



Sen. Antonio Muñoz

**Filed: 3/5/2015**

09900SB0863sam001

LRB099 03922 HEP 31712 a

1 AMENDMENT TO SENATE BILL 863

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 863 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 2-301 as follows:

6 (735 ILCS 5/2-301) (from Ch. 110, par. 2-301)

7 Sec. 2-301. Objections to jurisdiction over the person.

8 (a) Prior to the filing of any other pleading or motion  
9 other than a motion for an extension of time to answer or  
10 otherwise appear, a party may object to the court's  
11 jurisdiction over the party's person, either on the ground that  
12 the party is not amenable to process of a court of this State  
13 or on the ground of insufficiency of process or insufficiency  
14 of service of process, by filing a motion to dismiss the entire  
15 proceeding or any cause of action involved in the proceeding or  
16 by filing a motion to quash service of process. Such a motion

1 may be made singly or included with others in a combined  
2 motion, but the parts of a combined motion must be identified  
3 in the manner described in Section 2-619.1. Unless the facts  
4 that constitute the basis for the objection are apparent from  
5 papers already on file in the case, the motion must be  
6 supported by an affidavit setting forth those facts.

7 (a-5) The deadline for filing a motion to dismiss the  
8 entire proceeding or to quash service of process on the basis  
9 of an objection to the court's jurisdiction over the person,  
10 unless extended by the court for good cause shown, is 60 days  
11 after the earlier of: (i) the date that the moving party filed  
12 an appearance; or (ii) the date that the moving party  
13 participated in a hearing without filing an appearance. If the  
14 objecting party files a responsive pleading or a motion (other  
15 than a motion for an extension of time to answer or otherwise  
16 appear) prior to the filing of a motion in compliance with  
17 subsection (a), that party waives all objections to the court's  
18 jurisdiction over the party's person.

19 (b) In disposing of a motion objecting to the court's  
20 jurisdiction over the person of the objecting party, the court  
21 shall consider all matters apparent from the papers on file in  
22 the case, affidavits submitted by any party, and any evidence  
23 adduced upon contested issues of fact. The court shall enter an  
24 appropriate order sustaining or overruling the objection. No  
25 determination of any issue of fact in connection with the  
26 objection is a determination of the merits of the case or any

1 aspect thereof. A decision adverse to the objector does not  
2 preclude the objector from making any motion or defense which  
3 he or she might otherwise have made.

4 (c) Error in ruling against the objecting party on the  
5 objection is waived by the party's taking part in further  
6 proceedings unless the objection is on the ground that the  
7 party is not amenable to process issued by a court of this  
8 State.

9 (Source: P.A. 91-145, eff. 1-1-00.)".