



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB1152

Introduced 2/11/2009, by Rep. Daniel J. Burke

SYNOPSIS AS INTRODUCED:

735 ILCS 5/13-202

from Ch. 110, par. 13-202

Amends the Code of Civil Procedure. Makes a technical change in a Section concerning the limitation period for actions for damages for personal injury.

LRB096 07843 AJO 17946 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 13-202 as follows:

6 (735 ILCS 5/13-202) (from Ch. 110, par. 13-202)

7 Sec. 13-202. Personal injury - Penalty. Actions for damages
8 for an injury to the ~~the~~ person, or for false imprisonment, or
9 malicious prosecution, or for a statutory penalty, or for
10 abduction, or for seduction, or for criminal conversation,
11 except damages resulting from first degree murder or the
12 commission of a Class X felony and the perpetrator thereof is
13 convicted of such crime, shall be commenced within 2 years next
14 after the cause of action accrued but such an action against a
15 defendant arising from a crime committed by the defendant in
16 whose name an escrow account was established under the
17 "Criminal Victims' Escrow Account Act" shall be commenced
18 within 2 years after the establishment of such account. If the
19 compelling of a confession or information by imminent bodily
20 harm or threat of imminent bodily harm results in whole or in
21 part in a criminal prosecution of the plaintiff, the 2-year
22 period set out in this Section shall be tolled during the time
23 in which the plaintiff is incarcerated, or until criminal

1 prosecution has been finally adjudicated in favor of the above
2 referred plaintiff, whichever is later. However, this
3 provision relating to the compelling of a confession or
4 information shall not apply to units of local government
5 subject to the Local Governmental and Governmental Employees
6 Tort Immunity Act.

7 (Source: P.A. 94-1113, eff. 1-1-08.)