



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB4072

Introduced 10/15/2025, by Rep. Curtis J. Tarver, II - Kelly M. Cassidy, Nicole La Ha, Tony M. McCombie, Edgar González, Jr., et al.

#### SYNOPSIS AS INTRODUCED:

705 ILCS 505/25

from Ch. 37, par. 439.24-5

Amends the Court of Claims Act. Provides that exhaustion of remedies is not required for any person who files a claim in the court for damages based on the Code of Civil Procedure provisions pertaining to actions for personal injury based on childhood sexual abuse. Contains a statement of findings and intent. Provides that the changes made by the amendatory Act applies to all actions pending or commenced on or after the effective date of the amendatory Act and to any action that would not have been time barred under the statute of limitations or statute of repose under the Code of Civil Procedure affecting childhood sexual abuse before the effective date of the amendatory Act.

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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 1. Findings; intent. The General Assembly finds  
5 and declares that:

6 (1) All survivors of childhood sexual abuse have the  
7 fundamental right to hold a party responsible for the harm  
8 inflicted in their youth.

9 (2) Section 13-202.2 of the Code of Civil Procedure  
10 was enacted to provide plaintiffs with the tools to  
11 commence an action despite any statute of limitations or  
12 other provision of law constituting a condition precedent  
13 or hurdle to filing an action against any person or  
14 institution when the plaintiff's harm is caused by  
15 childhood sex abuse. The General Assembly did so by using  
16 the preemptive language "notwithstanding any other  
17 provision of law". The language "any other provision of  
18 law" necessarily includes Court of Claims rules that would  
19 hinder the commencement of an action, including, but not  
20 limited to, the exhaustion of remedies provision.

21 (3) This Act is intended to be declarative of existing  
22 law and to provide additional clarity that an action for  
23 damages based on childhood sexual abuse may be commenced  
24 at any time against any party, notwithstanding any other

1 provision of law, including, but not limited to, any law  
2 requiring notice of claim, exhaustion of remedies, or  
3 other condition precedent to the commencement of any  
4 action.

5 Section 5. The Court of Claims Act is amended by changing  
6 Section 25 as follows:

7 (705 ILCS 505/25) (from Ch. 37, par. 439.24-5)

8 Sec. 25. Any person who files a claim in the court shall,  
9 before seeking final determination of his or her claim exhaust  
10 all other remedies and sources of recovery whether  
11 administrative or judicial; except that failure to file or  
12 pursue actions against State employees, acting within the  
13 scope of their employment, shall not be a defense. Exhaustion  
14 of remedies shall not be required for any action commenced in  
15 the court of claims for damages based on childhood sexual  
16 abuse under Section 13-202.2 of the Code of Civil Procedure.  
17 The changes made by this amendatory Act of the 104th General  
18 Assembly apply to all actions pending or commenced on or after  
19 the effective date of this amendatory Act of the 104th General  
20 Assembly and to any action that would not have been time barred  
21 under the statute of limitations or statute of repose under  
22 Section 13-202.2 of the Code of Civil Procedure before the  
23 effective date of this amendatory Act of the 104th General  
24 Assembly.

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1 (Source: P.A. 83-345.)