

Formerly cited as IL ST CH 37 ¶ 439.8

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Effective: July 27, 2009

West's Smith-Hurd Illinois Compiled Statutes Annotated [Currentness](#)

Chapter 705. Courts ([Refs & Annos](#))

▾ Court of Claims

▾ [Act 505](#). Court of Claims Act ([Refs & Annos](#))

→ **505/8. Court of Claims jurisdiction; deliberation periods**

§ 8. Court of Claims jurisdiction; deliberation periods. The court shall have exclusive jurisdiction to hear and determine the following matters:

(a) All claims against the State founded upon any law of the State of Illinois or upon any regulation adopted thereunder by an executive or administrative officer or agency; provided, however, the court shall not have jurisdiction (i) to hear or determine claims arising under the Workers' Compensation Act or the Workers' Occupational Diseases Act, or claims for expenses in civil litigation, or (ii) to review administrative decisions for which a statute provides that review shall be in the circuit or appellate court.

(b) All claims against the State founded upon any contract entered into with the State of Illinois.

(c) All claims against the State for time unjustly served in prisons of this State when the person imprisoned received a pardon from the governor stating that such pardon is issued on the ground of innocence of the crime for which he or she was imprisoned or he or she received a certificate of innocence from the Circuit Court as provided in Section 2-702 of the Code of Civil Procedure; provided, the amount of the award is at the discretion of the court; and provided, the court shall make no award in excess of the following amounts: for imprisonment of 5 years or less, not more than \$85,350; for imprisonment of 14 years or less but over 5 years, not more than \$170,000; for imprisonment of over 14 years, not more than \$199,150; and provided further, the court shall fix attorney's fees not to exceed 25% of the award granted. On or after the effective date of this amendatory Act of the 95th General Assembly, the court shall annually adjust the maximum awards authorized by this subsection (c) to reflect the increase, if any, in the Consumer Price Index For All Urban Consumers for the previous calendar year, as determined by the United States Department of Labor, except that no annual increment may exceed 5%. For the annual adjustments, if the Consumer Price Index decreases during a calendar year, there shall be no adjustment for that calendar year. The transmission by the Prisoner Review Board or the clerk of the circuit court of the information described in Section 11(b) to the clerk of the Court of Claims is conclusive evidence of the validity of the claim. The changes made by this amendatory Act of the 95th General Assembly apply to all claims pending on or filed on or after the effective date.

(d) All claims against the State for damages in cases sounding in tort, if a like cause of action would lie against a private person or corporation in a civil suit, and all like claims sounding in tort against the Medical Center Com-

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mission, the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, or the Board of Trustees of the Illinois Mathematics and Science Academy; provided, that an award for damages in a case sounding in tort, other than certain cases involving the operation of a State vehicle described in this paragraph, shall not exceed the sum of \$100,000 to or for the benefit of any claimant. The \$100,000 limit prescribed by this Section does not apply to an award of damages in any case sounding in tort arising out of the operation by a State employee of a vehicle owned, leased or controlled by the State. The defense that the State or the Medical Center Commission or the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, or the Board of Trustees of the Illinois Mathematics and Science Academy is not liable for the negligence of its officers, agents, and employees in the course of their employment is not applicable to the hearing and determination of such claims.

(e) All claims for recoupment made by the State of Illinois against any claimant.

(f) All claims pursuant to the Line of Duty Compensation Act. A claim under that Act must be heard and determined within one year after the application for that claim is filed with the Court as provided in that Act.

(g) All claims filed pursuant to the Crime Victims Compensation Act.

(h) All claims pursuant to the Illinois National Guardsman's Compensation Act. A claim under that Act must be heard and determined within one year after the application for that claim is filed with the Court as provided in that Act.

(i) All claims authorized by subsection (a) of Section 10-55 of the Illinois Administrative Procedure Act for the expenses incurred by a party in a contested case on the administrative level.

CREDIT(S)

Laws 1945, p. 660, § 8, eff. July 17, 1945. Amended by Laws 1951, p. 1302, § 1, eff. July 11, 1951; Laws 1951, p. 1554, § 1, eff. July 16, 1951; Laws 1953, p. 1165, § 1, eff. July 13, 1953; Laws 1957, p. 764, § 1, eff. July 1, 1957; Laws 1957, p. 2220, § 1, eff. July 9, 1957; Laws 1957, p. 2564, § 1, eff. July 11, 1957; Laws 1959, p. 592, § 1, eff. July 8, 1959; Laws 1961, p. 2783, § 1, eff. Aug. 4, 1961; Laws 1965, p. 1572, § 1, eff. July 15, 1965; Laws 1967, p. 1047, § 1, eff. July 1, 1967; Laws 1967, p. 3341, § 1, eff. Aug. 26, 1967; Laws 1968, p. 538, § 1, eff. July 1, 1969; P.A. 77-2089, § 1, eff. Oct. 1, 1972; P.A. 77-953, § 1, eff. Aug. 17, 1971; P.A. 77-1777, § 1, eff. Jan. 1, 1972; P.A. 78-255, § 61, eff. Oct. 1, 1973; P.A. 78-360, § 1, eff. Oct. 1, 1973; P.A. 78-410, § 1, eff.

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Oct. 1, 1973; P.A. 78-1297, § 11, eff. March 4, 1975; P.A. 79-1331, § 5, eff. July 28, 1976; P.A. 80-1097, § 1, eff. Nov. 23, 1977; P.A. 81-992, § 11, eff. Jan. 1, 1980; P.A. 82-670, § 2, eff. Jan. 1, 1982; P.A. 86-109, § 2, eff. July 26, 1989; P.A. 88-45, Art. III, § 3-130, eff. July 6, 1993; P.A. 89-4, Art. 50, § 50-245, eff. Jan. 1, 1996; P.A. 89-689, § 35, eff. Dec. 31, 1996; P.A. 90-492, § 5, eff. Aug. 17, 1997; P.A. 93-1047, § 10, eff. Oct. 18, 2004; P.A. 95-970, § 10, eff. Sept. 22, 2008; P.A. 96-80, § 5, eff. July 27, 2009.

Formerly Ill.Rev.Stat.1991, ch. 37, ¶ 439.8.

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