

AN ACT concerning government.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Court of Claims Act is amended by changing Sections 6, 9, 13, 21, and 22 as follows:

(705 ILCS 505/6) (from Ch. 37, par. 439.6)

Sec. 6. The court shall hold sessions at such places or
remotely as it deems necessary to expedite the business of the
court.

(Source: P.A. 90-492, eff. 8-17-97.)

(705 ILCS 505/9) (from Ch. 37, par. 439.9)

Sec. 9. The court may: A. Establish rules for its
government and for the regulation of practice therein; appoint
commissioners to assist the court in such manner as it directs
and discharge them at will; and exercise such powers as are
necessary to carry into effect the powers granted in this
Section. Any Commissioner appointed shall be an attorney
licensed to practice law in the State of Illinois. The rules
established hereunder shall not be waived, and any extension
of time authorized by such rules shall only be allowed on
motion duly filed within the time limitation for which the
extension is requested.

B. Issue subpoenas through the Chief Justice or one of its judges or commissioners to require the attendance of witnesses for the purpose of testifying before it, or before any judge of the court, or before any notary public, or any of its commissioners, and to require the production of any books, records, papers or documents that may be material or relevant as evidence in any matter pending before it. In case any person refuses to comply with any subpoena issued in the name of the chief justice, or one of the judges or commissioners, attested by the clerk, with the seal of the court attached, and served upon the person named therein as a summons in a civil action is served, the circuit court of the proper county, on application of the party at whose instance the subpoena was issued, shall compel obedience by attachment proceedings, as for contempt, as in a case of a disobedience of the requirements of a subpoena from such court on a refusal to testify therein.

C. The court may adopt administrative rules to provide for remote or electronic filing of a claim or other motion, participation in any capacity before the court, taking of evidence or testimony, conducting any business of the court, or payment of any fees to the court.

(Source: P.A. 83-865.)

(705 ILCS 505/13) (from Ch. 37, par. 439.13)

Sec. 13. Any judge or commissioner of the court may sit at any place within the State or may remotely ~~to~~ take evidence in

or conduct any case in the court.

(Source: Laws 1945, p. 660.)

(705 ILCS 505/21) (from Ch. 37, par. 439.21)

Sec. 21. The court is authorized to impose, by uniform rules, a fee of \$15 for the filing of a petition in any case in which the award sought is more than \$50 and less than \$1,000 and \$35 in any case in which the award sought is \$1,000 or more; and to charge and collect for copies of opinions or other documents filed in the Court of Claims such fees as may be prescribed by the rules of the Court. All fees and charges so collected shall be forthwith paid into the State Treasury. The Court may determine the form and manner of all filing fees and other charges due the court by administrative rule.

A petitioner who is a prisoner in an Illinois Department of Corrections facility who files a pleading, motion, or other filing that purports to be a legal document against the State, the Illinois Department of Corrections, the Prisoner Review Board, or any of their officers or employees in which the court makes a specific finding that it is frivolous shall pay all filing fees and court costs in the manner provided in Article XXII of the Code of Civil Procedure.

In claims based upon lapsed appropriations or lost warrant or in claims filed under the Line of Duty Compensation Act, the Illinois National Guardsman's Compensation Act, or the Crime Victims Compensation Act or in claims filed by medical vendors

for medical services rendered by the claimant to persons eligible for Medical Assistance under programs administered by the Department of Healthcare and Family Services, no filing fee shall be required.

(Source: P.A. 95-331, eff. 8-21-07.)

(705 ILCS 505/22) (from Ch. 37, par. 439.22)

Sec. 22. Every claim cognizable by the court and not otherwise sooner barred by law shall be forever barred from prosecution therein unless it is filed with the clerk of the court within the time set forth as follows:

(a) All claims arising out of a contract must be filed within 5 years after it first accrues, saving to minors, and persons under legal disability at the time the claim accrues, in which cases the claim must be filed within 5 years from the time the disability ceases.

(b) All claims cognizable against the State by vendors of goods or services under the Illinois Public Aid Code must be filed within one year after the accrual of the cause of action, as provided in Section 11-13 of that Code.

(c) All claims arising under paragraph (c) of Section 8 of this Act must be automatically heard by the court within 120 days after the person asserting such claim is either issued a certificate of innocence from the circuit court as provided in Section 2-702 of the Code of Civil

Procedure, or is granted a pardon by the Governor, whichever occurs later, without the person asserting the claim being required to file a petition under Section 11 of this Act, except as otherwise provided by the Crime Victims Compensation Act. Any claims filed by the claimant under paragraph (c) of Section 8 of this Act must be filed within 2 years after the person asserting such claim is either issued a certificate of innocence as provided in Section 2-702 of the Code of Civil Procedure, or is granted a pardon by the Governor, whichever occurs later.

(d) All claims arising under paragraph (f) of Section 8 of this Act must be filed within the time set forth in Section 3 of the Line of Duty Compensation Act.

(e) All claims arising under paragraph (h) of Section 8 of this Act must be filed within one year of the date of the death of the guardsman or militiaman as provided in Section 3 of the Illinois National Guardsman's Compensation Act.

(f) All claims arising under paragraph (g) of Section 8 of this Act must be filed within 5 years ~~one year~~ of the crime on which a claim is based as provided in Section 6.1 of the Crime Victims Compensation Act.

(g) All claims arising from the Comptroller's refusal to issue a replacement warrant pursuant to Section 10.10 of the State Comptroller Act must be filed within 5 years after the date of the Comptroller's refusal.

(h) All other claims must be filed within 2 years after it first accrues, saving to minors, and persons under legal disability at the time the claim accrues, in which case the claim must be filed within 2 years from the time the disability ceases.

(i) ~~The changes made by Public Act 86-458 apply to all warrants issued within the 5 year period preceding August 31, 1989 (the effective date of Public Act 86-458).~~ The changes made to this Section by Public Act 100-1124 apply to claims pending on November 27, 2018 (the effective date of Public Act 100-1124) and to claims filed thereafter.

(j) All time limitations established under this Act and the rules promulgated under this Act shall be binding and jurisdictional, except upon extension authorized by law or rule and granted pursuant to a motion timely filed.

(Source: P.A. 102-558, eff. 8-20-21; 102-813, eff. 5-13-22.)