



Rep. Julie Hamos

**Filed: 3/11/2009**

09600HB2271ham001

LRB096 04136 HLH 23205 a

1 AMENDMENT TO HOUSE BILL 2271

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2271 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 six (6) months from the date that such an injury was  
12 received or such cause of action accrued, any person who is  
13 about to commence any civil action in any court against the  
14 Authority for damages on account of any injury to his person  
15 shall file in the office of the secretary of the Board and also  
16 in the office of the General Counsel for the Authority either

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

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

1 this Section. Compliance with this Section shall be liberally  
2 construed in favor of the person required to file a written  
3 statement.

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

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.".