



Sen. Michael Noland

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09500SB1865sam002

LRB095 13745 LCT 49364 a

1 AMENDMENT TO SENATE BILL 1865

2 AMENDMENT NO. _____. Amend Senate Bill 1865 by replacing
3 everything after the enacting clause with the following:

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.

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

2 (740 ILCS 115/5) (from Ch. 70, par. 55)

3 Sec. 5. Limitation on damages; damages allowable. No
4 recovery under this Act may exceed \$20,000 ~~\$20,000~~ actual
5 damages for each person, or legal entity as provided in Section
6 4 of this Act, for the first act or ~~each~~ occurrence of such
7 wilful or malicious acts by the minor causing injury, and
8 \$30,000 if a pattern or practice of wilful or malicious acts by
9 a minor exists for a separate act or occurrence, in addition to
10 taxable court costs and attorney's fees. In determining the
11 damages to be allowed in an action under this Act for personal
12 injury, only medical, dental and hospital expenses and expenses
13 for treatment by Christian Science practitioners and nursing
14 care appropriate thereto may be considered.

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