

AN ACT in relation to civil procedure.

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 4-101 as follows:

(735 ILCS 5/4-101) (from Ch. 110, par. 4-101)

Sec. 4-101. Cause. In any court having competent
jurisdiction, a creditor having a money claim, whether
liquidated or unliquidated, and whether sounding in contract
or tort, or based upon a statutory cause of action created by
law in favor of the People of the State of Illinois, or any
agency of the State, may have an attachment against the
property of his or her debtor, or that of any one or more of
several debtors, either at the time of commencement of the
action or thereafter, when the claim exceeds \$20, in any one
of the following cases:

1. Where the debtor is not a resident of this
State.

2. When the debtor conceals himself or herself or
stands in defiance of an officer, so that process cannot
be served upon him or her.

3. Where the debtor has departed from this State
with the intention of having his or her effects removed
from this State.

4. Where the debtor is about to depart from this
State with the intention of having his or her effects
removed from this State.

5. Where the debtor is about to remove his or her
property from this State to the injury of such creditor.

6. Where the debtor has within 2 years preceding
the filing of the affidavit required, fraudulently

conveyed or assigned his or her effects, or a part thereof, so as to hinder or delay his or her creditors.

7. Where the debtor has, within 2 years prior to the filing of such affidavit, fraudulently concealed or disposed of his or her property so as to hinder or delay his or her creditors.

8. Where the debtor is about fraudulently to conceal, assign, or otherwise dispose of his or her property or effects, so as to hinder or delay his or her creditors.

9. Where the debt sued for was fraudulently contracted on the part of the debtor. The statements of the debtor, his or her agent or attorney, which constitute the fraud, shall have been reduced to writing, and his or her signature attached thereto, by himself or herself, agent or attorney.

10. When the debtor is a person convicted of first degree murder, a Class X felony, or aggravated kidnapping, or found not guilty by reason of insanity or guilty but mentally ill of first degree murder, a Class X felony, or aggravated kidnapping, against the creditor and that crime makes the creditor a "victim" under the Criminal Victims' Asset Discovery Act.

11. When the debtor is referred by the Department of Corrections to a-defendant-in-a-suit-brought-by the Attorney General under Section 3-7-6 of the Unified Code of Corrections to recover the expenses incurred as a result of that debtor's cost of incarceration.

(Source: P.A. 89-428, eff. 12-13-95; 90-85, eff. 7-10-97.)