. 55)

22 Sec. 5. Limitation on damages; damages allowable. No

1 recovery under this Act may exceed \$20,000 actual damages for
2 each person, or legal entity as provided in Section 4 of this
3 Act, for the first act or ~~each~~ occurrence of such wilful or
4 malicious acts by the minor causing injury, and \$30,000 if a
5 pattern or practice of wilful or malicious acts by a minor
6 exists for a separate act or occurrence, in addition to taxable
7 court costs and attorney's fees. In determining the damages to
8 be allowed in an action under this Act for personal injury,
9 only medical, dental and hospital expenses and expenses for
10 treatment by Christian Science practitioners and nursing care
11 appropriate thereto may be considered.

12 The changes to this Section made by this amendatory Act of
13 the 95th General Assembly apply to causes of action accruing on
14 or after its effective date.

15 (Source: P.A. 94-130, eff. 7-7-05.)