



Illinois SB 328 Signed: Consent-by-Registration Jurisdiction Now Law for Toxic-Exposure Cases

AUGUST 2025

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What happened:

On August 15, 2025, Illinois Governor J.B. Pritzker signed Senate Bill 328 into law. See Ill. P.A. 104-0352 (2025). Effective immediately, the statute amends the Illinois Code of Civil Procedure to permit general personal jurisdiction over foreign corporations that consent to doing business in Illinois (or that transact business in Illinois without registering) for certain toxic-exposure cases. See 735 ILCS 5/2-209(b)(5); see *also* 805 ILCS 5/13.20(b), 13.70(c-5).

Our June 2025 Client Alert – [Illinois Poised to Expand General Jurisdiction for Toxic Injury and Illness Lawsuits](#) – provides more details.

How it applies:

The new law is narrowly targeted. Consent-based general jurisdiction is available only if:

1. The lawsuit alleges injury or illness from exposure to a “toxic” substance as defined by the Illinois Uniform Hazardous Substances Act; and
2. At least one co-defendant is otherwise subject to jurisdiction in Illinois under the long-arm statute (735 ILCS 5/2-209(a)).

How it works and timing:

- A foreign corporation registered under 805 ILCS 5/13.20 (or unlawfully transacting under 805 ILCS 5/13.70) is deemed to consent to general jurisdiction in Illinois in covered cases.
- The law is effective immediately for companies that *newly* register after August 15, 2025.
- For companies *already* registered, consent attaches on the next due date of the company’s Illinois annual report.

What to do now:

- Audit Illinois status: confirm whether your entities are registered (or transacting business) in Illinois and calendar annual report dates;
- Re-evaluate litigation exposure for toxic-tort and product claims filed in Illinois, including cases where conduct or plaintiffs are out-of-state; and

- Update jurisdictional defenses and removal strategies; anticipate motions and early case assessment focused on the statute's two predicates (toxic exposure and co-defendants subject to Illinois jurisdiction).

Additional Information

For more information, please contact:

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