



1 was caused by alcoholic liquor or illegal drugs that were  
2 willfully supplied by a person over 18 years of age, has a  
3 right of action in his or her own name, jointly and  
4 severally, for damages (including reasonable attorney's fees  
5 and expenses) against any person:

6 (i) who, by willfully selling, giving, or  
7 delivering alcoholic liquor or illegal drugs, causes or  
8 contributes to the impairment of the person under the age  
9 of 18; or

10 (ii) who, by willfully permitting consumption of  
11 alcoholic liquor or illegal drugs on non-residential  
12 premises owned or controlled by the person over the age  
13 of 18, causes or contributes to the impairment of the  
14 person under the age of 18.

15 (c) An action for damages under this Section is barred  
16 unless commenced within 2 years after the right of action  
17 arises.

18 Section 10. A person entitled to bring an action under  
19 this Act may recover all of the following damages:

20 (1) economic damages, including, but not limited to,  
21 the cost of treatment and rehabilitation, medical  
22 expenses, loss of economic or educational potential, loss  
23 of productivity, absenteeism, support expenses, accidents  
24 or injury and any other pecuniary loss proximately caused  
25 by the impairment of the person under the age of 18;

26 (2) non-economic damages, including, but not limited  
27 to, physical and emotional pain, suffering, physical  
28 impairment, emotional distress, mental anguish,  
29 disfigurement, loss of enjoyment, loss of companionship,  
30 services, and consortium, and other non-pecuniary losses  
31 proximately caused by the impairment of the person under  
32 the age 18;

33 (3) reasonable attorneys' fees;

1           (4) costs of suit, including, but not limited to,  
2 reasonable expenses for expert testimony; and

3           (5) punitive damages in an amount that is not less  
4 than treble the amount of economic and non-economic  
5 damages.

6           Section 15. If an action is brought under Section (5)(b)  
7 of this Act against a person because of events that occur on  
8 residential premises or because of his or her ownership or  
9 control of residential premises and that person is found to  
10 not be liable, the plaintiff shall be ordered to reimburse  
11 the defendant for all attorney's fees and court costs that  
12 the defendant incurred in defending the action.

13           Section 20. Contributory negligence and contributory  
14 willful and wanton conduct. Neither contributory negligence  
15 nor contributory willful and wanton conduct shall apply to  
16 any injured party claiming damages under this Act.

17           Section 25. Applicability. A person may not bring an  
18 action under this Act against a licensee or an officer,  
19 associate, member, representative, agent, or employee of a  
20 licensee under the Liquor Control Act of 1934 who supplies  
21 alcoholic liquor to a person under 21 years of age for that  
22 act if the licensee or officer, associate, member,  
23 representative, agent, or employee of the licensee complied  
24 with all applicable provisions of the Liquor Control Act of  
25 1934.

26           Section 99. Effective date. This Act takes effect upon  
27 becoming law."