

# HB4917



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB4917

Introduced 2/18/2020, by Rep. Margo McDermed - Kelly M. Burke -  
Ann M. Williams

#### SYNOPSIS AS INTRODUCED:

735 ILCS 5/2-1303

from Ch. 110, par. 2-1303

Amends the Code of Civil Procedure. Provides that the definition of "consumer debt" does not include any money due or owing, or alleged to be due or owing, from a natural person for an arrearage of child support. Provides that the definition of "consumer debt judgment" does not include any judgment entered for an arrearage of child support.

LRB101 17962 LNS 67398 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 Code of Civil Procedure is amended by  
5 changing Section 2-1303 as follows:

6 (735 ILCS 5/2-1303) (from Ch. 110, par. 2-1303)

7 Sec. 2-1303. Interest on judgment.

8 (a) Except as provided in subsection (b), judgments  
9 recovered in any court shall draw interest at the rate of 9%  
10 per annum from the date of the judgment until satisfied or 6%  
11 per annum when the judgment debtor is a unit of local  
12 government, as defined in Section 1 of Article VII of the  
13 Constitution, a school district, a community college district,  
14 or any other governmental entity. When judgment is entered upon  
15 any award, report or verdict, interest shall be computed at the  
16 above rate, from the time when made or rendered to the time of  
17 entering judgment upon the same, and included in the judgment.  
18 Interest shall be computed and charged only on the unsatisfied  
19 portion of the judgment as it exists from time to time. The  
20 judgment debtor may by tender of payment of judgment, costs and  
21 interest accrued to the date of tender, stop the further  
22 accrual of interest on such judgment notwithstanding the  
23 prosecution of an appeal, or other steps to reverse, vacate or

1 modify the judgment.

2 (b) (1) As used in this Section:

3 "Consumer debt" means money or property, or the equivalent,  
4 due or owing, or alleged to be due or owing, from a natural  
5 person by reason of a transaction in which property, services,  
6 or money is acquired by that natural person primarily for  
7 personal, family, or household purposes. "Consumer debt" does  
8 not include any money due or owing, or alleged to be due or  
9 owing, from a natural person for an arrearage of child support.

10 "Consumer debt judgment" means a judgment recovered in any  
11 court against one or more natural persons arising out of  
12 consumer debt. "Consumer debt judgment" does not include any  
13 compensation for bodily injury or death, ~~nor~~ any judgment  
14 entered where the debt is guaranteed by or contains a joint and  
15 several liability provision between a natural person and a  
16 business, whether or not that business is legally constituted  
17 under the laws of this State or any other state, or any  
18 judgment entered for an arrearage of child support.

19 (2) Notwithstanding subsection (a), consumer debt  
20 judgments of \$25,000 or less shall draw interest from the date  
21 of the judgment until satisfied at the rate of 5% per annum.

22 (3) The judgment debtor may, by tender of payment of  
23 judgment, costs, and interest accrued to the date of tender,  
24 stop the further accrual of interest on the consumer debt  
25 judgment, notwithstanding the prosecution of an appeal, or  
26 other steps to reverse, vacate, or modify the judgment.

1           (4) This subsection applies to all consumer debt judgments  
2 entered into after the effective date of this amendatory Act of  
3 the 101st General Assembly.

4           (Source: P.A. 101-168, eff. 1-1-20.)