



Rep. Daniel Didech

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10300HB4404ham002

LRB103 35869 JRC 72438 a

1 AMENDMENT TO HOUSE BILL 4404

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4404 as follows:

3 on page 3, line 4, immediately after the period, by inserting  
4 "A claim brought under this Act is subject to any applicable  
5 affirmative defense, including, but not limited to, the  
6 statute of frauds."; and

7 on page 5, line 5, immediately after "cohabitant", by  
8 inserting "or the estate of the other cohabitant"; and

9 on page 5, line 6, immediately after "property", by inserting  
10 "or reimbursement"; and

11 on page 5, line 12, immediately after "defenses", by inserting  
12 "and may be commenced, subject to Section 13-205 of the Code of  
13 Civil Procedure, during cohabitation or after termination of  
14 cohabitation"; and

1 on page 6, line 6, by replacing "general" with "unsecured";  
2 and

3 on page 6, by replacing lines 10 through 22 with the following:

4 "(c) A court order or judgment granting relief under this  
5 Act may not impair the right or interest of a cohabitant's  
6 spouse or surviving spouse to the cohabitant's property and is  
7 subordinate to any domestic support obligation arising from a  
8 marriage of a cohabitant to another person."; and

9 on page 7, by replacing lines 14 through 18 with the following:

10 "(a) This Act applies to a cohabitants' agreement made on  
11 or after the effective date of this Act.

12 (b) This Act applies to an equitable claim that is made  
13 under this Act that accrues on or after the effective date of  
14 this Act."