



Rep. Rita Mayfield

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10200HB0048ham001

LRB102 04081 LNS 23816 a

1 AMENDMENT TO HOUSE BILL 48

2 AMENDMENT NO. _____. Amend House Bill 48 by replacing
3 everything after the enacting clause with the following:

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
15 upon any award, report or verdict, interest shall be computed
16 at the above rate, from the time when made or rendered to the

1 time of entering judgment upon the same, and included in the
2 judgment. Interest shall be computed and charged only on the
3 unsatisfied portion of the judgment as it exists from time to
4 time. The judgment debtor may by tender of payment of
5 judgment, costs and interest accrued to the date of tender,
6 stop the further accrual of interest on such judgment
7 notwithstanding the prosecution of an appeal, or other steps
8 to reverse, vacate or modify the judgment.

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

10 "Consumer debt" means money or property, or the
11 equivalent, due or owing, or alleged to be due or owing, from a
12 natural person by reason of a transaction in which property,
13 services, or money is acquired by that natural person
14 primarily for personal, family, or household purposes.

15 "Consumer debt judgment" means a judgment recovered in any
16 court against one or more natural persons arising out of
17 consumer debt. "Consumer debt judgment" does not include any
18 compensation for bodily injury or death, nor any judgment
19 entered where the debt is guaranteed by or contains a joint and
20 several liability provision between a natural person and a
21 business, whether or not that business is legally constituted
22 under the laws of this State or any other state, nor any
23 judgment prior to January 1, 2020, nor any judgment entered
24 for an arrearage of child support.

25 (2) Notwithstanding subsection (a), consumer debt
26 judgments of \$25,000 or less shall draw interest from the date

1 of the judgment until satisfied at the rate of 5% per annum.

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

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

10 (c) Notwithstanding any other provision of this Code,
11 child support judgments shall draw interest at a rate of:

12 (1) for an individual with a gross income less than
13 the State median income as reported by the United States
14 Census Bureau, 0% interest per annum;

15 (2) for an individual with a gross income equal to or
16 up to 2 times the median State income as reported by the
17 United States Census Bureau, 3% interest per annum, which
18 shall automatically be increased or decreased, as
19 applicable, by a percentage equal to the percentage change
20 in the consumer price index-u during the preceding
21 12-month calendar year; or

22 (3) for an individual with a gross income over 2 times
23 the median State income as reported by the United States
24 Census Bureau, 9% per annum.

25 As used in this subsection, "consumer price index-u" has
26 the meaning provided in Section 8-2006. This subsection

1 applies to all child support judgments entered into after the
2 effective date of this amendatory Act of the 102nd General
3 Assembly.

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