

1 AN ACT concerning tort immunity.

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

4 Section 5. The Local Governmental and Governmental  
5 Employees Tort Immunity Act is amended by changing Section  
6 8-101 as follows:

7 (745 ILCS 10/8-101) (from Ch. 85, par. 8-101)

8 Sec. 8-101. Limitation.

9 (a) No civil action other than an action described in  
10 subsection (b) may be commenced in any court against a local  
11 entity or any of its employees for any injury unless it is  
12 commenced within one year from the date that the injury was  
13 received or the cause of action accrued.

14 (b) No action for damages for injury or death against  
15 any local public entity or public employee, whether based  
16 upon tort, or breach of contract, or otherwise, arising out  
17 of patient care shall be brought more than 2 years after the  
18 date on which the claimant knew, or through the use of  
19 reasonable diligence should have known, or received notice in  
20 writing of the existence of the injury or death for which  
21 damages are sought in the action, whichever of those dates  
22 occurs first, but in no event shall such an action be brought  
23 more than 4 years after the date on which occurred the act or  
24 omission or occurrence alleged in the action to have been the  
25 cause of the injury or death.

26 (c) For purposes of this Article, the term "civil  
27 action" includes any action, whether based upon the common  
28 law or statutes or Constitution of this State.

29 (d) The changes made by this amendatory Act of the 92nd  
30 General Assembly apply to an action or proceeding pending on  
31 or after this amendatory Act's effective date, unless those

1 changes (i) take away or impair a vested right that was  
2 acquired under existing law or (ii) with regard to a past  
3 transaction or past consideration, create a new obligation,  
4 impose a new duty, or attach a new disability.

5 (Source: P.A. 84-1431.)

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.