

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Property Tax Code is amended by changing  
5 Sections 21-90, 21-110, 21-115, 21-190, 21-205, 21-215,  
6 21-225, 21-250, 21-350, 21-390, 22-5, 22-10, 22-40, and 22-65  
7 and by adding Sections 1-4, 1-71, 1-72, 1-153, 21-191, 21-192,  
8 21-251, 22-42, and 22-43 as follows:

9 (35 ILCS 200/1-4 new)

10 Sec. 1-4. Allowable costs; prohibited costs; maintenance.

11 (a) For purposes of this Code, and for any tax sale,  
12 redemption, judicial tax deed auction, tax deed judgment, or  
13 surplus proceeds determination arising from a tax certificate  
14 issued on or after the effective date of this amendatory Act,  
15 "allowable costs" means only the following amounts, to the  
16 extent actually incurred, actually paid, reasonable in amount,  
17 directly tied to the specific parcel, and supported by written  
18 documentation:

19 (1) delinquent taxes and special assessments lawfully  
20 due;

21 (2) statutory interest expressly authorized by this  
22 Code;

23 (3) court filing fees actually paid;

1           (4) service of process costs actually paid;

2           (5) publication costs actually paid;

3           (6) recording fees actually paid;

4           (7) municipal advancements actually paid under Section  
5           22-35;

6           (8) selling officer fees expressly authorized by  
7           statute or court order and actually paid; and

8           (9) title search costs actually paid, only if  
9           expressly authorized elsewhere in this Code and only in  
10           the amount permitted by law.

11           (b) "Maintenance" means only work reasonably necessary to  
12           secure, preserve, and prevent waste or nuisance conditions at  
13           property held by a county after issuance and recording of a tax  
14           deed and before redemption or judicial tax deed auction,  
15           limited to:

16           (1) securing points of entry;

17           (2) removal of garbage, debris, or hazardous refuse;

18           (3) mowing grass and basic exterior upkeep necessary  
19           to prevent nuisance conditions;

20           (4) boarding or similar temporary protection measures;

21           (5) abatement of objectively unsafe or hazardous  
22           conditions required by applicable law; and

23           (6) actions strictly necessary to comply with  
24           applicable municipal health and safety requirements.

25           (c) "Maintenance" does not include:

26           (1) redevelopment;

- 1           (2) renovation;
- 2           (3) rehabilitation beyond temporary securing or hazard  
3           abatement;
- 4           (4) capital improvements;
- 5           (5) demolition, except where separately authorized by  
6           other law and not charged to the former owner or deducted  
7           from surplus proceeds;
- 8           (6) project management charges;
- 9           (7) consulting fees;
- 10          (8) internal labor allocation;
- 11          (9) overhead;
- 12          (10) general administrative expenses;
- 13          (11) insurance costs;
- 14          (12) financing costs;
- 15          (13) interest on county-incurred expenses;
- 16          (14) legal fees, except as expressly and specifically  
17          authorized elsewhere in this Code;
- 18          (15) staff time valuation;
- 19          (16) transportation costs, mileage, fleet use, or  
20          equipment depreciation;
- 21          (17) compliance monitoring costs not directly tied to  
22          a specific and documented health or safety condition; or
- 23          (18) any cost not expressly listed in subsection (b).
- 24          (d) "Administrative costs" means only ministerial third  
25          party costs expressly authorized by statute and actually paid  
26          to a non-county third party in connection with the specific

1 parcel at issue. "Administrative costs" does not include  
2 county overhead, employee compensation, fringe benefits,  
3 pension costs, office expenses, information technology  
4 expenses, general operating expenses, treasury expenses, legal  
5 department expenses, or any pro rata allocation of county  
6 operations.

7 (e) "Overhead" means all internal governmental,  
8 contractor, portfolio, or enterprise expenses not directly and  
9 exclusively incurred for the specific parcel and expressly  
10 allowed by statute. Overhead is prohibited from inclusion in  
11 any redemption amount, tax deed judgment amount, minimum bid,  
12 or deduction from surplus proceeds.

13 (f) Except as expressly provided in this Code, no fee,  
14 cost, charge, surcharge, assessment, contribution,  
15 reimbursement, or expense may be included in:

16 (1) the redemption amount;

17 (2) the tax deed judgment amount;

18 (3) the minimum bid at judicial tax deed auction; or

19 (4) any deduction from surplus proceeds.

20 (g) The following are expressly prohibited from inclusion  
21 in the redemption amount, tax deed judgment amount, minimum  
22 bid, or any deduction from surplus proceeds:

23 (1) maintenance costs, except as provided in  
24 subsection (j) in the event of redemption;

25 (2) county administrative costs;

26 (3) county overhead;

- 1           (4) fund capitalization charges;
- 2           (5) indemnity fund charges;
- 3           (6) surplus account charges;
- 4           (7) automation fund charges;
- 5           (8) registry fees;
- 6           (9) bidder registration fees;
- 7           (10) assignment fees;
- 8           (11) portfolio management charges;
- 9           (12) anticipated future expenses;
- 10          (13) estimated expenses not yet paid;
- 11          (14) markups;
- 12          (15) internal transfer pricing;
- 13          (16) profit components;
- 14          (17) contingency percentages;
- 15          (18) carrying costs;
- 16          (19) opportunity costs;
- 17          (20) cost of capital;
- 18          (21) investment loss or delay claims;
- 19          (22) staff salary allocations;
- 20          (23) attorney fee schedules, standard fee schedules,  
21          or flat fee proxies not actually incurred and expressly  
22          authorized by statute; and
- 23          (24) any amount the primary purpose of which is to  
24          generate revenue, capitalize a fund, subsidize operations,  
25          or shift general governmental costs to the property owner.
- 26          (h) No county, certificate holder, assignee, selling

1 officer, or other party may characterize a prohibited cost as  
2 an allowable cost by relabeling it as preservation, servicing,  
3 administration, compliance, stabilization, case handling,  
4 asset management, collection support, or any substantially  
5 similar term.

6 (i) If there is a dispute concerning whether a charge is  
7 allowable under this Section, the burden shall be on the party  
8 seeking inclusion of the charge to prove by written  
9 documentation that:

10 (1) the charge is expressly permitted by statute;

11 (2) the charge was actually incurred and actually  
12 paid;

13 (3) the charge was reasonable in amount;

14 (4) the charge was directly tied to the specific  
15 parcel; and

16 (5) the charge is not prohibited by this Section.

17 Any ambiguity shall be resolved against inclusion of the  
18 charge.

19 (j) If the owner redeems a property after the county has  
20 obtained and recorded a tax deed under Section 21-191, the  
21 county may recover only actual documented out-of-pocket  
22 maintenance costs incurred during the county's period of  
23 title, and may recover those costs only if those costs are  
24 expressly permitted by this Code. Those maintenance costs:

25 (1) shall be separately itemized;

26 (2) shall be limited to actual documented out of

1 pocket amounts paid to third parties or actual material  
2 costs paid by the county;

3 (3) shall not include internal labor, staff time,  
4 fringe benefits, pension costs, supervision, overhead,  
5 administrative allocation, financing charges, profit,  
6 markup, or any indirect cost; and

7 (4) shall be subject to court review for  
8 reasonableness upon objection by the redeeming owner.

9 (k) If the owner does not redeem the property, no  
10 maintenance cost, administrative cost, overhead cost, or other  
11 county cost shall be charged to the former owner and no such  
12 cost shall be included in the tax deed judgment amount,  
13 minimum bid, or deducted from any surplus proceeds otherwise  
14 payable to the former owner or other lawful claimant.

15 (l) Any contractual provision, local practice,  
16 administrative policy, court filing, or bid term inconsistent  
17 with this Section is void and unenforceable to the extent of  
18 the inconsistency.

19 (35 ILCS 200/1-71 new)

20 Sec. 1-71. Homestead exemption property. "Homestead  
21 exemption property" means residential property located in a  
22 county with 3,000,000 or more inhabitants for which a  
23 homestead exemption under this Code based upon owner occupancy  
24 has been allowed for the taxable year in which the annual tax  
25 sale is held. "Homestead exemption property" does not include

1 mixed use property, commercial property, or industrial  
2 property.

3 (35 ILCS 200/1-72 new)

4 Sec. 1-72. Interested party. "Interested party" means any  
5 party having an interest in the property as revealed by a title  
6 examination of public records. "Interested party" does not  
7 include the holder of the benefit or burden of any easement  
8 whose interest is properly recorded and remains unaffected by  
9 property tax enforcement proceedings.

10 (35 ILCS 200/1-153 new)

11 Sec. 1-153. Tax sale and judicial tax deed auction.

12 (a) "Tax sale" means the transfer of a property tax lien or  
13 tax certificate in accordance with Section 21-90, 21-145,  
14 21-205, 21-225, 21-250, or 21-260 of this Code.

15 (b) "Judicial tax deed auction" means the transfer of  
16 property by a public auction conducted in accordance with  
17 Sections 22-40 and 22-42 of this Code for the purpose of  
18 determining fair market value before final disposition by tax  
19 deed and preserving any surplus proceeds for lawful claimants.

20 (35 ILCS 200/21-90)

21 Sec. 21-90. Purchase and sale by county; distribution of  
22 proceeds.

23 (a) When any property is offered for sale under any of the

1 provisions of this Code, the county board of the county in  
2 which the property is located, in its discretion, may bid, or,  
3 in the case of forfeited property, may apply to purchase it or  
4 otherwise acquire the tax lien or certificate in the name of  
5 the county as trustee for all taxing districts having an  
6 interest in the property's taxes or special assessments for  
7 the nonpayment of which the property is sold. The presiding  
8 officer of the county board, with the advice and consent of the  
9 board, may appoint on its behalf some officer, person, or  
10 entity to attend such sales, bid on tax liens or certificates,  
11 and act on behalf of the county when exercising its authority  
12 under this Section. The county shall apply on the bid or  
13 purchase the unpaid taxes and special assessments due upon the  
14 property. No cash need be paid.

15 (b) The county, as trustee for all taxing districts having  
16 an interest in the property's taxes or special assessments,  
17 shall be the designated holder of all tax liens or  
18 certificates that are forfeited to the State or county or  
19 otherwise acquired by the county pursuant to subsection (a) of  
20 this Section or Sections 21-190 through 21-255 of this Code.  
21 No cash need be paid for any ~~the forfeited~~ tax lien or  
22 certificate acquired by the county pursuant to subsection (a)  
23 of this Section or Sections 21-190 through 21-255 of this  
24 Code.

25 (c) For any tax lien or certificate acquired under  
26 subsection (a) or (b) of this Section, or for any property

1 otherwise purchased or acquired by the county pursuant to  
2 Sections 21-190 through 21-255 of this Code, the county may  
3 take steps necessary to acquire or sell title to the property  
4 and may manage and operate the property, including, but not  
5 limited to, mowing of grass, removal of nuisance greenery,  
6 removal of garbage, waste, debris, or other materials, or the  
7 demolition, repair, or remediation of unsafe structures. When  
8 a county, or other taxing district within the county, is a  
9 petitioner for a tax deed, no filing fee shall be required.  
10 When a county or other taxing district within the county is the  
11 petitioner for a tax deed, one petition may be filed including  
12 all parcels that are tax delinquent within the county or  
13 taxing district, and any publication made under Section 22-20  
14 of this Code may combine all such parcels within a single  
15 notice. The notice may include the property street address as  
16 listed on the most recent available tax bills, if available,  
17 and shall list the Property Index Number of the parcels for  
18 informational purposes. The county, as tax creditor and as  
19 trustee for other tax creditors, or other taxing district  
20 within the county, shall not be required to allege and prove  
21 that all taxes and special assessments which become due and  
22 payable after the sale or forfeiture to the county have been  
23 paid nor shall the county be required to pay the subsequently  
24 accruing taxes or special assessments at any time. The county  
25 board or its designee may prohibit the county collector from  
26 including the property in the tax sale of one or more

1 subsequent years. The lien of taxes and special assessments  
2 which become due and payable after a tax sale to a county shall  
3 merge in the fee title of the county, or other taxing district  
4 within the county, on the issuance of a deed.

5 The county may sell any property acquired with authority  
6 provided in this Section, or assign any tax certificate to any  
7 party, including, but not limited to, taxing districts,  
8 municipalities, land banks created pursuant to Illinois law,  
9 or nonprofit ~~non-profit~~ developers focused on constructing  
10 affordable housing.

11 The assigned tax certificate shall be void with no further  
12 rights given to the assignee, including no right to refund or  
13 reimbursement, if a tax deed resulting from a judicial tax  
14 deed auction has not been recorded within 4 years after the  
15 date of the assignment unless a court extends the assignment  
16 period as provided in this Section. Upon a motion by the  
17 assignee, a court may toll the 4-year deadline for a specified  
18 period of time if the court finds the assignee is prevented  
19 from obtaining or recording a deed by injunction or order of  
20 any court, by the refusal or inability of any court to act upon  
21 the application for a tax deed, by a municipality's refusal to  
22 issue necessary transfer stamps or approvals for recording, or  
23 by the refusal of the clerk to execute the deed. If an assigned  
24 tax certificate is void under this Section, it shall be  
25 forfeited to the county and held as a valid certificate of sale  
26 in the county's name pursuant to this Section ~~21-90~~. The

1 proceeds of any sale or assignment under this Section, less  
2 all costs permitted by this Code ~~of the county incurred in the~~  
3 ~~acquisition, operation, maintenance, and less any surplus~~  
4 ~~payments sale of the property or assignment of the tax~~  
5 ~~certificate, including all costs associated with county staff~~  
6 ~~and overhead used to owners perform the duties of the trustee~~  
7 ~~set forth in this Section,~~ shall be distributed to the taxing  
8 districts in proportion to their respective interests therein.

9 Under Sections 21-110, 21-115, 21-120, and 21-190, a  
10 county may bid or purchase only in the absence of other bidders  
11 except as expressly authorized by Section 21-191.

12 (d) The county, as trustee, may elect to acquire or sell  
13 tax delinquent property under this Section and under Sections  
14 22-10, 22-40, and 22-42 of this Code only as expressly  
15 authorized by this Code.

16 (e) Nothing in this Section authorizes the inclusion of  
17 prohibited costs described in Section 1-4 in the redemption  
18 amount, tax deed judgment amount, minimum bid, or deduction  
19 from surplus proceeds.

20 (Source: P.A. 102-363, eff. 1-1-22; 103-555, eff. 1-1-24.)

21 (35 ILCS 200/21-110)

22 Sec. 21-110. Published notice of annual application for  
23 judgment and sale; delinquent taxes. At any time after all  
24 taxes have become delinquent in any year, the Collector shall  
25 publish an advertisement, giving notice of the intended

1 application for judgment and tax sale of the delinquent  
2 properties. The advertisement may include the street address  
3 on file with the county collector, if available, and shall  
4 include the PIN number of each delinquent property. If the  
5 county has provided notice to the Collector of its intent to  
6 acquire property offered at an annual tax sale in the manner  
7 described in Section 21-191, the advertisement shall indicate  
8 which properties the county intends to acquire next to the PIN  
9 number and address, if any, listed in the advertisement.

10 Except as provided below, the advertisement shall be in a  
11 newspaper published in the township or road district in which  
12 the properties are located. If there is no newspaper published  
13 in the township or road district, then the notice shall be  
14 published in some newspaper in the same county as the township  
15 or road district, to be selected by the county collector. When  
16 the property is in a city with more than 1,000,000  
17 inhabitants, the advertisement may be in any newspaper  
18 published in the same county. When the property is in an  
19 incorporated town which has superseded a civil township, the  
20 advertisement shall be in a newspaper published in the  
21 incorporated town or if there is no such newspaper, then in a  
22 newspaper published in the county.

23 The provisions of this Section relating to the time when  
24 the Collector shall advertise intended application for  
25 judgment for sale are subject to modification by the governing  
26 authority of a county in accordance with the provisions of

1 subsection (c) of Section 21-40.

2 (Source: P.A. 97-557, eff. 7-1-12.)

3 (35 ILCS 200/21-115)

4 Sec. 21-115. Times of publication of notice. The  
5 advertisement shall be published once at least 10 days before  
6 the day on which judgment is to be applied for, and shall  
7 contain a list of the delinquent properties upon which the  
8 taxes or any part thereof remain due and unpaid, the names of  
9 owners, if known, the total amount due, and the year or years  
10 for which they are due, and whether the county intends to  
11 purchase the property in accordance with Section 21-191 if a  
12 judgment is entered against the property. In counties of less  
13 than 3,000,000 inhabitants, advertisement shall include notice  
14 of the registration requirement for persons bidding at the  
15 sale. Properties upon which taxes have been paid in full under  
16 protest shall not be included in the list.

17 The collector shall give notice that he or she will apply  
18 to the circuit court on a specified day for judgment against  
19 the properties for the taxes<sup>7</sup> and costs, and for an order to  
20 sell the properties for the satisfaction of the amount due.

21 The collector shall also give notice of a date within the  
22 next 5 business days after the date of application on which all  
23 the properties for ~~the sale of~~ which an order is made will  
24 either be sold to the county in accordance with Section 21-191  
25 or be exposed to public tax sale at a location within the

1 county designated by the county collector, for the amount of  
2 taxes~~7~~ and cost due. The advertisement published according to  
3 the provisions of this Section shall be deemed to be  
4 sufficient notice of the intended application for judgment and  
5 of the sale of properties under the order of the court. A  
6 county with fewer than 3,000,000 inhabitants may, by joint  
7 agreement, combine its tax sale with the tax sale of one or  
8 more other contiguous counties; such a joint tax sale shall be  
9 held at a location in one of the participating counties.  
10 Notwithstanding the provisions of this Section and Section  
11 21-110, in the 10 years following the completion of a general  
12 reassessment of property in any county with 3,000,000 or more  
13 inhabitants, made under an order of the Department, the  
14 publication shall be made not sooner than 10 days nor more than  
15 90 days after the date when all unpaid taxes on property have  
16 become delinquent.

17 (Source: P.A. 101-379, eff. 1-1-20.)

18 (35 ILCS 200/21-190)

19 Sec. 21-190. Entry of judgment for tax sale.

20 (a) If judgment is rendered against any property for any  
21 tax or, in counties with 3,000,000 or more inhabitants, for  
22 any tax or special assessment, the county collector shall,  
23 after publishing a notice for sale in compliance with the  
24 requirements of Sections 21-110~~, and~~ 21-115~~, or~~ 21-120,  
25 proceed to offer the property for sale pursuant to the

1 judgment. However, in the case of an appeal from the judgment,  
2 if the party, when filing notice of appeal deposits with the  
3 county collector the amount of the judgment and costs, the  
4 collector shall not sell the property until the appeal is  
5 disposed of.

6 (b) In counties with 3,000,000 or more inhabitants, any  
7 property that is identified on the list published under  
8 Section 21-191 and that is lawfully acquired by the county  
9 under that Section shall not be exposed to private bidding at  
10 that annual sale.

11 (c) All properties not acquired under subsection (b) shall  
12 be offered to the private market in the manner otherwise  
13 provided by this Code.

14 (Source: P.A. 79-451; 88-455.)

15 (35 ILCS 200/21-191 new)

16 Sec. 21-191. Pilot program for acquisition of tax  
17 certificates in counties with 3,000,000 or more inhabitants.

18 (a) In a county with 3,000,000 or more inhabitants, the  
19 county board may elect, by ordinance or resolution, to  
20 participate in a pilot program under this Section.

21 (b) A county that elects to participate in the pilot  
22 program may acquire, as trustee under Section 21-90, tax  
23 certificates for up to 200 properties offered at any of its  
24 annual tax sales, but in no event may the number of properties  
25 acquired under this Section exceed 50% of the total number of

1 properties offered at that annual tax sale.

2 (c) Only homestead exemption properties located within the  
3 electing county may be included in the pilot program under  
4 this Section. No delinquency amount, hardship determination,  
5 geographic priority, or other further screening criterion  
6 shall be required.

7 (d) Not less than 30 days prior to the annual tax sale, the  
8 county shall publish on its website and deliver to the county  
9 clerk a list of the properties proposed for acquisition under  
10 this Section. The list shall identify each parcel by permanent  
11 index number and commonly known property address, if  
12 available, and shall state that the parcel is proposed for  
13 acquisition under this Section.

14 (e) If a county acquires a tax certificate under this  
15 Section and thereafter obtains an order directing issuance of  
16 a tax deed, the county shall record the tax deed within 30 days  
17 after entry of the order directing issuance of tax deed.

18 (f) If a county acquires a tax certificate under this  
19 Section and thereafter records a tax deed for the property,  
20 the owner shall have an automatic statutory right to redeem  
21 the property for a period of 365 days after recording of the  
22 tax deed.

23 (g) If the property is not redeemed within the 365-day  
24 period described in subsection (f), the county shall, within  
25 30 days after expiration of that 365-day period, cause the  
26 property to be offered at judicial tax deed auction in

1 accordance with Sections 22-40 and 22-42.

2 (h) All records, lists, reports, data compilations, and  
3 supporting materials concerning the pilot program established  
4 under this Section are public records subject to the Freedom  
5 of Information Act, except to the extent otherwise exempt  
6 under that Act.

7 (i) If a county acquires a tax certificate under this  
8 Section and thereafter obtains a tax deed for the property,  
9 the county shall be responsible, during the period the county  
10 holds title prior to redemption or judicial tax deed auction,  
11 for reasonable maintenance necessary to secure, preserve, and  
12 prevent waste or nuisance conditions at the property, as  
13 defined in Section 1-4. In procuring goods or services under  
14 this subsection, the county shall comply with all otherwise  
15 applicable county ordinances, policies, and goals governing  
16 contracting, procurement, and participation by minority-owned,  
17 women-owned, veteran-owned, and other protected or preferred  
18 business enterprises. The county shall not recover any such  
19 maintenance cost from the former owner except in the event of  
20 redemption as expressly provided in subsection (j) of Section  
21 1-4, and no such cost shall be included in the tax deed  
22 judgment amount, minimum bid, or deducted from any surplus  
23 proceeds.

24 (j) If a county records a tax deed for property under this  
25 Section, the county shall, within 14 days after recording the  
26 deed:

1           (1) provide written notice by certified mail to the  
2           municipality in which the property is located, or to the  
3           county if the property is located in an unincorporated  
4           area, stating (i) that the county has acquired title, (ii)  
5           the property address, if available, (iii) the permanent  
6           index number, and (iv) the county office or department  
7           responsible for the property; provided, however, that  
8           notice may be provided by electronic mail only if the  
9           municipality has previously notified the county in  
10           writing, through the chief legal officer of the  
11           municipality or an attorney authorized to bind the  
12           municipality, that the municipality will accept the notice  
13           by electronic mail and has designated a specific  
14           electronic mail address for receipt of such notices; and

15           (2) if the property is vacant or apparently  
16           unoccupied, post a notice on the property, in a form  
17           reasonably visible from the exterior, stating that the  
18           property is owned by the county pursuant to tax deed and  
19           providing contact information for the county office or  
20           department responsible for maintenance, redemption  
21           inquiries, and the status of the property.

22           (k) Failure to maintain a posted notice due to removal,  
23           vandalism, weather, or conditions beyond the county's control  
24           shall not impair title, but the county shall make reasonable  
25           efforts to repost the notice upon learning of its removal.

26           (1) This Section is repealed on July 1, 2030.

1 (35 ILCS 200/21-192 new)

2 Sec. 21-192. Pilot program report.

3 (a) A county participating in the pilot program under  
4 Section 21-191 shall submit an annual report to the General  
5 Assembly and the Department of Revenue no later than the third  
6 Wednesday of February of each year during the pilot period.

7 (b) The report shall include, at a minimum:

8 (1) the number of properties acquired under the pilot  
9 program;

10 (2) the number of properties offered to the private  
11 market at the annual tax sale;

12 (3) the number of pilot properties redeemed;

13 (4) the number of pilot properties for which tax deeds  
14 were issued;

15 (5) the number of pilot properties offered at judicial  
16 tax deed auction;

17 (6) the amount of surplus proceeds returned to owners  
18 or other lawful claimants;

19 (7) the amount remitted to taxing districts;

20 (8) the administrative costs associated with the pilot  
21 program; and

22 (9) any additional information the county elects to  
23 provide.

24 (c) All data and supporting materials underlying the  
25 report are public records subject to the Freedom of

1 Information Act, except to the extent otherwise exempt under  
2 that Act.

3 (35 ILCS 200/21-205)

4 Sec. 21-205. Tax sale procedures.

5 (a) The collector, in person or by deputy, shall attend,  
6 on the day and in the place specified in the notice for the  
7 sale of property for taxes, and shall, between 9:00 a.m. and  
8 4:00 p.m., or later at the collector's discretion, proceed to  
9 offer for sale, separately and in consecutive order, all  
10 property in the list on which the taxes, special assessments,  
11 interest or costs have not been paid. However, in any county  
12 with 3,000,000 or more inhabitants, the offer for sale shall  
13 be made between 8:00 a.m. and 8:00 p.m. The collector's office  
14 shall be kept open during all hours in which the sale is in  
15 progress. The tax sale shall be continued from day to day,  
16 until all property in the delinquent list has been offered for  
17 sale. However, any city, village or incorporated town  
18 interested in the collection of any tax or special assessment,  
19 may, in default of bidders, withdraw from collection the  
20 special assessment levied against any property by the  
21 corporate authorities of the city, village or incorporated  
22 town. In case of a withdrawal, there shall be no sale of that  
23 property on account of the delinquent special assessment  
24 thereon.

25 (b) Until January 1, 2013, in every tax sale of property

1 pursuant to the provisions of this Code, the collector may  
2 employ any automated means that the collector deems  
3 appropriate. Beginning on January 1, 2013, either (i) the  
4 collector shall employ an automated bidding system that is  
5 programmed to accept the lowest redemption price bid by an  
6 eligible tax purchaser, subject to the penalty percentage  
7 limitation set forth in Section 21-215, or (ii) all tax sales  
8 shall be digitally recorded with video and audio. All bidders  
9 are required to personally attend the tax sale and, if  
10 automated means are used, all hardware and software used with  
11 respect to those automated means must be certified by the  
12 Department and re-certified by the Department every 5 years.  
13 If the tax sales are digitally recorded and no automated  
14 bidding system is used, then the recordings shall be  
15 maintained by the collector for a period of at least 3 years  
16 from the date of the tax sale. The changes made by this  
17 amendatory Act of the 94th General Assembly are declarative of  
18 existing law.

19 (b-5) For any annual tax sale conducted on or after the  
20 effective date of this amendatory Act of the 102nd General  
21 Assembly, each county collector in a county with 275,000 or  
22 more inhabitants shall adopt a single bidder rule sufficient  
23 to prohibit a tax purchaser from registering more than one  
24 related bidding entity at the tax sale. The corporate  
25 authorities in any county with less than 275,000 inhabitants  
26 may, by ordinance, allow the county collector of that county

1 to adopt such a single bidder rule. In any county that has  
2 adopted a single bidder rule under this subsection (b-5), the  
3 county treasurer shall include a representation and warranty  
4 form in each registration package attesting to compliance with  
5 the single bidder rule, except that the county may, by  
6 ordinance, opt out of this representation and warranty form  
7 requirement. ~~A single bidder rule under this subsection may be~~  
8 ~~in the following form:~~

9 ~~(1) A registered tax buying entity (principal) may~~  
10 ~~only have one registered buyer at the tax sale and may not~~  
11 ~~have a related bidding entity directly or indirectly~~  
12 ~~register as a buyer or participate in the tax sale. A~~  
13 ~~registered tax buying entity may not engage in any~~  
14 ~~multiple bidding strategy for the purpose of having more~~  
15 ~~than one related bidding entity submit bids at the tax~~  
16 ~~sale.~~

17 ~~(2) A related bidding entity is defined as any~~  
18 ~~individual, corporation, partnership, joint venture,~~  
19 ~~limited liability company, business organization, or other~~  
20 ~~entity that has a shareholder, partner, principal,~~  
21 ~~officer, general partner, or other person or entity having~~  
22 ~~(i) an ownership interest in a bidding entity in common~~  
23 ~~with any other registered participant in the tax sale or~~  
24 ~~(ii) a common guarantor in connection with a source of~~  
25 ~~financing with any other registered participant in the tax~~  
26 ~~sale. The determination of whether registered entities are~~

1 ~~related so as to prohibit those entities from submitting~~  
2 ~~duplicate bids in violation of the single bidder rule is~~  
3 ~~at the sole and exclusive discretion of the county~~  
4 ~~treasurer or his or her designated representatives.~~

5 (c) County collectors may, when applicable, eject tax  
6 bidders who disrupt the tax sale or use illegal bid practices.

7 (d) No bidder, principal, affiliate, nominee, or related  
8 entity shall directly or indirectly engage in collusive  
9 bidding, common-control bidding, nominee bidding, bid  
10 rotation, or any other scheme designed to suppress competition  
11 at any tax sale under this Code. A violation of this subsection  
12 may result in disqualification, cancellation of bids,  
13 suspension from future sales, civil penalties, and referral to  
14 the Attorney General or other appropriate enforcement  
15 authority.

16 (e) Any property to be acquired by a county in the manner  
17 described in Section 21-191 shall not be offered for sale in  
18 the manner detailed in subsections (a) through (d) of this  
19 Section. Instead, all such property shall be sold to the  
20 county for the total amount due on the day of the scheduled tax  
21 sale in whatever manner is deemed most expedient and efficient  
22 by the collector's office. For any properties acquired by the  
23 county as described in Section 21-191 that are subsequently  
24 sold at a judicial tax deed auction in accordance with this  
25 Code, any amounts generated in cash from such auction shall be  
26 distributed in the manner described in this Code.

1 (Source: P.A. 102-519, eff. 8-20-21.)

2 (35 ILCS 200/21-215)

3 Sec. 21-215. Penalty bids.

4 (a) Subject to subsection (b) of this Section, the ~~The~~  
5 person at the sale offering to pay the amount due on each  
6 property for the least penalty percentage shall be the  
7 purchaser of that property. No bid shall be accepted for a  
8 penalty exceeding 9% of the amount of the tax or special  
9 assessment on property.

10 (b) If the county offers to purchase property for the  
11 amount due in accordance with Section 21-191, the county shall  
12 be the purchaser of the property notwithstanding any other  
13 offer. Subject to a payment plan implemented by the county  
14 clerk in accordance with subsection (d) of Section 21-385, the  
15 penalty for any property purchased by the county in this  
16 manner shall be 9% of the amount of the tax or special  
17 assessment on property.

18 (Source: P.A. 102-363, eff. 1-1-22.)

19 (35 ILCS 200/21-225)

20 Sec. 21-225. Forfeited tax liens and certificates. Every  
21 tax lien or certificate for property offered at public tax  
22 sale, and not sold for want of bidders, unless it is released  
23 from tax sale by the withdrawal from collection of a special  
24 assessment levied thereon, shall be forfeited to the county,

1 as trustee for the taxing districts, and managed pursuant to  
2 Section 21-90. Tax certificates are also forfeited to the  
3 county in those circumstances described in subsection ~~(d)~~ of  
4 ~~Section 21-310 and subsection~~ (f) of Section 22-40 of this  
5 Code.

6 (Source: P.A. 103-555, eff. 1-1-24.)

7 (35 ILCS 200/21-250)

8 Sec. 21-250. Certificate of purchase.

9 (a) The county clerk shall make out and deliver to the  
10 purchaser of any property sold under Section 21-205, or to the  
11 county if the lien is acquired pursuant to Section 21-191 or  
12 Section 21-90 and a certificate is requested by the county or  
13 its agent, a tax certificate countersigned by the collector,  
14 describing the property sold, the date of sale, the amount of  
15 taxes, special assessments, interest, and cost for which they  
16 were sold, and stating that payment of the sale price has been  
17 made.

18 (b) A certificate of purchase shall not be assigned unless  
19 the assignment is registered in accordance with Section  
20 21-251. and cost for which they were sold and that payment of  
21 the sale price has been made. If any person becomes the  
22 purchaser of more than one property owned by one party or  
23 person, the purchaser may have the whole or one or more of them  
24 included in one certificate, but separate certificates shall  
25 be issued in all other cases. A tax certificate shall be

1 ~~assignable by endorsement. An assignment shall vest in the~~  
2 ~~assignee or his or her legal representatives, all the right~~  
3 ~~and title of the original purchaser.~~

4 ~~If the tax certificate is lost or destroyed, the county~~  
5 ~~clerk shall issue a duplicate certificate upon written request~~  
6 ~~and a sworn affidavit by the tax sale purchaser, or his or her~~  
7 ~~assignee, that the tax certificate is lost or destroyed. The~~  
8 ~~county clerk shall cause a notation to be made in the tax sale~~  
9 ~~and judgment book that a duplicate certificate has been~~  
10 ~~issued, and redemption payments shall be made only to the~~  
11 ~~holder of the duplicate certificate.~~

12 (Source: P.A. 103-555, eff. 1-1-24.)

13 (35 ILCS 200/21-251 new)

14 Sec. 21-251. Registry of owners and assignees of  
15 certificates of purchase.

16 (a) The county clerk shall create and maintain a registry  
17 recording the names, business addresses, telephone numbers,  
18 and beneficial ownership information of owners and assignees  
19 of certificates of purchase. The registry may be maintained in  
20 paper or electronic form and shall be accessible to the  
21 public.

22 (b) Every assignment of a certificate of purchase shall be  
23 registered with the county clerk.

24 (c) No assignee shall have any right to redemption  
25 proceeds, refund rights, petition rights, judicial tax deed

1 auction rights, or tax deed rights unless the assignment is  
2 duly registered.

3 (d) Each assignee shall disclose the identity of all  
4 persons or entities holding, directly or indirectly, a  
5 beneficial ownership interest of 5% or more in the assignee or  
6 in the certificate.

7 (e) Any notice required in proceedings relating to a tax  
8 sale may be sent to the most recent registered owner listed in  
9 the registry.

10 (f) The county clerk may adopt reasonable forms and  
11 procedures to administer this Section.

12 (35 ILCS 200/21-350)

13 Sec. 21-350. Period of redemption. Property sold at a tax  
14 sale under this Code may be redeemed at any time before the  
15 expiration of (i) 2 years and 6 months from the date of sale in  
16 counties with less than 3,000,000 inhabitants and (ii) 3 ~~2.5~~  
17 years from the date of sale in counties with 3,000,000 or more  
18 inhabitants, except that, in all counties:

19 (a) If on the date of sale the property is vacant  
20 non-farm property or property containing an improvement  
21 consisting of a structure or structures with 7 or more  
22 residential units or that is commercial or industrial  
23 property, it may be redeemed at any time before the  
24 expiration of one ~~1~~ year from the date of the tax sale.

25 (a-5) If, on the date of the tax sale, the property

1 sold is occupied residential property containing a  
2 structure or structures with 6 or fewer residential units,  
3 the property may be redeemed after 3 years but before the  
4 court orders the property sold at a judicial tax deed  
5 auction.

6 (b) (Blank).

7 (c) If the period of redemption has been extended by  
8 the certificate holder as provided in Section 21-385 or  
9 Section 22-5, the property may be redeemed on or before  
10 the extended redemption date. ~~The changes made to this~~  
11 ~~Section by this amendatory Act of the 103rd General~~  
12 ~~Assembly apply to matters concerning tax certificates~~  
13 ~~issued on or after January 1, 2024.~~

14 (d) If a county acquires a tax certificate under  
15 Section 21-191 and thereafter records a tax deed for the  
16 property, the owner may redeem during the 365-day period  
17 described in subsection (f) of Section 21-191.

18 (Source: P.A. 103-555, eff. 1-1-24.)

19 (35 ILCS 200/21-390)

20 Sec. 21-390. Effect of receipt of redemption money,  
21 forfeiture, withdrawal or return of certificate. The receipt  
22 of the redemption money on any property by any purchaser or  
23 assignee, on account of any forfeiture or withdrawal, or the  
24 return of the certificate of purchase, withdrawal, or  
25 forfeiture ~~or forfeiture for cancellation, shall operate as a~~

1 ~~release of the claim to the property under, or by virtue of,~~  
2 ~~the purchase, withdrawal or forfeiture. However, when a~~  
3 ~~certificate of purchase has been recorded in the office of the~~  
4 ~~county recorder by any city, incorporated town or village with~~  
5 ~~1,000,000 or more inhabitants in which the property is~~  
6 ~~situated, the recording of a certificate by the County Clerk,~~  
7 ~~reciting the cancellation of the certificate of purchase on~~  
8 ~~the tax judgment, sale, redemption and forfeiture record,~~  
9 ~~shall operate as a release of the lien of the city,~~  
10 ~~incorporated town, or village under the certificate of~~  
11 ~~purchase.~~

12 The county clerk shall pay redemption proceeds to the  
13 registered certificate holder within 60 days after receipt of  
14 the collected redemption funds and the surrender or electronic  
15 cancellation of the certificate. Any disbursement not made  
16 within that period shall accrue interest at the statutory rate  
17 until paid.

18 (Source: P.A. 83-358; 88-455.)

19 (35 ILCS 200/22-5)

20 Sec. 22-5. Notice of sale and redemption rights. In order  
21 to be entitled to an order for a judicial tax deed auction and  
22 a tax deed, within 4 months and 15 days after any tax sale held  
23 under this Code, the purchaser or his or her assignee, and the  
24 county for all tax liens or forfeited certificates it acquires  
25 pursuant to Section 21-90 or Section 21-191 of this Code from

1 ~~the annual sale~~, shall deliver to the county clerk a notice to  
 2 be given to the party in whose name the taxes are last assessed  
 3 as shown by the most recent tax collector's warrant books, in  
 4 at least 10 point type in the following form completely filled  
 5 in:

6 TAKE NOTICE

7 County of.....  
 8 Date Premises Sold or Forfeited.....  
 9 Certificate No.....  
 10 Sold for General Taxes of (year) .....  
 11 Sold for Special Assessment of (Municipality)  
 12 and special assessment number.....  
 13 Warrant No. .... Inst. No. ....

14 THIS PROPERTY HAS BEEN SOLD AT A TAX SALE FOR

15 DELINQUENT TAXES

16 Property Address (as identified on the most recent tax bill,  
 17 if available).....  
 18 Legal Description or Property Index No. ....  
 19 .....  
 20 .....

21 This notice is to advise you that, if you do not redeem by  
 22 paying your tax debt before the deadline, a petition may be  
 23 filed in court for a judicial tax deed auction and ~~for~~ a tax  
 24 deed which will transfer title and the right to possession of  
 25 the above-referenced property. If you are a homeowner, this  
 26 may eventually result in eviction from your home ("Property")

1 if redemption is not made on or before the redemption  
2 deadline.

3 Your right to redeem will expire on .....

4 To determine the redemption deadline and the total amount  
5 you must pay to redeem the sold taxes, you must immediately  
6 contact the County Clerk at the address, phone number, or  
7 email address below. Check with the County Clerk for the exact  
8 amount you owe before redeeming. Payment must be made by  
9 certified check, cashier's check, money order, or in cash to  
10 the County Clerk.

11 YOU ARE URGED TO REDEEM IMMEDIATELY TO

12 PREVENT LOSS OF PROPERTY AND ADDITIONAL COSTS

13 The longer you wait, the more expensive it will be to  
14 redeem and prevent the loss of your property. Interest will  
15 continue to accrue on the total amount owed until the property  
16 is redeemed, and you may owe additional attorney's or filing  
17 fees if the certificate holder chooses to pursue an order for a  
18 judicial tax deed auction to compel the sale or transfer of the  
19 deed to the property.

20 Property sold under the Property Tax Code may be redeemed  
21 by any owner or person holding an interest in the Property at  
22 any time before the following deadlines ~~(based on property~~  
23 ~~classification as of the Date of Sale):~~

24 You must redeem your taxes within one year of the Date of  
25 Sale for the following classifications:

26 (1) vacant non-farm property;

1           (2) property containing an improvement consisting of a  
2           structure or structures with 7 or more residential units;  
3           and

4           (3) commercial or industrial property.

5           You must redeem your taxes within 2 ~~1/2~~ years and 6 months  
6 of the Date of Sale for ~~the following classifications:~~

7           ~~(1) all residential property with less than 6 units;~~  
8           and

9           ~~(2) all other property not otherwise subject to a~~  
10          longer covered by the 1 year redemption period under  
11          Illinois law outlined above.

12          In counties with 3,000,000 or more inhabitants, occupied  
13          residential property containing a structure or structures with  
14          6 or fewer residential units may be redeemed within 3 years of  
15          the Date of Sale and before the court orders the property sold  
16          at judicial tax deed auction.

17          If the property is not redeemed and is later sold at  
18          judicial tax deed auction, the owner may be entitled to any  
19          surplus proceeds remaining after payment of the lawful amount  
20          due and allowable costs.

21          Redemption deadlines may have been extended by the  
22          certificate holder or pursuant to Illinois law. To confirm the  
23          redemption deadline and amount needed to redeem, you must  
24          contact the County Clerk at the address, telephone number, or  
25          email address below. Redemption can be made at any time on or  
26          before .... by applying to the County Clerk of .... County,

1 Illinois at the Office of the County Clerk in . . . ., Illinois.  
2 The address, telephone number, and email address for the  
3 County Clerk is as follows:

4 ADDRESS:.....

5 TELEPHONE AND/OR EMAIL ADDRESS:.....

6 For further information about the redemption deadline,  
7 redemption amount, or payment process, please contact the  
8 County Clerk.

9 Housing Counselor Information: If you would like housing  
10 counseling or assistance, you can contact the U.S. Department  
11 of Housing and Urban Development for a list of homeownership  
12 counselors or counseling organizations in your area.

13 In counties with 3,000,000 or more inhabitants, the  
14 redemption notice shall contain a provision in Spanish,  
15 Polish, and Mandarin Chinese stating that the redemption  
16 notice affects important legal rights and should be translated  
17 immediately.

18 Within 10 days after receipt of said notice, the county  
19 clerk shall mail to the addresses supplied by the purchaser or  
20 assignee, by registered or certified mail, copies of said  
21 notice to the party in whose name the taxes are last assessed  
22 as shown by the most recent tax collector's warrant books.  
23 With the exception of a county or taxing district acquiring  
24 certificates pursuant to Section 21-90 or Section 21-191 and

1 ~~21-260~~, all purchasers or assignees shall pay to the clerk  
2 postage plus the sum of \$10. The clerk shall write or stamp the  
3 date of receiving the notices upon the copies of the notices,  
4 and retain one copy.

5 All ~~With the exception of forfeited tax liens or~~  
6 ~~certificates held by the county pursuant to Section 21-90, all~~  
7 redemption periods shall begin on the date of the tax sale. For  
8 forfeited tax liens or certificates held by the county  
9 pursuant to Section 21-90, the county may cure any defect in a  
10 notice, or failure to send a notice as required by this  
11 Section, by delivering to the county clerk a notice to be given  
12 to the party in whose name the taxes are last assessed as shown  
13 by the most recent tax collector's warrant books. The  
14 redemption period begins on the date the county delivered the  
15 corrected notice to the clerk, if such extension is otherwise  
16 permitted by law.

17 ~~The changes to this Section made by this amendatory Act of~~  
18 ~~the 97th General Assembly apply only to tax sales that occur on~~  
19 ~~or after the effective date of this amendatory Act of the 97th~~  
20 ~~General Assembly.~~

21 ~~The changes made to this Section by this amendatory Act of~~  
22 ~~the 103rd General Assembly apply to matters concerning tax~~  
23 ~~certificates issued on or after the effective date of this~~  
24 ~~amendatory Act of the 103rd General Assembly.~~

25 (Source: P.A. 102-815, eff. 5-13-22; 103-555, eff. 1-1-24.)

1 (35 ILCS 200/22-10)

2 Sec. 22-10. Notice of expiration of period of redemption.

3 A purchaser or assignee shall not be entitled to request an

4 order for a judicial tax deed auction and a tax deed to the

5 property sold at an annual tax sale unless, not less than 3

6 months nor more than 6 months prior to the expiration of the

7 period of redemption, he or she gives notice of the sale as

8 provided below and the date of expiration of the period of

9 redemption to the owners, occupants, and interested parties

10 ~~and parties interested~~ in the property, including any

11 mortgagee of record, as well as the municipality in which the

12 subject property lies, or the county if the property lies

13 outside municipal corporate boundaries ~~as provided below~~. For

14 counties or taxing districts holding certificates pursuant to

15 Section 21-90 or Section 21-191, the date of expiration of the

16 period of redemption shall be designated by the county or

17 taxing district in its petition for tax deed and identified in

18 the notice below, which shall be filed with the county clerk.

19 The Notice to be given to the parties shall be in at least

20 10-point type in the following form completely filled in:

21 TAX DEED NO. .... FILED .....

22 TAKE NOTICE

23 County of .....

24 Date Premises Sold or Forfeited .....

25 Certificate No. ....

26 Sold or Forfeited for General Taxes of (year) .....

1 Sold for Special Assessment of (Municipality)  
 2 and special assessment number.....  
 3 Warrant No. .... Inst. No. ....

4 THIS PROPERTY HAS BEEN SOLD AT A TAX SALE FOR  
 5 DELINQUENT TAXES

6 Property Address (as identified on the most recent tax bill,  
 7 if available).....  
 8 Legal Description or Property Index No. ....  
 9 .....  
 10 .....

11 This notice is to advise you that the above property has  
 12 been sold for delinquent taxes at a tax sale and that the  
 13 period of redemption from the sale will expire on .....  
 14 .....

15 Check with the county clerk as to the exact amount you owe  
 16 before redeeming.

17 This notice is also to advise you that a petition has been  
 18 filed in the Circuit Court seeking an order for judicial tax  
 19 deed auction and for a tax deed which will transfer title and  
 20 the right to possession of this property if redemption is not  
 21 made on or before .....

22 If you are a homeowner, this may eventually result in  
 23 eviction from your home.

24 This matter is set for hearing in the Circuit Court of this  
 25 county in ....., Illinois on .....

26 You may be present at this hearing but your right to redeem

1 may ~~will~~ already have expired at that time unless Illinois law  
2 provides an additional redemption period. You may file a  
3 response to the petition or attend the hearing and present  
4 your case to the court. However, if you do not redeem at or  
5 before the hearing, and if the court finds that the petitioner  
6 has complied with all notice and other proper steps required  
7 to seek an order for judicial tax deed auction, the court may  
8 enter an order that your right to redeem has expired, all other  
9 interested parties have been provided proper notice and their  
10 interests have been resolved or extinguished, and the deed to  
11 the property is to be offered for sale at a public auction.

12 If you are the current owner of the property, you may be  
13 entitled to receive any surplus from the judicial tax deed  
14 auction after the delinquent taxes and allowable costs are  
15 paid. If there is a surplus, you will receive notice about how  
16 to claim the funds.

17 If the property is subject to Section 21-191 of the  
18 Property Tax Code and the county thereafter records a tax  
19 deed, you shall have an automatic statutory right to redeem  
20 the property for a period of 365 days after recording of the  
21 tax deed.

22 YOU ARE URGED TO REDEEM IMMEDIATELY

23 TO PREVENT LOSS OF PROPERTY AND ADDITIONAL COSTS

24 Redemption can be made at any time on or before .... by  
25 applying to the County Clerk of ....., County, Illinois at the  
26 Office of the County Clerk in ....., Illinois.

1 For further information contact the County Clerk

2 ADDRESS:.....

3 TELEPHONE AND/OR EMAIL ADDRESS:.....

4 .....

5 Purchaser or Assignee.

6 Dated (insert date).

7 Housing Counselor Information: If you would like housing  
8 counseling or assistance, you can contact the U.S. Department  
9 of Housing and Urban Development for a list of homeownership  
10 counselors or counseling organizations in your area.

11 In counties with 3,000,000 or more inhabitants, the notice  
12 shall contain a provision in Spanish, Polish, and Mandarin  
13 Chinese stating that the notice affects important legal rights  
14 and should be translated immediately. In counties with  
15 3,000,000 or more inhabitants, the notice shall also state the  
16 address, room number, and time at which the matter is set for  
17 hearing.

18 ~~The changes to this Section made by Public Act 97-557~~  
19 ~~apply only to matters in which a petition for tax deed is filed~~  
20 ~~on or after July 1, 2012 (the effective date of Public Act~~  
21 ~~97-557).~~

22 ~~The changes to this Section made by Public Act 102-1003~~  
23 ~~apply to matters in which a petition for tax deed is filed on~~  
24 ~~or after May 27, 2022 (the effective date of Public Act~~

1 ~~102-1003). Failure of any party or any public official to~~  
2 ~~comply with the changes made to this Section by Public Act~~  
3 ~~102-528 does not invalidate any tax deed issued prior to May~~  
4 ~~27, 2022 (the effective date of Public Act 102-1003).~~

5 ~~The changes made to this Section by this amendatory Act of~~  
6 ~~the 103rd General Assembly apply to matters concerning tax~~  
7 ~~certificates issued on or after the effective date of this~~  
8 ~~amendatory Act of the 103rd General Assembly.~~

9 (Source: P.A. 102-528, eff. 1-1-22; 102-813, eff. 5-13-22;  
10 102-1003, eff. 5-27-22; 103-154, eff. 6-30-23; 103-555, eff.  
11 1-1-24.)

12 (35 ILCS 200/22-40)

13 Sec. 22-40. Issuance of order authorizing judicial tax  
14 deed auction, confirmation and order for tax deed; possession.

15 (a) To obtain an order authorizing a judicial tax deed  
16 auction and for issuance of tax deed, the petitioner must  
17 provide sufficient evidence that:

18 (1) the redemption period has expired and the property  
19 has not been redeemed;

20 (2) all taxes and special assessments which became due  
21 and payable subsequent to the sale have been paid, unless  
22 the county or its agent, as trustee pursuant to Section  
23 21-90 or Section 21-191, is the petitioner;

24 (3) all forfeitures and sales which occur subsequent  
25 to the sale are paid or redeemed, unless the county or its

1 agent, as trustee pursuant to Section 21-90 or Section  
2 21-191, is the petitioner;

3 (4) the notices required by law have been given, and  
4 all advancements of public funds under the police power  
5 made by a county, city, village, or town under Section  
6 22-35 have been paid; and

7 (5) the petitioner has complied with all the  
8 provisions of law entitling him or her to a deed.

9 Upon receipt of sufficient evidence of the requirements  
10 under this subsection (a), the court shall find that the  
11 petitioner complied with those requirements and shall enter an  
12 order authorizing a judicial tax deed auction or an order  
13 authorizing issuance of a tax deed to a county trustee  
14 pursuant to Section 21-90 or Section 21-191, subject to the  
15 requirements of this Section, directing the county clerk, on  
16 the production of the tax certificate and a certified copy of  
17 the order, to issue to the purchaser or its assignee a tax  
18 deed. The court shall insist on strict compliance with  
19 Sections ~~Section~~ 22-10 through 22-25. Prior to the entry of an  
20 order under this Section directing the issuance of a tax deed,  
21 the petitioner shall furnish the court with a report of  
22 proceedings of the evidence received on the application for  
23 tax deed ~~and the report of proceedings shall be filed and made~~  
24 ~~a part of the court record.~~ The petitioner shall also furnish  
25 to the court a statement of redemption from the county clerk  
26 showing the total taxes, penalties, and costs that were

1 required to be paid to redeem the tax sale as specified in the  
2 notice required under Section 22-10. The petitioner for tax  
3 deed must file a statement of, if applicable, (i) all taxes it  
4 has paid or redeemed for the property, (ii) the costs paid for  
5 court reporter and transcript services in counties of  
6 3,000,000 or more inhabitants, or, in counties with less than  
7 3,000,000 inhabitants, a submission of a report of proceedings  
8 to the court, (iii) the fees paid to the clerk for the estimate  
9 of redemption, (iv) all payments made for municipal  
10 advancements required by Section 22-35, and (v) costs  
11 expressly permitted by this Code. The total of the amount  
12 shown on the statement of redemption plus items (i) through  
13 (v), or portion thereof, shall be identified as the tax deed  
14 judgment amount. For certificates issued on or after July 1,  
15 2026, the tax deed judgment amount shall include only  
16 allowable costs as defined in Section 1-4. No prohibited cost  
17 under Section 1-4 may be included for any purpose.

18 The purpose of the judicial tax deed auction shall be to  
19 test the fair market value of the property before final  
20 disposition by tax deed and to preserve any surplus proceeds  
21 for lawful claimants.

22 If the petitioner is a county proceeding under Section  
23 21-191 and a tax deed is issued to the county prior to auction,  
24 the property shall nevertheless be offered at a judicial tax  
25 deed auction within the time required by Section 21-191 if the  
26 property is not redeemed.

1       No minimum bid shall include any fee, surcharge, or charge  
2       imposed primarily to capitalize an indemnity fund, surplus  
3       account, automation fund, registry, general revenue account,  
4       or other governmental account.

5       The order for judicial tax deed auction shall include such  
6       terms and conditions of the auction as specified by the court  
7       and the report of proceedings shall be filed and made a part of  
8       the court record.

9       (b) Except as provided in subsection (e) of this Section,  
10      if taxes for years prior to the year or years sold are or  
11      become delinquent subsequent to the date of sale, the court  
12      shall find that the lien of those delinquent taxes has been or  
13      will be merged into the tax deed grantee's title if the court  
14      determines that the tax deed grantee or any prior holder of the  
15      certificate of purchase, or any person or entity under common  
16      ownership or control with any such grantee or prior holder of  
17      the certificate of purchase, was at no time the holder of any  
18      certificate of purchase for the years sought to be merged. If  
19      delinquent taxes are merged into the tax deed pursuant to this  
20      subsection, the court shall enter an order declaring which  
21      specific taxes have been or will be merged into the tax deed  
22      title and directing the county treasurer and county clerk to  
23      reflect that declaration in the warrant and judgment records;  
24      provided, that no such order shall be effective until a tax  
25      deed has been issued and timely recorded. Nothing contained in  
26      this Section shall relieve any owner liable for delinquent

1 property taxes under this Code from the payment of the taxes  
2 that have been merged into the title upon issuance of the tax  
3 deed.

4 (c) The county clerk is entitled to a fee of \$10 in  
5 counties of 3,000,000 or more inhabitants and \$5 in counties  
6 with less than 3,000,000 inhabitants for the issuance of the  
7 tax deed, with the exception of deeds issued to the county  
8 pursuant to its authority under Section 21-90 or Section  
9 21-191. The clerk may not include in a tax deed more than one  
10 property as listed, assessed and sold in one description,  
11 except in cases where several properties are owned by one  
12 person.

13 Upon application, the court shall enter an order to place  
14 the tax deed grantee or the grantee's successor in interest in  
15 possession of the property and may enter orders and grant  
16 relief as may be necessary or desirable to maintain the  
17 grantee or the grantee's successor in interest in possession.

18 (d) The court shall retain jurisdiction to enter orders  
19 pursuant to subsections (b) and (c) of this Section. ~~Public~~  
20 ~~Act 92-223 and Public Act 95-477 shall be construed as being~~  
21 ~~declarative of existing law and not as a new enactment.~~

22 (e) Prior to the issuance of any order for a judicial tax  
23 deed auction under this Section, the petitioner must redeem  
24 all taxes and special assessments on the property that are  
25 delinquent after the date of its tax sale subject to a pending  
26 tax petition filed by a county or its assignee pursuant to

1 Section 21-90 or Section 21-191.

2 (f) If, for any reason, a purchaser fails to obtain an  
3 order for judicial tax deed auction or for tax deed within the  
4 required time period and no sale in error was granted or  
5 redemption paid, then the certificate shall be forfeited to  
6 the county, as trustee, pursuant to Section 21-90.

7 (g) Except as provided in Section 21-191, upon entry of an  
8 order requiring a judicial tax deed auction under subsection  
9 (a) of this Section, the property shall be offered for sale by  
10 public auction within 120 days after the date of the order and  
11 sold to the highest bidder at such an auction in accordance  
12 with Section 22-42 and subject to additional requirements set  
13 by the court's order.

14 (Source: P.A. 103-555, eff. 1-1-24; 104-417, eff. 8-15-25.)

15 (35 ILCS 200/22-42 new)

16 Sec. 22-42. Judicial tax deed auction and procedures.

17 (a) Notice of tax deed auction. The sheriff or duly  
18 appointed private selling officer shall give notice of the  
19 auction with the following information:

20 (1) the Property Identification Number and address  
21 listed on the most recent tax bill;

22 (2) the time and place of the auction including  
23 whether the auction will take place online, in person, or  
24 both, and the website where the online bidding may take  
25 place, if applicable;

1           (3) the terms of the auction; and

2           (4) the amount of the tax deed judgment amount  
3           provided in Section 22-40.

4           The Notice of Tax Deed Auction shall be in clear and  
5           concise language, together with a notice in Spanish, Polish,  
6           and Mandarin Chinese stating that the notice affects important  
7           legal rights and should be translated immediately. The Notice  
8           of Tax Deed Auction shall be mailed via first-class mail to all  
9           interested parties. The Notice of Tax Deed Auction shall be  
10           mailed via first-class mail and certified mail to the owner of  
11           the property, at the address at which service of the Section  
12           22-10 Take Notice was attempted, and to any parties who have  
13           appeared in the proceeding. The notice shall include a sworn  
14           certificate of service signed by the party sending the notice  
15           attesting to the fact that the notice of auction was placed in  
16           the mail at least 10 calendar days prior to the date of the  
17           auction.

18           The Notice of Tax Deed Auction shall be published in at  
19           least 3 consecutive calendar weeks, once in each week. The  
20           first such notice shall be published not more than 45 days  
21           prior to the auction, and the last such notice shall be  
22           published not less than 7 days prior to the auction. If the  
23           property is located in a municipality in a county with less  
24           than 3,000,000 inhabitants, the petitioner shall also publish  
25           a notice in a newspaper published in the municipality and in  
26           such other publications as may be further ordered by the

1 court. If the petitioner cannot identify a newspaper published  
2 in the municipality, or if the property is located in a county  
3 with 3,000,000 or more inhabitants, the notice shall be  
4 published in a newspaper published within the county and in  
5 such other publications as may be further ordered by the  
6 court. If no newspaper is published in the county, then the  
7 notice shall be published in the newspaper that is published  
8 nearest the county seat of the county in which the property is  
9 located and such other publications as may be further ordered  
10 by the court. The publication shall include all information  
11 included in the notice sent pursuant to this Section.

12 (b) Minimum bid. The selling officer shall start all  
13 bidding with a minimum bid equal to the tax deed judgment  
14 amount, plus only the cost for the publication of the judicial  
15 sale required in this Section and the costs of the selling  
16 officer. The selling officer shall proceed to a public  
17 judicial tax deed auction, offer the real estate for sale, and  
18 sell the real estate to the highest bidder. The highest bid at  
19 the judicial tax deed auction shall constitute the fair market  
20 value of the property for purposes of this Code. If no bidder  
21 is willing to pay the minimum bid, the petitioner shall be the  
22 winning bidder and be entitled to a tax deed, and it shall be  
23 conclusively presumed that there is no surplus equity in the  
24 property.

25 (c) Credit bid for petitioner. At the auction under this  
26 Section, the person conducting the auction shall enter a bid

1 in favor of the petitioner in the amount of the minimum bid set  
2 forth above. Nothing in this Section shall be construed to  
3 prevent the petitioner from bidding at the public auction.  
4 However, if the petitioner is the winning bidder, the holder  
5 must pay cash for the difference between the winning bid and  
6 the minimum bid, plus any applicable costs or fees that may be  
7 attached to the winning bid.

8 (d) Receipt upon judicial tax deed auction. Upon and at  
9 the conclusion of the judicial tax deed auction, the person  
10 conducting the auction shall give to the purchaser a receipt  
11 of sale. The receipt shall describe the real estate purchased  
12 and shall show the amount bid, the total amount paid to date,  
13 and the amount still to be paid therefor. An additional  
14 receipt shall be given at the time of each subsequent payment.  
15 Any purchaser who fails to complete the sale for failure to  
16 make full payment shall forfeit to the county any deposit  
17 already made, and the court shall order a new auction of the  
18 property.

19 (e) Certificate of Judicial Tax Deed Auction. Upon payment  
20 in full of the amount bid, the sheriff or duly appointed  
21 selling officer conducting the sale shall issue, in duplicate,  
22 and give to the purchaser a certificate of judicial tax deed  
23 auction. The certificate shall be in a recordable form,  
24 describe the real estate purchased, indicate the date and  
25 place of sale and show the amount paid therefor. The  
26 certificate shall further indicate that it is subject to

1 confirmation by the court. The certificate shall be freely  
2 assignable by endorsement thereon.

3 (f) Deposit of surplus funds. To the extent that the  
4 winning bid exceeds the minimum bid, upon the expiration of 30  
5 days following confirmation of the sale, the selling officer  
6 shall deposit the surplus funds with the treasurer of the  
7 county in which the subject property lies and provide the  
8 treasurer with the parties and mailing addresses to which all  
9 Take Notices were sent pursuant to Section 22-10.

10 (g) Confirmation of sale; order for issuance of tax deed.

11 (1) The sheriff or selling officer conducting the sale  
12 shall promptly make a report to the court that issued the  
13 order authorizing the judicial tax deed auction, which  
14 report shall include a copy of all receipts and, if any,  
15 certificate of judicial tax deed auction.

16 (2) Upon motion and notice in accordance with court  
17 rules applicable to motions generally, which motion shall  
18 not be made prior to sale, the court shall conduct a  
19 hearing to confirm the sale. Unless the court finds that a  
20 notice required in this Section was not issued or the sale  
21 was not conducted in accordance with the order for  
22 judicial tax deed auction, the court shall enter an order:

23 (A) confirming the judicial tax deed auction sale;

24 (B) directing the county clerk to issue a tax deed  
25 in the name of the holder of the certificate of  
26 judicial tax deed auction once presented with a

1 certified copy of the confirmation order and original  
2 certificate of judicial tax deed auction; and

3 (C) directing the selling officer to pay to the  
4 holder of the tax certificate the amount of the credit  
5 bid upon surrender of the tax certificate, and to pay  
6 the selling officer its fees.

7 (3) If the county is the holder of the tax certificate  
8 for property sold at a judicial tax deed auction in  
9 accordance with this Section, any proceeds of any such  
10 sale shall be distributed to the taxing districts in  
11 proportion to their respective interests therein.  
12 Notwithstanding the preceding, any distribution to the  
13 taxing districts shall be reduced by the costs expressly  
14 authorized by this Code associated with the sale of the  
15 property. Any surplus amount to be held by the county  
16 treasurer and distributed to former owners in accordance  
17 with this Section shall be excluded from distributions to  
18 taxing districts.

19 (4) If any judicial tax deed auction sale fails to  
20 comply with the requirements in this Section, any party  
21 may, by motion supported by affidavit made prior to  
22 confirmation of such sale, request that the court which  
23 entered the judgment set aside the judicial tax deed  
24 auction sale. Any such party shall guarantee or secure by  
25 bond a bid equal to the successful bid at the judicial tax  
26 deed auction. No guarantee or bond shall be required if

1 the property is residential and the party seeking to set  
2 aside the sale is the owner-occupant of the property at  
3 the time the motion is filed. If the court denies  
4 confirmation of the judicial tax deed auction sale, it  
5 shall order a new judicial tax deed auction. Any  
6 subsequent auction is subject to the same notice  
7 requirement as the original auction.

8 (5) No sale under this Section shall be held invalid  
9 or be set aside because of any immaterial or insignificant  
10 defect in the notice thereof or in the publication of the  
11 same, or in the proceedings of the officer conducting the  
12 sale.

13 (h) Notice of surplus proceeds. Within 60 days following  
14 the deposit of surplus funds with the treasurer of the county,  
15 the treasurer shall send notice to all parties to which the  
16 Section 22-10 Take Notice was sent, stating that the owner or  
17 owners of the property at the time of the sale may submit a  
18 claim for the surplus funds to the county treasurer or the  
19 circuit court within 3 years of the date on the notice.

20 (i) Distribution of surplus proceeds. Upon receipt of a  
21 claim for surplus proceeds, the county treasurer, being  
22 satisfied of the facts in the case, shall distribute the  
23 surplus proceeds to the proper claimant. When the county  
24 treasurer is unable to determine the proper claimant, the  
25 county treasurer shall file a motion with the circuit court  
26 hearing the underlying tax case, requesting that the court

1 determine whether an interested party is the owner of record  
2 entitled to a disbursement of surplus proceeds. Within 30 days  
3 following the filing of the motion, the court hearing the  
4 underlying tax case shall set a hearing to determine whether  
5 an interested party is the owner of record entitled to a  
6 disbursement of surplus proceeds. All interested parties in  
7 the underlying case shall be notified by the county treasurer.  
8 Any party claiming to have an ownership interest in the parcel  
9 at the time of the issuance of tax deed may present evidence of  
10 ownership and request a disbursement of any or all surplus  
11 proceeds. The court shall issue an order directing the  
12 treasurer to disburse a specific amount of surplus proceeds to  
13 specific parties, with sufficient personally identifiable  
14 information to accurately identify the parties entitled to  
15 disbursement.

16 (j) Disbursement hearing. Upon filing of a motion by a  
17 party claiming to be the owner of the property at the time of  
18 sale, within 30 days following the filing of the motion, the  
19 court hearing the underlying tax case shall set a hearing to  
20 determine whether an interested party is the owner entitled to  
21 a disbursement of surplus proceeds. All interested parties in  
22 the underlying case shall be notified by the movant. Any party  
23 claiming to be the owner of the property at the time of sale  
24 may present evidence of ownership and request a disbursement  
25 of any or all surplus proceeds. The court shall issue an order  
26 directing the treasurer to disburse a specific amount of

1 surplus proceeds to specific parties, with sufficient  
2 personally identifiable information to accurately identify the  
3 parties entitled to disbursement.

4 (k) Certain deductions prohibited. No maintenance cost,  
5 administrative cost, overhead cost, or other prohibited cost  
6 under Section 1-4 shall be deducted from surplus proceeds.

7 (l) Interest. Interest earned on surplus proceeds while  
8 held by the county treasurer shall belong to the lawful  
9 claimant and shall be paid with the principal amount of the  
10 surplus proceeds.

11 (m) Disposition of unclaimed surplus funds. Surplus funds  
12 that have not been claimed within 3 years following the date on  
13 the county treasurer's notice shall be disposed of pursuant to  
14 the Revised Uniform Unclaimed Property Act.

15 (35 ILCS 200/22-43 new)

16 Sec. 22-43. Segregated escrow account for surplus  
17 proceeds.

18 (a) All surplus proceeds deposited with the county  
19 treasurer under this Code shall be held in a segregated,  
20 non-divertible escrow account.

21 (b) Moneys held in the escrow account shall not be  
22 transferred, appropriated, borrowed, swept, pledged, invested,  
23 or otherwise used for any county general fund, tort liability  
24 fund, county investment program, or other governmental  
25 purpose.

1       (c) Moneys held in the escrow account shall be used solely  
2       for disbursement of surplus proceeds to lawful claimants as  
3       authorized under this Code.

4       (d) The county treasurer shall maintain records of all  
5       deposits, balances, notices, disbursements, and transfers to  
6       unclaimed property.

7       (e) Records under this Section are public records subject  
8       to the Freedom of Information Act, except to the extent  
9       otherwise exempt under that Act.

10       (35 ILCS 200/22-65)

11       Sec. 22-65. Form of deed. A tax deed executed by the county  
12       clerk under the official seal of the county shall be recorded  
13       in the same manner as other conveyances of property, and vests  
14       in the grantee, his or her heirs and assigns, the title of the  
15       property therein described without further acknowledgment or  
16       evidence of the conveyance. Tax deeds issued under this  
17       Section shall not require a municipal transfer stamp or be  
18       subject to any municipal real estate transfer taxes,  
19       requirements, or certifications prior to recording. The  
20       conveyance shall be substantially in the following form:

21       State of Illinois)

22                               ) ss.

23       County of .....)

24       At a judicial tax deed auction public sale of property for  
25       the nonpayment of taxes, held in the county above stated, on

1 (insert date), the following described property was sold:  
2 (here place description of property conveyed). The property  
3 not having been redeemed from the sale, and it appearing that  
4 the holder of the certificate of purchase of the property has  
5 complied with the laws of the State of Illinois necessary to  
6 entitle the holder ~~(insert him, her or them)~~ to a deed of the  
7 property: I ....., county clerk of the county of ....., in  
8 consideration of the premises ~~property~~ and by virtue of the  
9 statutes of the State of Illinois in such cases provided,  
10 grant and convey to ....., his or her heirs and assigns forever,  
11 the property described above.

12 Dated (insert date).

13 Signature of ..... County Clerk

14 Seal of County of ....., Illinois

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

16 Section 95. Applicability. The changes made by this  
17 amendatory Act apply only to tax certificates issued on or  
18 after July 1, 2026. Nothing in this amendatory Act applies to  
19 tax deeds issued before July 1, 2026, certificates issued  
20 before July 1, 2026, or any claim arising from a tax sale or  
21 tax deed occurring before July 1, 2026.

22 Section 97. Severability. The provisions of this Act are  
23 severable under Section 1.31 of the Statute on Statutes.

24 Section 99. Effective date. This Act takes effect July 1,

1 2026.