



Rep. André M. Thapedi

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09900HB0095ham001

LRB099 03490 HEP 31735 a

1 AMENDMENT TO HOUSE BILL 95

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 95 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 2-1003 as follows:

6 (735 ILCS 5/2-1003) (from Ch. 110, par. 2-1003)

7 (Text of Section WITHOUT the changes made by P.A. 89-7,  
8 which has been held unconstitutional)

9 Sec. 2-1003. Discovery and depositions.

10 (a) Discovery, such as admissions of fact and of  
11 genuineness of documents, physical and mental examinations of  
12 parties and other persons, the taking of any depositions, and  
13 ~~answers to~~ interrogatories, shall be in accordance with rules.

14 (b) (Blank) ~~The taking of depositions, whether for use in~~  
15 ~~evidence or for purposes of discovery in proceedings in this~~  
16 ~~State or elsewhere, and fees and charges in connection~~

1 ~~therewith, shall be in accordance with rules.~~

2 (c) (Blank) ~~A party shall not be required to furnish the~~  
3 ~~names or addresses of his or her witnesses, except that upon~~  
4 ~~motion of any party disclosure of the identity of expert~~  
5 ~~witnesses shall be made to all parties and the court in~~  
6 ~~sufficient time in advance of trial so as to insure a fair and~~  
7 ~~equitable preparation of the case by all parties.~~

8 (d) Whenever the defendant in any litigation in this State  
9 has the right to demand a physical or mental examination of the  
10 plaintiff pursuant to statute or Supreme Court Rule, relative  
11 to the occurrence and extent of injuries or damages for which  
12 claim is made, or in connection with the plaintiff's capacity  
13 to exercise any right plaintiff has, or would have but for a  
14 finding based upon such examination, the plaintiff has the  
15 right to have his or her attorney, or such other person as the  
16 plaintiff may wish, present at such physical or mental  
17 examination.

18 (e) No person or organization shall be required to furnish  
19 claims, loss or risk management information held or provided by  
20 an insurer, which information is described in Section 143.10a  
21 of the "Illinois Insurance Code".

22 (Source: P.A. 84-1431.)".