

HB5513



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5513

by Rep. Jim Durkin

SYNOPSIS AS INTRODUCED:

735 ILCS 5/2-1203

from Ch. 110, par. 2-1203

Amends the Code of Civil Procedure. Provides that in a case seeking injunctive or declaratory relief, a judgment that allows the State or a unit of local government to enforce a law, statute, or ordinance shall be stayed only by a court order that follows a separate application that sets forth just cause for staying the enforcement.

LRB095 17423 AJ0 43495 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 2-1203 as follows:

6 (735 ILCS 5/2-1203) (from Ch. 110, par. 2-1203)

7 Sec. 2-1203. Motions after judgment in non-jury cases. (a)
8 In all cases tried without a jury, any party may, within 30
9 days after the entry of the judgment or within any further time
10 the court may allow within the 30 days or any extensions
11 thereof, file a motion for a rehearing, or a retrial, or
12 modification of the judgment or to vacate the judgment or for
13 other relief.

14 (b) A motion filed in apt time stays enforcement of the
15 judgment; in a case seeking injunctive or declaratory relief,
16 however, a judgment that allows the State or a unit of local
17 government to enforce a law, statute, or ordinance shall be
18 stayed only by a court order that follows a separate
19 application that sets forth just cause for staying the
20 enforcement.

21 (Source: P.A. 82-280.)