



Rep. Josh Harms

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09800SB2101ham002

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1 AMENDMENT TO SENATE BILL 2101

2 AMENDMENT NO. _____. Amend Senate Bill 2101, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Mobile Home Park Act is amended by changing
6 Sections 9 and 19 and by adding Section 9.16 as follows:

7 (210 ILCS 115/9) (from Ch. 111 1/2, par. 719)

8 Sec. 9. Each mobile home park licensed or to be constructed
9 under the provisions of this Act shall be operated and
10 maintained in accordance with the requirements of Sections 9.1
11 to 9.16 ~~9.15~~, inclusive, of this Act.

12 (Source: P.A. 91-357, eff. 7-29-99.)

13 (210 ILCS 115/9.16 new)

14 Sec. 9.16. Disclosure of the manufacture of
15 methamphetamine in a mobile home. When a licensee or owner of a

1 mobile home park has been notified in writing by law
2 enforcement authorities that one of the mobile homes in the
3 mobile home park has been used for the manufacture of
4 methamphetamine as defined in Section 10 of the Methamphetamine
5 Control and Community Protection Act, then the licensee or
6 owner of the mobile home park shall inform a potential buyer of
7 the mobile home that law enforcement authorities have notified
8 the licensee or owner in writing that the mobile home has been
9 used for the manufacture of methamphetamine.

10 The obligation of disclosure shall be imposed on the
11 licensee or owner of the mobile home park only if the licensee
12 or owner receives a written application for residency in the
13 mobile home park from the prospective buyer prior to the
14 prospective buyer acquiring the home and such application
15 specifically identifies the applicable home and that the
16 prospective buyer may acquire the home. If the licensee or
17 owner provides the required disclosure to the prospective
18 buyer, then the seller of the mobile home shall not have any
19 right to seek legal or equitable remedies against the licensee
20 or owner on account of or in any way related to the disclosure,
21 even if it is determined that the disclosure was not required
22 to be made under this Section (for example, if the disclosure
23 results in the prospective buyer not acquiring the mobile home,
24 then the seller of the mobile home may not seek any redress or
25 equitable remedies against the licensee or owner providing the
26 disclosure in any way related to or resulting from the

1 disclosure). If a licensee or owner violates this Section as
2 determined by an impartial hearing examiner appointed by the
3 Director of Public Health, then: (i) a prospective buyer shall
4 not have any redress or cause of action against a licensee or
5 owner for such failure; (ii) a violation shall not be subject
6 to the terms of Section 19 of this Act; and (iii) the only
7 liability a licensee or owner shall have for a violation of
8 this Section shall be the payment of a fine in an amount
9 determined by the examiner after the conclusion of a hearing
10 and the examiner determining that the licensee or owner, as
11 applicable, violated this Section, such fine not to exceed
12 \$2,000 for each violation."