

**HB0461**



**99TH GENERAL ASSEMBLY**

**State of Illinois**

**2015 and 2016**

**HB0461**

by Rep. Jack D. Franks

**SYNOPSIS AS INTRODUCED:**

740 ILCS 5/1

from Ch. 40, par. 1901

Amends the Alienation of Affections Act. Makes a technical change in a Section concerning public policy.

LRB099 06911 HEP 26992 b

**A BILL FOR**

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 Alienation of Affections Act is amended by  
5 changing Section 1 as follows:

6 (740 ILCS 5/1) (from Ch. 40, par. 1901)

7 Sec. 1. It is hereby declared, as a matter of legislative  
8 determination, that ~~that~~ the remedy heretofore provided by law  
9 for the enforcement of the action for alienation of affections  
10 has been subjected to grave abuses and has been used as an  
11 instrument for blackmail by unscrupulous persons for their  
12 unjust enrichment, due to the indefiniteness of the damages  
13 recoverable in such actions and the consequent fear of persons  
14 threatened with such actions that exorbitant damages might be  
15 assessed against them. It is also hereby declared that the  
16 award of monetary damages in such actions is ineffective as a  
17 recompense for genuine mental or emotional distress.  
18 Accordingly, it is hereby declared as the public policy of the  
19 state that the best interests of the people of the state will  
20 be served by limiting the damages recoverable in such actions  
21 and by leaving any punishment of wrongdoers guilty of  
22 alienation of affections to proceedings under the criminal laws  
23 of the state, rather than to the imposition of punitive,

1     exemplary, vindictive, or aggravated damages in actions for  
2     alienation of affections. Consequently, in the public  
3     interest, the necessity for the enactment of this chapter is  
4     hereby declared as a matter of legislative determination.

5     (Source: Laws 1947, p. 796.)