

1 AN ACT concerning government.

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

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

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

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

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

11 (705 ILCS 505/9) (from Ch. 37, par. 439.9)

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

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

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

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

23 (705 ILCS 505/13) (from Ch. 37, par. 439.13)

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

1 or conduct any case in the court.

2 (Source: Laws 1945, p. 660.)

3 (705 ILCS 505/21) (from Ch. 37, par. 439.21)

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

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

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

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

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

6 (705 ILCS 505/22) (from Ch. 37, par. 439.22)

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

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

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

21 (c) All claims arising under paragraph (c) of Section
22 8 of this Act must be automatically heard by the court
23 within 120 days after the person asserting such claim is
24 either issued a certificate of innocence from the circuit
25 court as provided in Section 2-702 of the Code of Civil

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

11 (d) All claims arising under paragraph (f) of Section
12 8 of this Act must be filed within the time set forth in
13 Section 3 of the Line of Duty Compensation Act.

14 (e) All claims arising under paragraph (h) of Section
15 8 of this Act must be filed within one year of the date of
16 the death of the guardsman or militiaman as provided in
17 Section 3 of the Illinois National Guardsman's
18 Compensation Act.

19 (f) All claims arising under paragraph (g) of Section
20 8 of this Act must be filed within 5 years ~~one year~~ of the
21 crime on which a claim is based as provided in Section 6.1
22 of the Crime Victims Compensation Act.

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

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

6 (i) ~~The changes made by Public Act 86-458 apply to all~~
7 ~~warrants issued within the 5 year period preceding August~~
8 ~~31, 1989 (the effective date of Public Act 86-458).~~ The
9 changes made to this Section by Public Act 100-1124 apply
10 to claims pending on November 27, 2018 (the effective date
11 of Public Act 100-1124) and to claims filed thereafter.

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

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