

# 99TH GENERAL ASSEMBLY <br> State of Illinois <br> 2015 and 2016 <br> hoUSE JOINT RESOLUTION <br> CONSTITUTIONAL AMENDMENT <br> HC0037 

Introduced , by Rep. Michael J. Madigan

## SYNOPSIS AS INTRODUCED:

ILCON Art. VI, Sec. 20 new

Proposes to amend the Judiciary Article of the Illinois Constitution. Provides maximum dollar value limitations on specified categories of damages.

HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 20 to Article VI of the Illinois Constitution as follows:

## ARTICLE VI

THE JUDICIARY
(ILCON Art. VI, Sec. 20 new) SECTION 20. LIMITATION ON LIABILITY FOR DAMAGES
(a) A punitive damage award may not be more than the greater of:
(1) three times the amount of compensatory damages awarded in the action; or
(2) $\$ 50,000$.
(b) The total amount recoverable for an injury or death of a patient as a result of medical malpractice may not exceed $\$ 1,250,000$.
(c) A health care provider is not liable for an amount in excess of $\$ 250,000$ for an occurrence of medical malpractice.

HC0037 -2- LRB099 12523 JWD 35963 e
(d) Aggregate damages for the loss of society, including love, affection, care, attention, companionship, comfort, guidance, and protection, resulting from the wrongful death of an unmarried adult who has no dependents may not exceed $\$ 300,000$.

SCHEDULE
This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies only to causes of action accruing on or after its effective date.

