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09400SB1911ham001

LRB094 08687 AJO 57290 a

1 AMENDMENT TO SENATE BILL 1911

2 AMENDMENT NO. _____. Amend Senate Bill 1911 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Code of Civil Procedure is amended by
5 adding Sections 2-1208 and 8-1212 as follows:

6 (735 ILCS 5/2-1208 new)

7 Sec. 2-1208. Collateral source payments.

8 (a) Any pretrial payment made by or on behalf of a
9 defendant to a plaintiff as an advance against liability shall
10 be credited against the liability of that defendant in the
11 event of judgment.

12 (b) Except as provided in subsection (a), any payments made
13 to or benefits conferred upon a plaintiff from a third party
14 source shall neither reduce the plaintiff's recovery nor be
15 credited against any defendant's liability, regardless of the
16 source and nature of the benefit or payment.

17 (c) Subsection (b) of this Section does not apply to
18 payments made pursuant to the Joint Tortfeasor Contribution
19 Act.

20 (d) This Section applies to actions commenced or pending on
21 or after the effective date of this amendatory Act of the 94th
22 General Assembly.

23 (735 ILCS 5/8-1212 new)

1 Sec. 8-1212. Bills for services rendered.

2 (a) A rebuttable presumption of the amount and
3 reasonableness of a bill for services rendered may be
4 established by a copy of the bill, with evidence of payments
5 made or benefits conferred as described in subsection (b) of
6 Section 2-1208 redacted, certified under the signature of the
7 secretary, clerk, or other keeper of the bills for services
8 rendered.

9 (b) A party attempting to rebut the presumption of
10 reasonableness shall not be allowed to present evidence of
11 payments made or benefits conferred as described in subsection
12 (b) of Section 2-1208.

13 (c) This Section applies to actions commenced or pending on
14 or after the effective date of this amendatory Act of the 94th
15 General Assembly.

16 (735 ILCS 5/2-1205 rep.)

17 Section 10. The Code of Civil Procedure is amended by
18 repealing Section 2-1205.

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