

AN ACT concerning civil law.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Code of Civil Procedure is amended by changing Section 13-207 as follows:

(735 ILCS 5/13-207) (from Ch. 110, par. 13-207)

Sec. 13-207. Counterclaim or set-off. A defendant may plead a set-off or counterclaim barred by the statute of limitation or the statute of repose, while held and owned by him or her, to any action, the cause of which was owned by the plaintiff or person under whom he or she claims, before such set-off or counterclaim was so barred, and not otherwise. This section shall not affect the right of a bona fide assignee of a negotiable instrument assigned before due. The changes made to this Section by this amendatory Act of the 102nd General Assembly apply to claims initiated on or after the effective date of this amendatory Act of the 102nd General Assembly and to claims intentionally filed to preclude a defendant a reasonable opportunity to file a counterclaim within the original limitation period.

(Source: P.A. 83-707.)

Section 99. Effective date. This Act takes effect upon

Public Act 102-0908

HB0625 Enrolled

LRB102 11520 LNS 16854 b

becoming law.