

HB5883



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5883

by Rep. Sonya M. Harper

SYNOPSIS AS INTRODUCED:

735 ILCS 5/13-202.4 new

Amends the Limitations Article of the Code of Civil Procedure. Provides that every civil claim or cause of action brought against any party alleging intentional or negligent acts or omissions by a person for physical, psychological, or other injury or condition suffered as a result of conduct which would constitute a sex offense under the Criminal Code of 2012 committed against a person who was 18 years of age or older, or incest committed against such person who was 18 years of age or older, which is barred as of the effective date of the amendatory Act because the applicable period of limitation has expired, is revived, and action thereon may be commenced not earlier than 6 months after, and not later than 18 months after the effective date of the amendatory Act.

LRB103 42661 LNS 75894 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 adding Section 13-202.4 as follows:

6 (735 ILCS 5/13-202.4 new)

7 Sec. 13-202.4. Adult sex offense revival. Notwithstanding
8 any provision of law that imposes a period of limitation to the
9 contrary, every civil claim or cause of action brought against
10 any party alleging intentional or negligent acts or omissions
11 by a person for physical, psychological, or other injury or
12 condition suffered as a result of conduct which would
13 constitute a sex offense under Article 11 of the Criminal Code
14 of 2012 committed against a person who was 18 years of age or
15 older, or incest committed against a person who was 18 years of
16 age or older, which is barred as of the effective date of this
17 amendatory Act of the 103rd General Assembly because the
18 applicable period of limitation has expired, is hereby
19 revived, and action thereon may be commenced not earlier than
20 6 months after, and not later than 18 months after the
21 effective date of this amendatory Act of the 103rd General
22 Assembly. In any such claim or action, dismissal of a previous
23 action, ordered before the effective date of this amendatory

1 Act of the 103rd General Assembly, on grounds that such
2 previous action was time barred, shall not be grounds for
3 dismissal of a revival action under this Section.

4 The procedure for this Section shall be in accordance with
5 the Supreme Court's rules.