



Sen. Mike Jacobs

Filed: 3/4/2014

09800SB3286sam001

LRB098 19495 HEP 56380 a

1 AMENDMENT TO SENATE BILL 3286

2 AMENDMENT NO. _____. Amend Senate Bill 3286 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Code of Civil Procedure is amended by
5 changing Section 2-203 as follows:

6 (735 ILCS 5/2-203) (from Ch. 110, par. 2-203)

7 Sec. 2-203. Service on individuals.

8 (a) Except as otherwise expressly provided, service of
9 summons upon an individual defendant shall be made (1) by
10 leaving a copy of the summons with the defendant personally,
11 (2) by leaving a copy at the defendant's usual place of abode,
12 with some person of the family or a person residing there, of
13 the age of 13 years or upwards, and informing that person of
14 the contents of the summons, provided the officer or other
15 person making service shall also send a copy of the summons in
16 a sealed envelope with postage fully prepaid, addressed to the

1 defendant at his or her usual place of abode, or (3) as
2 provided in Section 1-2-9.2 of the Illinois Municipal Code with
3 respect to violation of an ordinance governing parking or
4 standing of vehicles in cities with a population over 500,000.
5 The certificate of the officer or affidavit of the person that
6 he or she has sent the copy in pursuance of this Section is
7 evidence that he or she has done so. No employee of a facility
8 licensed under the Nursing Home Care Act, the Specialized
9 Mental Health Rehabilitation Act of 2013, or the ID/DD
10 Community Care Act shall obstruct an officer or other person
11 making service in compliance with this Section. An employee of
12 a gated residential community shall grant entry into the
13 community, including its common areas and common elements, to a
14 process server authorized under Section 2-202 of this Code who
15 is attempting to serve process on a defendant or witness who
16 resides within or is known to be within the community. As used
17 in this Section, "gated residential community" includes a
18 condominium association, housing cooperative, or private
19 community.

20 (b) The officer, in his or her certificate or in a record
21 filed and maintained in the Sheriff's office, or other person
22 making service, in his or her affidavit or in a record filed
23 and maintained in his or her employer's office, shall (1)
24 identify as to sex, race, and approximate age the defendant or
25 other person with whom the summons was left and (2) state the
26 place where (whenever possible in terms of an exact street

1 address) and the date and time of the day when the summons was
2 left with the defendant or other person.

3 (c) Any person who knowingly sets forth in the certificate
4 or affidavit any false statement, shall be liable in civil
5 contempt. When the court holds a person in civil contempt under
6 this Section, it shall award such damages as it determines to
7 be just and, when the contempt is prosecuted by a private
8 attorney, may award reasonable attorney's fees.

9 (Source: P.A. 97-38, eff. 6-28-11; 97-227, eff. 1-1-12; 97-813,
10 eff. 7-13-12; 98-104, eff. 7-22-13.)".