



Sen. Steve Stadelman

Filed: 3/14/2025

10400SB1181sam002

LRB104 05566 JRC 23885 a

1 AMENDMENT TO SENATE BILL 1181

2 AMENDMENT NO. _____. Amend Senate Bill 1181 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Citizen Participation Act is amended by
5 changing Sections 5 and 15 and by adding Sections 17 and 32 as
6 follows:

7 (735 ILCS 110/5)

8 Sec. 5. Public policy. Pursuant to the fundamental
9 philosophy of the American constitutional form of government,
10 it is declared to be the public policy of the State of Illinois
11 that the constitutional rights of citizens and organizations
12 to be involved and participate freely in the process of
13 government must be encouraged and safeguarded with great
14 diligence. The information, reports, opinions, claims,
15 arguments, and other expressions provided by citizens are
16 vital to effective law enforcement, the operation of

1 government, the making of public policy and decisions, and the
2 continuation of representative democracy. The laws, courts,
3 and other agencies of this State must provide the utmost
4 protection for freedom of the press and the free exercise of
5 these rights of petition, speech, association, and government
6 participation.

7 Civil actions for money damages have been filed against
8 citizens and organizations of this State as a result of their
9 valid exercise of their constitutional rights to petition,
10 speak freely, associate freely, and otherwise participate in
11 and communicate with government. The press opining, reporting,
12 or investigating matters of public concern is participating
13 and communicating with the government. There has been a
14 disturbing increase in lawsuits termed "Strategic Lawsuits
15 Against Public Participation" in government or "SLAPPs" as
16 they are popularly called.

17 The threat of SLAPPs significantly chills and diminishes
18 citizen participation in government, voluntary public service,
19 and the exercise of these important constitutional rights.
20 This abuse of the judicial process can and has been used as a
21 means of intimidating, harassing, or punishing citizens and
22 organizations, including the press, for involving themselves
23 in public affairs.

24 It is in the public interest and it is the purpose of this
25 Act to strike a balance between the rights of persons to file
26 lawsuits for injury and the constitutional rights of persons

1 to petition, speak freely, associate freely, and otherwise
2 participate in government; to protect and encourage public
3 participation in government to the maximum extent permitted by
4 law; to establish an efficient process for identification and
5 adjudication of SLAPPs; and to provide for attorney's fees and
6 costs to prevailing movants. As such, this Act should be
7 construed broadly in striking the balance of rights described
8 in this Act.

9 (Source: P.A. 95-506, eff. 8-28-07.)

10 (735 ILCS 110/15)

11 Sec. 15. Applicability. This Act applies to any motion to
12 dispose of a claim in a judicial proceeding on the grounds that
13 the claim is based on, relates to, or is in response to any act
14 or acts of the moving party in furtherance of the moving
15 party's rights of petition, speech, association, or to
16 otherwise participate in government. The claim does not need
17 to solely pertain to the moving party's constitutional rights
18 as this Act applies regardless of the motives of the person who
19 brought the claim that the moving party is seeking to dispose
20 of.

21 Acts in furtherance of the constitutional rights to
22 petition, speech, association, and participation in government
23 are immune from liability, regardless of intent or purpose,
24 except when not genuinely aimed at procuring favorable
25 government action, result, or outcome.

1 (Source: P.A. 95-506, eff. 8-28-07.)

2 (735 ILCS 110/17 new)

3 Sec. 17. Stay.

4 (a) Except as otherwise provided in subsections (d)
5 through (g), on the filing of a motion under Section 15 of this
6 Act:

7 (1) all other proceedings between the moving party and
8 responding party, including discovery and a pending
9 hearing or motion, are stayed; and

10 (2) on motion by the moving party, the court may stay a
11 hearing or motion involving another party, or discovery by
12 another party, if the hearing or ruling on the motion
13 would adjudicate, or the discovery would relate to, an
14 issue material to the motion to dispose of a claim under
15 Section 15.

16 (b) A stay under subsection (a) remains in effect until
17 entry of an order ruling on the motion to dispose of the claim
18 under Section 15 and expiration of the time under Section 20 to
19 appeal the order.

20 (c) Except as otherwise provided in subsections (e), (f),
21 and (g), if a party appeals from an order ruling on the motion
22 to dispose of the claim, all proceedings between all parties
23 in the action are stayed. The stay remains in effect until the
24 conclusion of the appeal.

25 (d) During a stay under subsection (a), the court may

1 allow limited discovery as provided in Section 20.

2 (e) A motion under Section 25 for costs, attorney's fees,
3 and expenses is not subject to a stay under this Section.

4 (f) A stay under this Section does not affect a party's
5 ability voluntarily to dismiss a cause of action in whole or in
6 part.

7 (g) During a stay under this Section, the court for good
8 cause may hear and rule on:

9 (1) a motion unrelated to the motion to dispose of the
10 claim under Section 15; and

11 (2) a motion seeking a special or preliminary
12 injunction to protect against an imminent threat to public
13 health or safety.

14 (735 ILCS 110/32 new)

15 Sec. 32. Applicability. The changes made to this Act by
16 this amendatory Act of the 104th General Assembly apply only
17 to actions commenced on or after January 1, 2026.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.".