

1 AN ACT concerning evidence.

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 adding Section 8-1902 as follows:

6 (735 ILCS 5/8-1902 new)

7 Sec. 8-1902. Expression of benevolent gestures.

8 (a) The portion of statements, writings, or benevolent
9 gestures expressing sympathy or a general sense of
10 benevolence relating to the pain, suffering, or death of a
11 person involved in an accident and made to that person or to
12 the family of that person shall be inadmissible as evidence
13 of an admission of liability in a civil action. A statement
14 of fault, however, that is part of, or in addition to, any of
15 the above shall not be inadmissible pursuant to this Section.

16 (b) For purposes of this Section:

17 (1) "Accident" means an occurrence resulting in
18 injury or death to one or more persons that is not the result
19 of willful action by a party.

20 (2) "Benevolent gestures" means actions that convey
21 a sense of compassion or commiseration emanating from
22 humane impulses.

23 (3) "Family" means the spouse, parent, grandparent,
24 stepmother, stepfather, child, grandchild, brother,
25 sister, half-brother, half-sister, adopted child of a
26 parent, or spouse's parent of an injured party.