

1 AN ACT concerning courts.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Court of Claims Act is amended by changing  
5 Section 8 as follows:

6 (705 ILCS 505/8) (from Ch. 37, par. 439.8)

7 Sec. 8. Court of Claims jurisdiction; deliberation  
8 periods. The court shall have exclusive jurisdiction to hear  
9 and determine the following matters:

10 (a) All claims against the State founded upon any law of  
11 the State of Illinois or upon any regulation adopted thereunder  
12 by an executive or administrative officer or agency; provided,  
13 however, the court shall not have jurisdiction (i) to hear or  
14 determine claims arising under the Workers' Compensation Act or  
15 the Workers' Occupational Diseases Act, or claims for expenses  
16 in civil litigation, or (ii) to review administrative decisions  
17 for which a statute provides that review shall be in the  
18 circuit or appellate court.

19 (b) All claims against the State founded upon any contract  
20 entered into with the State of Illinois.

21 (c) All claims against the State for time unjustly served  
22 in prisons of this State when the person imprisoned received a  
23 pardon from the governor stating that such pardon is issued on

1 the ground of innocence of the crime for which he or she was  
2 imprisoned or he or she received a certificate of innocence  
3 from the Circuit Court as provided in Section 2-702 of the Code  
4 of Civil Procedure; provided, the amount of the award is at the  
5 discretion of the court; and provided, the court shall make no  
6 award in excess of the following amounts: for imprisonment of 5  
7 years or less, not more than \$85,350; for imprisonment of 14  
8 years or less but over 5 years, not more than \$170,000; for  
9 imprisonment of over 14 years, not more than \$199,150; and  
10 provided further, the court shall fix attorney's fees not to  
11 exceed 25% of the award granted. On or after the effective date  
12 of this amendatory Act of the 95th General Assembly, the court  
13 shall annually adjust the maximum awards authorized by this  
14 subsection (c) to reflect the increase, if any, in the Consumer  
15 Price Index For All Urban Consumers for the previous calendar  
16 year, as determined by the United States Department of Labor,  
17 except that no annual increment may exceed 5%. For the annual  
18 adjustments, if the Consumer Price Index decreases during a  
19 calendar year, there shall be no adjustment for that calendar  
20 year. The transmission by the Prisoner Review Board or the  
21 clerk of the circuit court of the information described in  
22 Section 11(b) to the clerk of the Court of Claims is conclusive  
23 evidence of the validity of the claim. The changes made by this  
24 amendatory Act of the 95th General Assembly apply to all claims  
25 pending on or filed on or after the effective date.

26 (d) All claims against the State for damages in cases

1 sounding in tort, if a like cause of action would lie against a  
2 private person or corporation in a civil suit, and all like  
3 claims sounding in tort against the Medical Center Commission,  
4 the Board of Trustees of the University of Illinois, the Board  
5 of Trustees of Southern Illinois University, the Board of  
6 Trustees of Chicago State University, the Board of Trustees of  
7 Eastern Illinois University, the Board of Trustees of Governors  
8 State University, the Board of Trustees of Illinois State  
9 University, the Board of Trustees of Northeastern Illinois  
10 University, the Board of Trustees of Northern Illinois  
11 University, the Board of Trustees of Western Illinois  
12 University, or the Board of Trustees of the Illinois  
13 Mathematics and Science Academy; provided, that an award for  
14 damages in a case sounding in tort, other than certain cases  
15 involving the operation of a State vehicle described in this  
16 paragraph, shall not exceed the sum of \$100,000 to or for the  
17 benefit of any claimant. The \$100,000 limit prescribed by this  
18 Section does not apply to an award of damages in any case  
19 sounding in tort arising out of the operation by a State  
20 employee of a vehicle owned, leased or controlled by the State.  
21 The defense that the State or the Medical Center Commission or  
22 the Board of Trustees of the University of Illinois, the Board  
23 of Trustees of Southern Illinois University, the Board of  
24 Trustees of Chicago State University, the Board of Trustees of  
25 Eastern Illinois University, the Board of Trustees of Governors  
26 State University, the Board of Trustees of Illinois State

1 University, the Board of Trustees of Northeastern Illinois  
2 University, the Board of Trustees of Northern Illinois  
3 University, the Board of Trustees of Western Illinois  
4 University, or the Board of Trustees of the Illinois  
5 Mathematics and Science Academy is not liable for the  
6 negligence of its officers, agents, and employees in the course  
7 of their employment is not applicable to the hearing and  
8 determination of such claims.

9 (e) All claims for recoupment made by the State of Illinois  
10 against any claimant.

11 (f) All claims pursuant to the Line of Duty Compensation  
12 Act. A claim under that Act must be heard and determined within  
13 one year after the application for that claim is filed with the  
14 Court as provided in that Act.

15 (g) All claims filed pursuant to the Crime Victims  
16 Compensation Act.

17 (h) All claims pursuant to the Illinois National  
18 Guardsman's Compensation Act. A claim under that Act must be  
19 heard and determined within one year after the application for  
20 that claim is filed with the Court as provided in that Act.

21 (i) All claims authorized by subsection (a) of Section  
22 10-55 of the Illinois Administrative Procedure Act for the  
23 expenses incurred by a party in a contested case on the  
24 administrative level.

25 (Source: P.A. 95-970, eff. 9-22-08.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.