

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 5-120 as follows:

6 (735 ILCS 5/5-120) (from Ch. 110, par. 5-120)

7 Sec. 5-120. Affirmance or reversal on appeal.

8 (a) If any person takes an appeal to review the judgment of  
9 any other court, and the judgment is affirmed or the appeal is  
10 dismissed, the appellee shall recover costs, which may be  
11 collected in the same manner as judgments for the payment of  
12 money are enforced; and if the judgment is reversed, the  
13 appellant shall recover costs, which may be collected in the  
14 same manner as judgments for the payment of money are enforced.

15 (b) In any successful appeal under Article III of this Code  
16 of an adverse decision by a Code Hearing Unit of a municipality  
17 that imposes a fine or penalty, the court may award the  
18 plaintiff all reasonable costs, including court costs and  
19 attorney's fees, associated with the appeal. If the court finds  
20 the decision by the municipality was clearly erroneous or that  
21 the plaintiff's rights to due process were abridged, the court  
22 may award the plaintiff all reasonable costs associated with  
23 the entire case dating back to the inception of the

1 administrative proceeding. This subsection does not apply in  
2 municipalities where the Code Hearing Department was  
3 established pursuant to Division 2.1 of Article 1 of the  
4 Illinois Municipal Code.

5 (Source: P.A. 82-280.)