

**SB0084**



**96TH GENERAL ASSEMBLY**

**State of Illinois**

**2009 and 2010**

**SB0084**

Introduced 1/30/2009, by Sen. Ira I. Silverstein

**SYNOPSIS AS INTRODUCED:**

70 ILCS 3605/41

from Ch. 111 2/3, par. 341

Amends the Metropolitan Transit Authority Act. Provides that a civil action against the Metropolitan Transit Authority for an injury to one's person must be commenced within one year from the date the cause of action accrues. Deletes provisions requiring any person that is about to commence a civil action in any court against the Authority to provide written notice to the Authority. Deletes provisions requiring the Authority to furnish a copy of this Section to any person that has notified the Authority that he or she has a cause of action. Provides that the changes made by the amendatory Act apply to causes of action that accrue on or after the effective date of the amendatory Act. Effective immediately.

LRB096 04502 RLJ 14556 b

**A BILL FOR**

1 AN ACT concerning local government.

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

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~~  
17 ~~by himself, his agent, or attorney, a statement, in writing,~~  
18 ~~signed by himself, his agent, or attorney, giving the name of~~  
19 ~~the person to whom the cause of action has accrued, the name~~  
20 ~~and residence of the person injured, the date and about the~~  
21 ~~hour of the accident, the place or location where the accident~~  
22 ~~occurred and the name and address of the attending physician,~~  
23 ~~if any. If the notice provided for by this section is not filed~~

1 ~~as provided, any such civil action commenced against the~~  
2 ~~Authority shall be dismissed and the person to whom any such~~  
3 ~~cause of action accrued for any personal injury shall be~~  
4 ~~forever barred from further suing.~~

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

21 The changes to this Section made by this amendatory Act of  
22 the 96th General Assembly apply to causes of action that accrue  
23 on or after the effective date of this amendatory Act of the  
24 96th General Assembly.

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

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

1 becoming law.