

HB1266



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB1266

Introduced 2/18/2009, by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

735 ILCS 5/2-101

from Ch. 110, par. 2-101

Amends the Code of Civil Procedure. Makes a technical change in provisions concerning venue.

LRB096 10244 AJO 20412 b

A BILL FOR

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 2-101 as follows:

6 (735 ILCS 5/2-101) (from Ch. 110, par. 2-101)

7 Sec. 2-101. Generally. Except as otherwise provided in this
8 Act, every action must be commenced (1) in the ~~the~~ county of
9 residence of any defendant who is joined in good faith and with
10 probable cause for the purpose of obtaining a judgment against
11 him or her and not solely for the purpose of fixing venue in
12 that county, or (2) in the county in which the transaction or
13 some part thereof occurred out of which the cause of action
14 arose.

15 If a check, draft, money order, or other instrument for the
16 payment of child support payable to or delivered to the State
17 Disbursement Unit established under Section 10-26 of the
18 Illinois Public Aid Code is returned by the bank or depository
19 for any reason, venue for the enforcement of any criminal
20 proceedings or civil cause of action for recovery and attorney
21 fees shall be in the county where the principal office of the
22 State Disbursement Unit is located.

23 If all defendants are nonresidents of the State, an action

1 may be commenced in any county.

2 If the corporate limits of a city, village or town extend
3 into more than one county, then the venue of an action or
4 proceeding instituted by that municipality to enforce any fine,
5 imprisonment, penalty or forfeiture for violation of any
6 ordinance of that municipality, regardless of the county in
7 which the violation was committed or occurred, may be in the
8 appropriate court (i) in the county wherein the office of the
9 clerk of the municipality is located or (ii) in any county in
10 which at least 35% of the territory within the municipality's
11 corporate limits is located.

12 (Source: P.A. 91-212, eff. 7-20-99.)