



Sen. Ira I. Silverstein

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09500SB2085sam003

LRB095 18836 HLH 48320 a

1 AMENDMENT TO SENATE BILL 2085

2 AMENDMENT NO. _____. Amend Senate Bill 2085 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Metropolitan Transit Authority Act is
5 amended by changing Section 41 as follows:

6 (70 ILCS 3605/41) (from Ch. 111 2/3, par. 341)

7 Sec. 41. No civil action shall be commenced in any court
8 against the Authority by any person for any injury to his
9 person unless it is commenced within one year from the date
10 that the injury was received or the cause of action accrued.
11 Within one year ~~six (6) months~~ from the date that such an
12 injury was received or such cause of action accrued, any person
13 who is about to commence any civil action in any court against
14 the Authority for damages on account of any injury to his
15 person shall file in the office of the secretary of the Board
16 and also in the office of the General Counsel for the Authority

1 either by himself, his agent, or attorney, a statement, in
2 writing, signed by himself, his agent, or attorney, giving the
3 name of the person to whom the cause of action has accrued, the
4 name and residence of the person injured, the date and about
5 the hour of the accident, the place or location where the
6 accident occurred and the name and address of the attending
7 physician, if any. If the notice provided for by this Section
8 ~~section~~ is not filed as provided, any such civil action
9 commenced against the Authority shall be dismissed and the
10 person to whom any such cause of action accrued for any
11 personal injury shall be forever barred from further suing.

12 Any person who notifies the Authority that he or she was
13 injured or has a cause of action shall be furnished a copy of
14 Section 41 of this Act. Within 10 days after being notified in
15 writing, the Authority shall either send a copy by certified
16 mail to the person at his or her last known address or hand
17 deliver a copy to the person who shall acknowledge receipt by
18 his or her signature. When the Authority is notified later than
19 one year ~~6 months~~ from the date the injury occurred or the
20 cause of action arose, the Authority is not obligated to
21 furnish a copy of Section 41 to the person. In the event the
22 Authority fails to furnish a copy of Section 41 as provided in
23 this Section, any action commenced against the Authority shall
24 not be dismissed for failure to file a written notice as
25 provided in this Section. Compliance with this Section shall be
26 liberally construed in favor of the person required to file a

1 written statement.

2 The changes to this Section made by this amendatory Act of
3 the 95th General Assembly apply to causes of action that accrue
4 on or after the effective date of this amendatory Act of the
5 95th General Assembly.

6 (Source: P.A. 90-451, eff. 7-1-98.)

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