



Rep. Curtis J. Tarver, II

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10400HB0799ham001

LRB104 04698 HLH 36864 a

1 AMENDMENT TO HOUSE BILL 799

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 799 by replacing  
3 everything after the enacting clause with the following:

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,

1 directly tied to the specific parcel, and supported by written  
2 documentation:

3 (1) delinquent taxes and special assessments lawfully  
4 due;

5 (2) statutory interest expressly authorized by this  
6 Code;

7 (3) court filing fees actually paid;

8 (4) service of process costs actually paid;

9 (5) publication costs actually paid;

10 (6) recording fees actually paid;

11 (7) municipal advancements actually paid under Section  
12 22-35;

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

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

18 (b) "Maintenance" means only work reasonably necessary to  
19 secure, preserve, and prevent waste or nuisance conditions at  
20 property held by a county after issuance and recording of a tax  
21 deed and before redemption or judicial tax deed auction,  
22 limited to:

23 (1) securing points of entry;

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

25 (3) mowing grass and basic exterior upkeep necessary  
26 to prevent nuisance conditions;

1           (4) boarding or similar temporary protection measures;  
2           (5) abatement of objectively unsafe or hazardous  
3           conditions required by applicable law; and  
4           (6) actions strictly necessary to comply with  
5           applicable municipal health and safety requirements.

6           (c) "Maintenance" does not include:

7           (1) redevelopment;

8           (2) renovation;

9           (3) rehabilitation beyond temporary securing or hazard  
10          abatement;

11          (4) capital improvements;

12          (5) demolition, except where separately authorized by  
13          other law and not charged to the former owner or deducted  
14          from surplus proceeds;

15          (6) project management charges;

16          (7) consulting fees;

17          (8) internal labor allocation;

18          (9) overhead;

19          (10) general administrative expenses;

20          (11) insurance costs;

21          (12) financing costs;

22          (13) interest on county-incurred expenses;

23          (14) legal fees, except as expressly and specifically  
24          authorized elsewhere in this Code;

25          (15) staff time valuation;

26          (16) transportation costs, mileage, fleet use, or

1 equipment depreciation;

2 (17) compliance monitoring costs not directly tied to  
3 a specific and documented health or safety condition; or

4 (18) any cost not expressly listed in subsection (b).

5 (d) "Administrative costs" means only ministerial third  
6 party costs expressly authorized by statute and actually paid  
7 to a non-county third party in connection with the specific  
8 parcel at issue. "Administrative costs" does not include  
9 county overhead, employee compensation, fringe benefits,  
10 pension costs, office expenses, information technology  
11 expenses, general operating expenses, treasury expenses, legal  
12 department expenses, or any pro rata allocation of county  
13 operations.

14 (e) "Overhead" means all internal governmental,  
15 contractor, portfolio, or enterprise expenses not directly and  
16 exclusively incurred for the specific parcel and expressly  
17 allowed by statute. Overhead is prohibited from inclusion in  
18 any redemption amount, tax deed judgment amount, minimum bid,  
19 or deduction from surplus proceeds.

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

23 (1) the redemption amount;

24 (2) the tax deed judgment amount;

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

26 (4) any deduction from surplus proceeds.

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

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

6           (2) county administrative costs;

7           (3) county overhead;

8           (4) fund capitalization charges;

9           (5) indemnity fund charges;

10          (6) surplus account charges;

11          (7) automation fund charges;

12          (8) registry fees;

13          (9) bidder registration fees;

14          (10) assignment fees;

15          (11) portfolio management charges;

16          (12) anticipated future expenses;

17          (13) estimated expenses not yet paid;

18          (14) markups;

19          (15) internal transfer pricing;

20          (16) profit components;

21          (17) contingency percentages;

22          (18) carrying costs;

23          (19) opportunity costs;

24          (20) cost of capital;

25          (21) investment loss or delay claims;

26          (22) staff salary allocations;

1           (23) attorney fee schedules, standard fee schedules,  
2           or flat fee proxies not actually incurred and expressly  
3           authorized by statute; and

4           (24) any amount the primary purpose of which is to  
5           generate revenue, capitalize a fund, subsidize operations,  
6           or shift general governmental costs to the property owner.

7           (h) No county, certificate holder, assignee, selling  
8           officer, or other party may characterize a prohibited cost as  
9           an allowable cost by relabeling it as preservation, servicing,  
10           administration, compliance, stabilization, case handling,  
11           asset management, collection support, or any substantially  
12           similar term.

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

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

18                   (2) the charge was actually incurred and actually  
19           paid;

20                   (3) the charge was reasonable in amount;

21                   (4) the charge was directly tied to the specific  
22           parcel; and

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

24           Any ambiguity shall be resolved against inclusion of the  
25           charge.

26           (j) If the owner redeems a property after the county has

1 obtained and recorded a tax deed under Section 21-191, the  
2 county may recover only actual documented out-of-pocket  
3 maintenance costs incurred during the county's period of  
4 title, and may recover those costs only if those costs are  
5 expressly permitted by this Code. Those maintenance costs:

6 (1) shall be separately itemized;

7 (2) shall be limited to actual documented out of  
8 pocket amounts paid to third parties or actual material  
9 costs paid by the county;

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

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

16 (k) If the owner does not redeem the property, no  
17 maintenance cost, administrative cost, overhead cost, or other  
18 county cost shall be charged to the former owner and no such  
19 cost shall be included in the tax deed judgment amount,  
20 minimum bid, or deducted from any surplus proceeds otherwise  
21 payable to the former owner or other lawful claimant.

22 (l) Any contractual provision, local practice,  
23 administrative policy, court filing, or bid term inconsistent  
24 with this Section is void and unenforceable to the extent of  
25 the inconsistency.

1 (35 ILCS 200/1-71 new)

2 Sec. 1-71. Homestead exemption property. "Homestead  
3 exemption property" means residential property located in a  
4 county with 3,000,000 or more inhabitants for which a  
5 homestead exemption under this Code based upon owner occupancy  
6 has been allowed for the taxable year in which the annual tax  
7 sale is held. "Homestead exemption property" does not include  
8 mixed use property, commercial property, or industrial  
9 property.

10 (35 ILCS 200/1-72 new)

11 Sec. 1-72. Interested party. "Interested party" means any  
12 party having an interest in the property as revealed by a title  
13 examination of public records. "Interested party" does not  
14 include the holder of the benefit or burden of any easement  
15 whose interest is properly recorded and remains unaffected by  
16 property tax enforcement proceedings.

17 (35 ILCS 200/1-153 new)

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

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

22 (b) "Judicial tax deed auction" means the transfer of  
23 property by a public auction conducted in accordance with  
24 Sections 22-40 and 22-42 of this Code for the purpose of

1 determining fair market value before final disposition by tax  
2 deed and preserving any surplus proceeds for lawful claimants.

3 (35 ILCS 200/21-90)

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

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

21 (b) The county, as trustee for all taxing districts having  
22 an interest in the property's taxes or special assessments,  
23 shall be the designated holder of all tax liens or  
24 certificates that are forfeited to the State or county or  
25 otherwise acquired by the county pursuant to subsection (a) of

1 this Section or Sections 21-190 through 21-255 of this Code.  
2 No cash need be paid for any ~~the forfeited~~ tax lien or  
3 certificate acquired by the county pursuant to subsection (a)  
4 of this Section or Sections 21-190 through 21-255 of this  
5 Code.

6 (c) For any tax lien or certificate acquired under  
7 subsection (a) or (b) of this Section, or for any property  
8 otherwise purchased or acquired by the county pursuant to  
9 Sections 21-190 through 21-255 of this Code, the county may  
10 take steps necessary to acquire or sell title to the property  
11 and may manage and operate the property, including, but not  
12 limited to, mowing of grass, removal of nuisance greenery,  
13 removal of garbage, waste, debris, or other materials, or the  
14 demolition, repair, or remediation of unsafe structures. When  
15 a county, or other taxing district within the county, is a  
16 petitioner for a tax deed, no filing fee shall be required.  
17 When a county or other taxing district within the county is the  
18 petitioner for a tax deed, one petition may be filed including  
19 all parcels that are tax delinquent within the county or  
20 taxing district, and any publication made under Section 22-20  
21 of this Code may combine all such parcels within a single  
22 notice. The notice may include the property street address as  
23 listed on the most recent available tax bills, if available,  
24 and shall list the Property Index Number of the parcels for  
25 informational purposes. The county, as tax creditor and as  
26 trustee for other tax creditors, or other taxing district

1 within the county, shall not be required to allege and prove  
2 that all taxes and special assessments which become due and  
3 payable after the sale or forfeiture to the county have been  
4 paid nor shall the county be required to pay the subsequently  
5 accruing taxes or special assessments at any time. The county  
6 board or its designee may prohibit the county collector from  
7 including the property in the tax sale of one or more  
8 subsequent years. The lien of taxes and special assessments  
9 which become due and payable after a tax sale to a county shall  
10 merge in the fee title of the county, or other taxing district  
11 within the county, on the issuance of a deed.

12 The county may sell any property acquired with authority  
13 provided in this Section, or assign any tax certificate to any  
14 party, including, but not limited to, taxing districts,  
15 municipalities, land banks created pursuant to Illinois law,  
16 or nonprofit ~~non-profit~~ developers focused on constructing  
17 affordable housing.

18 The assigned tax certificate shall be void with no further  
19 rights given to the assignee, including no right to refund or  
20 reimbursement, if a tax deed resulting from a judicial tax  
21 deed auction has not been recorded within 4 years after the  
22 date of the assignment unless a court extends the assignment  
23 period as provided in this Section. Upon a motion by the  
24 assignee, a court may toll the 4-year deadline for a specified  
25 period of time if the court finds the assignee is prevented  
26 from obtaining or recording a deed by injunction or order of

1 any court, by the refusal or inability of any court to act upon  
2 the application for a tax deed, by a municipality's refusal to  
3 issue necessary transfer stamps or approvals for recording, or  
4 by the refusal of the clerk to execute the deed. If an assigned  
5 tax certificate is void under this Section, it shall be  
6 forfeited to the county and held as a valid certificate of sale  
7 in the county's name pursuant to this Section ~~21-90~~. The  
8 proceeds of any sale or assignment under this Section, less  
9 all costs permitted by this Code ~~of the county incurred in the~~  
10 ~~acquisition, operation, maintenance, and less any surplus~~  
11 ~~payments sale of the property or assignment of the tax~~  
12 ~~certificate, including all costs associated with county staff~~  
13 ~~and overhead used to~~ owners ~~perform the duties of the trustee~~  
14 ~~set forth in this Section~~, shall be distributed to the taxing  
15 districts in proportion to their respective interests therein.

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

19 (d) The county, as trustee, may elect to acquire or sell  
20 tax delinquent property under this Section and under Sections  
21 22-10, 22-40, and 22-42 of this Code only as expressly  
22 authorized by this Code.

23 (e) Nothing in this Section authorizes the inclusion of  
24 prohibited costs described in Section 1-4 in the redemption  
25 amount, tax deed judgment amount, minimum bid, or deduction  
26 from surplus proceeds.

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

2 (35 ILCS 200/21-110)

3 Sec. 21-110. Published notice of annual application for  
4 judgment and sale; delinquent taxes. At any time after all  
5 taxes have become delinquent in any year, the Collector shall  
6 publish an advertisement, giving notice of the intended  
7 application for judgment and tax sale of the delinquent  
8 properties. The advertisement may include the street address  
9 on file with the county collector, if available, and shall  
10 include the PIN number of each delinquent property. If the  
11 county has provided notice to the Collector of its intent to  
12 acquire property offered at an annual tax sale in the manner  
13 described in Section 21-191, the advertisement shall indicate  
14 which properties the county intends to acquire next to the PIN  
15 number and address, if any, listed in the advertisement.

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

1 advertisement shall be in a newspaper published in the  
2 incorporated town or if there is no such newspaper, then in a  
3 newspaper published in the county.

4 The provisions of this Section relating to the time when  
5 the Collector shall advertise intended application for  
6 judgment for sale are subject to modification by the governing  
7 authority of a county in accordance with the provisions of  
8 subsection (c) of Section 21-40.

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

10 (35 ILCS 200/21-115)

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

24 The collector shall give notice that he or she will apply  
25 to the circuit court on a specified day for judgment against

1 the properties for the taxes<sup>7</sup> and costs, and for an order to  
2 sell the properties for the satisfaction of the amount due.

3 The collector shall also give notice of a date within the  
4 next 5 business days after the date of application on which all  
5 the properties for ~~the sale of~~ which an order is made will  
6 either be sold to the county in accordance with Section 21-191  
7 or be exposed to public tax sale at a location within the  
8 county designated by the county collector, for the amount of  
9 taxes<sup>7</sup> and cost due. The advertisement published according to  
10 the provisions of this Section shall be deemed to be  
11 sufficient notice of the intended application for judgment and  
12 of the sale of properties under the order of the court. A  
13 county with fewer than 3,000,000 inhabitants may, by joint  
14 agreement, combine its tax sale with the tax sale of one or  
15 more other contiguous counties; such a joint tax sale shall be  
16 held at a location in one of the participating counties.  
17 Notwithstanding the provisions of this Section and Section  
18 21-110, in the 10 years following the completion of a general  
19 reassessment of property in any county with 3,000,000 or more  
20 inhabitants, made under an order of the Department, the  
21 publication shall be made not sooner than 10 days nor more than  
22 90 days after the date when all unpaid taxes on property have  
23 become delinquent.

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

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

2           (a) If judgment is rendered against any property for any  
3 tax or, in counties with 3,000,000 or more inhabitants, for  
4 any tax or special assessment, the county collector shall,  
5 after publishing a notice for sale in compliance with the  
6 requirements of Sections 21-110, ~~and~~ 21-115, or 21-120,  
7 proceed to offer the property for sale pursuant to the  
8 judgment. However, in the case of an appeal from the judgment,  
9 if the party, when filing notice of appeal deposits with the  
10 county collector the amount of the judgment and costs, the  
11 collector shall not sell the property until the appeal is  
12 disposed of.

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

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

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

22           (35 ILCS 200/21-191 new)

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

25           (a) In a county with 3,000,000 or more inhabitants, the

1 county board may elect, by ordinance or resolution, to  
2 participate in a pilot program under this Section.

3 (b) A county that elects to participate in the pilot  
4 program may acquire, as trustee under Section 21-90, tax  
5 certificates for up to 200 properties offered at any of its  
6 annual tax sales, but in no event may the number of properties  
7 acquired under this Section exceed 50% of the total number of  
8 properties offered at that annual tax sale.

9 (c) Only homestead exemption properties located within the  
10 electing county may be included in the pilot program under  
11 this Section. No delinquency amount, hardship determination,  
12 geographic priority, or other further screening criterion  
13 shall be required.

14 (d) Not less than 30 days prior to the annual tax sale, the  
15 county shall publish on its website and deliver to the county  
16 clerk a list of the properties proposed for acquisition under  
17 this Section. The list shall identify each parcel by permanent  
18 index number and commonly known property address, if  
19 available, and shall state that the parcel is proposed for  
20 acquisition under this Section.

21 (e) If a county acquires a tax certificate under this  
22 Section and thereafter obtains an order directing issuance of  
23 a tax deed, the county shall record the tax deed within 30 days  
24 after entry of the order directing issuance of tax deed.

25 (f) If a county acquires a tax certificate under this  
26 Section and thereafter records a tax deed for the property,

1 the owner shall have an automatic statutory right to redeem  
2 the property for a period of 365 days after recording of the  
3 tax deed.

4 (g) If the property is not redeemed within the 365-day  
5 period described in subsection (f), the county shall, within  
6 30 days after expiration of that 365-day period, cause the  
7 property to be offered at judicial tax deed auction in  
8 accordance with Sections 22-40 and 22-42.

9 (h) All records, lists, reports, data compilations, and  
10 supporting materials concerning the pilot program established  
11 under this Section are public records subject to the Freedom  
12 of Information Act, except to the extent otherwise exempt  
13 under that Act.

14 (i) If a county acquires a tax certificate under this  
15 Section and thereafter obtains a tax deed for the property,  
16 the county shall be responsible, during the period the county  
17 holds title prior to redemption or judicial tax deed auction,  
18 for reasonable maintenance necessary to secure, preserve, and  
19 prevent waste or nuisance conditions at the property, as  
20 defined in Section 1-4. In procuring goods or services under  
21 this subsection, the county shall comply with all otherwise  
22 applicable county ordinances, policies, and goals governing  
23 contracting, procurement, and participation by minority-owned,  
24 women-owned, veteran-owned, and other protected or preferred  
25 business enterprises. The county shall not recover any such  
26 maintenance cost from the former owner except in the event of

1 redemption as expressly provided in subsection (j) of Section  
2 1-4, and no such cost shall be included in the tax deed  
3 judgment amount, minimum bid, or deducted from any surplus  
4 proceeds.

5 (j) If a county records a tax deed for property under this  
6 Section, the county shall, within 14 days after recording the  
7 deed:

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

22 (2) if the property is vacant or apparently  
23 unoccupied, post a notice on the property, in a form  
24 reasonably visible from the exterior, stating that the  
25 property is owned by the county pursuant to tax deed and  
26 providing contact information for the county office or

1 department responsible for maintenance, redemption  
2 inquiries, and the status of the property.

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

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

8 (35 ILCS 200/21-192 new)

9 Sec. 21-192. Pilot program report.

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

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

15 (1) the number of properties acquired under the pilot  
16 program;

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

19 (3) the number of pilot properties redeemed;

20 (4) the number of pilot properties for which tax deeds  
21 were issued;

22 (5) the number of pilot properties offered at judicial  
23 tax deed auction;

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

- 1           (7) the amount remitted to taxing districts;  
2           (8) the administrative costs associated with the pilot  
3           program; and  
4           (9) any additional information the county elects to  
5           provide.
- 6           (c) All data and supporting materials underlying the  
7           report are public records subject to the Freedom of  
8           Information Act, except to the extent otherwise exempt under  
9           that Act.

10           (35 ILCS 200/21-205)

11           Sec. 21-205. Tax sale procedures.

12           (a) The collector, in person or by deputy, shall attend,  
13           on the day and in the place specified in the notice for the  
14           sale of property for taxes, and shall, between 9:00 a.m. and  
15           4:00 p.m., or later at the collector's discretion, proceed to  
16           offer for sale, separately and in consecutive order, all  
17           property in the list on which the taxes, special assessments,  
18           interest or costs have not been paid. However, in any county  
19           with 3,000,000 or more inhabitants, the offer for sale shall  
20           be made between 8:00 a.m. and 8:00 p.m. The collector's office  
21           shall be kept open during all hours in which the sale is in  
22           progress. The tax sale shall be continued from day to day,  
23           until all property in the delinquent list has been offered for  
24           sale. However, any city, village or incorporated town  
25           interested in the collection of any tax or special assessment,

1 may, in default of bidders, withdraw from collection the  
2 special assessment levied against any property by the  
3 corporate authorities of the city, village or incorporated  
4 town. In case of a withdrawal, there shall be no sale of that  
5 property on account of the delinquent special assessment  
6 thereon.

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

26 (b-5) For any annual tax sale conducted on or after the

1 effective date of this amendatory Act of the 102nd General  
2 Assembly, each county collector in a county with 275,000 or  
3 more inhabitants shall adopt a single bidder rule sufficient  
4 to prohibit a tax purchaser from registering more than one  
5 related bidding entity at the tax sale. The corporate  
6 authorities in any county with less than 275,000 inhabitants  
7 may, by ordinance, allow the county collector of that county  
8 to adopt such a single bidder rule. In any county that has  
9 adopted a single bidder rule under this subsection (b-5), the  
10 county treasurer shall include a representation and warranty  
11 form in each registration package attesting to compliance with  
12 the single bidder rule, except that the county may, by  
13 ordinance, opt out of this representation and warranty form  
14 requirement. ~~A single bidder rule under this subsection may be  
15 in the following form:~~

16 ~~(1) A registered tax buying entity (principal) may  
17 only have one registered buyer at the tax sale and may not  
18 have a related bidding entity directly or indirectly  
19 register as a buyer or participate in the tax sale. A  
20 registered tax buying entity may not engage in any  
21 multiple bidding strategy for the purpose of having more  
22 than one related bidding entity submit bids at the tax  
23 sale.~~

24 ~~(2) A related bidding entity is defined as any  
25 individual, corporation, partnership, joint venture,  
26 limited liability company, business organization, or other~~

1 ~~entity that has a shareholder, partner, principal,~~  
2 ~~officer, general partner, or other person or entity having~~  
3 ~~(i) an ownership interest in a bidding entity in common~~  
4 ~~with any other registered participant in the tax sale or~~  
5 ~~(ii) a common guarantor in connection with a source of~~  
6 ~~financing with any other registered participant in the tax~~  
7 ~~sale. The determination of whether registered entities are~~  
8 ~~related so as to prohibit those entities from submitting~~  
9 ~~duplicate bids in violation of the single bidder rule is~~  
10 ~~at the sole and exclusive discretion of the county~~  
11 ~~treasurer or his or her designated representatives.~~

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

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

23 (e) Any property to be acquired by a county in the manner  
24 described in Section 21-191 shall not be offered for sale in  
25 the manner detailed in subsections (a) through (d) of this  
26 Section. Instead, all such property shall be sold to the

1 county for the total amount due on the day of the scheduled tax  
2 sale in whatever manner is deemed most expedient and efficient  
3 by the collector's office. For any properties acquired by the  
4 county as described in Section 21-191 that are subsequently  
5 sold at a judicial tax deed auction in accordance with this  
6 Code, any amounts generated in cash from such auction shall be  
7 distributed in the manner described in this Code.

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

9 (35 ILCS 200/21-215)

10 Sec. 21-215. Penalty bids.

11 (a) Subject to subsection (b) of this Section, the ~~The~~  
12 person at the sale offering to pay the amount due on each  
13 property for the least penalty percentage shall be the  
14 purchaser of that property. No bid shall be accepted for a  
15 penalty exceeding 9% of the amount of the tax or special  
16 assessment on property.

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

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

1 (35 ILCS 200/21-225)

2 Sec. 21-225. Forfeited tax liens and certificates. Every  
3 tax lien or certificate for property offered at public tax  
4 sale, and not sold for want of bidders, unless it is released  
5 from tax sale by the withdrawal from collection of a special  
6 assessment levied thereon, shall be forfeited to the county,  
7 as trustee for the taxing districts, and managed pursuant to  
8 Section 21-90. Tax certificates are also forfeited to the  
9 county in those circumstances described in subsection ~~(d) of~~  
10 ~~Section 21-310 and subsection~~ (f) of Section 22-40 of this  
11 Code.

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

13 (35 ILCS 200/21-250)

14 Sec. 21-250. Certificate of purchase.

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

24 (b) A certificate of purchase shall not be assigned unless

1 ~~the assignment is registered in accordance with Section~~  
2 ~~21-251. and cost for which they were sold and that payment of~~  
3 ~~the sale price has been made. If any person becomes the~~  
4 ~~purchaser of more than one property owned by one party or~~  
5 ~~person, the purchaser may have the whole or one or more of them~~  
6 ~~included in one certificate, but separate certificates shall~~  
7 ~~be issued in all other cases. A tax certificate shall be~~  
8 ~~assignable by endorsement. An assignment shall vest in the~~  
9 ~~assignee or his or her legal representatives, all the right~~  
10 ~~and title of the original purchaser.~~

11 ~~If the tax certificate is lost or destroyed, the county~~  
12 ~~clerk shall issue a duplicate certificate upon written request~~  
13 ~~and a sworn affidavit by the tax sale purchaser, or his or her~~  
14 ~~assignee, that the tax certificate is lost or destroyed. The~~  
15 ~~county clerk shall cause a notation to be made in the tax sale~~  
16 ~~and judgment book that a duplicate certificate has been~~  
17 ~~issued, and redemption payments shall be made only to the~~  
18 ~~holder of the duplicate certificate.~~

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

20 (35 ILCS 200/21-251 new)

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

23 (a) The county clerk shall create and maintain a registry  
24 recording the names, business addresses, telephone numbers,  
25 and beneficial ownership information of owners and assignees

1 of certificates of purchase. The registry may be maintained in  
2 paper or electronic form and shall be accessible to the  
3 public.

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

6 (c) No assignee shall have any right to redemption  
7 proceeds, refund rights, petition rights, judicial tax deed  
8 auction rights, or tax deed rights unless the assignment is  
9 duly registered.

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

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

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

19 (35 ILCS 200/21-350)

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

1 (a) If on the date of sale the property is vacant  
2 non-farm property or property containing an improvement  
3 consisting of a structure or structures with 7 or more  
4 residential units or that is commercial or industrial  
5 property, it may be redeemed at any time before the  
6 expiration of one ± year from the date of the tax sale.

7 (a-5) If, on the date of the tax sale, the property  
8 sold is occupied residential property containing a  
9 structure or structures with 6 or fewer residential units,  
10 the property may be redeemed after 3 years but before the  
11 court orders the property sold at a judicial tax deed  
12 auction.

13 (b) (Blank).

14 (c) If the period of redemption has been extended by  
15 the certificate holder as provided in Section 21-385 or  
16 Section 22-5, the property may be redeemed on or before  
17 the extended redemption date. ~~The changes made to this~~  
18 ~~Section by this amendatory Act of the 103rd General~~  
19 ~~Assembly apply to matters concerning tax certificates~~  
20 ~~issued on or after January 1, 2024.~~

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

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

1 (35 ILCS 200/21-390)

2 Sec. 21-390. Effect of receipt of redemption money,  
3 forfeiture, withdrawal or return of certificate. The receipt  
4 of the redemption money on any property by any purchaser or  
5 assignee, on account of any forfeiture or withdrawal, or the  
6 return of the certificate of purchase, withdrawal, or  
7 forfeiture ~~or forfeiture for cancellation, shall operate as a~~  
8 ~~release of the claim to the property under, or by virtue of,~~  
9 ~~the purchase, withdrawal or forfeiture. However, when a~~  
10 ~~certificate of purchase has been recorded in the office of the~~  
11 ~~county recorder by any city, incorporated town or village with~~  
12 ~~1,000,000 or more inhabitants in which the property is~~  
13 ~~situated, the recording of a certificate by the County Clerk,~~  
14 ~~reciting the cancellation of the certificate of purchase on~~  
15 ~~the tax judgment, sale, redemption and forfeiture record,~~  
16 ~~shall operate as a release of the lien of the city,~~  
17 ~~incorporated town, or village under the certificate of~~  
18 ~~purchase.~~

19 The county clerk shall pay redemption proceeds to the  
20 registered certificate holder within 60 days after receipt of  
21 the collected redemption funds and the surrender or electronic  
22 cancellation of the certificate. Any disbursement not made  
23 within that period shall accrue interest at the statutory rate  
24 until paid.

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

1 (35 ILCS 200/22-5)  
 2 Sec. 22-5. Notice of sale and redemption rights. In order  
 3 to be entitled to an order for a judicial tax deed auction and  
 4 a tax deed, within 4 months and 15 days after any tax sale held  
 5 under this Code, the purchaser or his or her assignee, and the  
 6 county for all tax liens or forfeited certificates it acquires  
 7 pursuant to Section 21-90 or Section 21-191 of this Code ~~from~~  
 8 ~~the annual sale~~, shall deliver to the county clerk a notice to  
 9 be given to the party in whose name the taxes are last assessed  
 10 as shown by the most recent tax collector's warrant books, in  
 11 at least 10 point type in the following form completely filled  
 12 in:

13 TAKE NOTICE

14 County of.....  
 15 Date Premises Sold or Forfeited.....  
 16 Certificate No.....  
 17 Sold for General Taxes of (year) .....  
 18 Sold for Special Assessment of (Municipality)  
 19 and special assessment number.....  
 20 Warrant No. .... Inst. No. ....

21 THIS PROPERTY HAS BEEN SOLD AT A TAX SALE FOR

22 DELINQUENT TAXES

23 Property Address (as identified on the most recent tax bill,  
 24 if available).....  
 25 Legal Description or Property Index No. ....  
 26 .....

1 .....  
2

3 This notice is to advise you that, if you do not redeem by  
4 paying your tax debt before the deadline, a petition may be  
5 filed in court for a judicial tax deed auction and ~~for~~ a tax  
6 deed which will transfer title and the right to possession of  
7 the above-referenced property. If you are a homeowner, this  
8 may eventually result in eviction from your home ("Property")  
9 if redemption is not made on or before the redemption  
10 deadline.

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

12 To determine the redemption deadline and the total amount  
13 you must pay to redeem the sold taxes, you must immediately  
14 contact the County Clerk at the address, phone number, or  
15 email address below. Check with the County Clerk for the exact  
16 amount you owe before redeeming. Payment must be made by  
17 certified check, cashier's check, money order, or in cash to  
18 the County Clerk.

19 YOU ARE URGED TO REDEEM IMMEDIATELY TO

20 PREVENT LOSS OF PROPERTY AND ADDITIONAL COSTS

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

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

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

7 (1) vacant non-farm property;

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

11 (3) commercial or industrial property.

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

14 ~~(1) all residential property with less than 6 units;~~  
15 ~~and~~

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

19 In counties with 3,000,000 or more inhabitants, occupied  
20 residential property containing a structure or structures with  
21 6 or fewer residential units may be redeemed within 3 years of  
22 the Date of Sale and before the court orders the property sold  
23 at judicial tax deed auction.

24 If the property is not redeemed and is later sold at  
25 judicial tax deed auction, the owner may be entitled to any  
26 surplus proceeds remaining after payment of the lawful amount

1 due and allowable costs.

2 Redemption deadlines may have been extended by the  
3 certificate holder or pursuant to Illinois law. To confirm the  
4 redemption deadline and amount needed to redeem, you must  
5 contact the County Clerk at the address, telephone number, or  
6 email address below. Redemption can be made at any time on or  
7 before .... by applying to the County Clerk of .... County,  
8 Illinois at the Office of the County Clerk in ....., Illinois.  
9 The address, telephone number, and email address for the  
10 County Clerk is as follows:

11 ADDRESS:.....

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

13 For further information about the redemption deadline,  
14 redemption amount, or payment process, please contact the  
15 County Clerk.

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

20 In counties with 3,000,000 or more inhabitants, the  
21 redemption notice shall contain a provision in Spanish,  
22 Polish, and Mandarin Chinese stating that the redemption  
23 notice affects important legal rights and should be translated  
24 immediately.

1           Within 10 days after receipt of said notice, the county  
2 clerk shall mail to the addresses supplied by the purchaser or  
3 assignee, by registered or certified mail, copies of said  
4 notice to the party in whose name the taxes are last assessed  
5 as shown by the most recent tax collector's warrant books.  
6 With the exception of a county or taxing district acquiring  
7 certificates pursuant to Section 21-90 or Section 21-191 ~~and~~  
8 ~~21-260~~, all purchasers or assignees shall pay to the clerk  
9 postage plus the sum of \$10. The clerk shall write or stamp the  
10 date of receiving the notices upon the copies of the notices,  
11 and retain one copy.

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

24           ~~The changes to this Section made by this amendatory Act of~~  
25 ~~the 97th General Assembly apply only to tax sales that occur on~~  
26 ~~or after the effective date of this amendatory Act of the 97th~~

1 ~~General Assembly.~~

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

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

7 (35 ILCS 200/22-10)

8 Sec. 22-10. Notice of expiration of period of redemption.  
9 A purchaser or assignee shall not be entitled to request an  
10 order for a judicial tax deed auction and a tax deed to the  
11 property sold at an annual tax sale unless, not less than 3  
12 months nor more than 6 months prior to the expiration of the  
13 period of redemption, he or she gives notice of the sale as  
14 provided below and the date of expiration of the period of  
15 redemption to the owners, occupants, and interested parties  
16 ~~and parties interested~~ in the property, including any  
17 mortgagee of record, as well as the municipality in which the  
18 subject property lies, or the county if the property lies  
19 outside municipal corporate boundaries ~~as provided below~~. For  
20 counties or taxing districts holding certificates pursuant to  
21 Section 21-90 or Section 21-191, the date of expiration of the  
22 period of redemption shall be designated by the county or  
23 taxing district in its petition for tax deed and identified in  
24 the notice below, which shall be filed with the county clerk.

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

1 10-point type in the following form completely filled in:

2 TAX DEED NO. .... FILED .....

3 TAKE NOTICE

4 County of.....

5 Date Premises Sold or Forfeited .....

6 Certificate No.....

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

8 Sold for Special Assessment of (Municipality)

9 and special assessment number.....

10 Warrant No. .... Inst. No. ....

11 THIS PROPERTY HAS BEEN SOLD AT A TAX SALE FOR

12 DELINQUENT TAXES

13 Property Address (as identified on the most recent tax bill,  
14 if available) .....

15 Legal Description or Property Index No. ....

16 .....

17 .....

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

21 .....

22 Check with the county clerk as to the exact amount you owe  
23 before redeeming.

24 This notice is also to advise you that a petition has been  
25 filed in the Circuit Court seeking an order for judicial tax  
26 deed auction and for a tax deed which will transfer title and

1 the right to possession of this property if redemption is not  
2 made on or before .....

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

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

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

19 If you are the current owner of the property, you may be  
20 entitled to receive any surplus from the judicial tax deed  
21 auction after the delinquent taxes and allowable costs are  
22 paid. If there is a surplus, you will receive notice about how  
23 to claim the funds.

24 If the property is subject to Section 21-191 of the  
25 Property Tax Code and the county thereafter records a tax  
26 deed, you shall have an automatic statutory right to redeem

1 the property for a period of 365 days after recording of the  
2 tax deed.

3 YOU ARE URGED TO REDEEM IMMEDIATELY  
4 TO PREVENT LOSS OF PROPERTY AND ADDITIONAL COSTS

5 Redemption can be made at any time on or before .... by  
6 applying to the County Clerk of ....., County, Illinois at the  
7 Office of the County Clerk in ....., Illinois.

8 For further information contact the County Clerk

9 ADDRESS:.....

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

11 .....

12 Purchaser or Assignee.

13 Dated (insert date).

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

18 In counties with 3,000,000 or more inhabitants, the notice  
19 shall contain a provision in Spanish, Polish, and Mandarin  
20 Chinese stating that the notice affects important legal rights  
21 and should be translated immediately. In counties with  
22 3,000,000 or more inhabitants, the notice shall also state the  
23 address, room number, and time at which the matter is set for  
24 hearing.

1       ~~The changes to this Section made by Public Act 97-557~~  
2 ~~apply only to matters in which a petition for tax deed is filed~~  
3 ~~on or after July 1, 2012 (the effective date of Public Act~~  
4 ~~97-557).~~

5       ~~The changes to this Section made by Public Act 102-1003~~  
6 ~~apply to matters in which a petition for tax deed is filed on~~  
7 ~~or after May 27, 2022 (the effective date of Public Act~~  
8 ~~102-1003). Failure of any party or any public official to~~  
9 ~~comply with the changes made to this Section by Public Act~~  
10 ~~102-528 does not invalidate any tax deed issued prior to May~~  
11 ~~27, 2022 (the effective date of Public Act 102-1003).~~

12       ~~The changes made to this Section by this amendatory Act of~~  
13 ~~the 103rd General Assembly apply to matters concerning tax~~  
14 ~~certificates issued on or after the effective date of this~~  
15 ~~amendatory Act of the 103rd General Assembly.~~

16       (Source: P.A. 102-528, eff. 1-1-22; 102-813, eff. 5-13-22;  
17 102-1003, eff. 5-27-22; 103-154, eff. 6-30-23; 103-555, eff.  
18 1-1-24.)

19       (35 ILCS 200/22-40)

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

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

25       (1) the redemption period has expired and the property

1 has not been redeemed;

2 (2) all taxes and special assessments which became due  
3 and payable subsequent to the sale have been paid, unless  
4 the county or its agent, as trustee pursuant to Section  
5 21-90 or Section 21-191, is the petitioner;

6 (3) all forfeitures and sales which occur subsequent  
7 to the sale are paid or redeemed, unless the county or its  
8 agent, as trustee pursuant to Section 21-90 or Section  
9 21-191, is the petitioner;

10 (4) the notices required by law have been given, and  
11 all advancements of public funds under the police power  
12 made by a county, city, village, or town under Section  
13 22-35 have been paid; and

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

16 Upon receipt of sufficient evidence of the requirements  
17 under this subsection (a), the court shall find that the  
18 petitioner complied with those requirements and shall enter an  
19 order authorizing a judicial tax deed auction or an order  
20 authorizing issuance of a tax deed to a county trustee  
21 pursuant to Section 21-90 or Section 21-191, subject to the  
22 requirements of this Section, directing the county clerk, on  
23 the production of the tax certificate and a certified copy of  
24 the order, to issue to the purchaser or its assignee a tax  
25 deed. The court shall insist on strict compliance with  
26 Sections ~~Section~~ 22-10 through 22-25. Prior to the entry of an

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

25 The purpose of the judicial tax deed auction shall be to  
26 test the fair market value of the property before final

1 disposition by tax deed and to preserve any surplus proceeds  
2 for lawful claimants.

3 If the petitioner is a county proceeding under Section  
4 21-191 and a tax deed is issued to the county prior to auction,  
5 the property shall nevertheless be offered at a judicial tax  
6 deed auction within the time required by Section 21-191 if the  
7 property is not redeemed.

8 No minimum bid shall include any fee, surcharge, or charge  
9 imposed primarily to capitalize an indemnity fund, surplus  
10 account, automation fund, registry, general revenue account,  
11 or other governmental account.

12 The order for judicial tax deed auction shall include such  
13 terms and conditions of the auction as specified by the court  
14 and the report of proceedings shall be filed and made a part of  
15 the court record.

16 (b) Except as provided in subsection (e) of this Section,  
17 if taxes for years prior to the year or years sold are or  
18 become delinquent subsequent to the date of sale, the court  
19 shall find that the lien of those delinquent taxes has been or  
20 will be merged into the tax deed grantee's title if the court  
21 determines that the tax deed grantee or any prior holder of the  
22 certificate of purchase, or any person or entity under common  
23 ownership or control with any such grantee or prior holder of  
24 the certificate of purchase, was at no time the holder of any  
25 certificate of purchase for the years sought to be merged. If  
26 delinquent taxes are merged into the tax deed pursuant to this

1 subsection, the court shall enter an order declaring which  
2 specific taxes have been or will be merged into the tax deed  
3 title and directing the county treasurer and county clerk to  
4 reflect that declaration in the warrant and judgment records;  
5 provided, that no such order shall be effective until a tax  
6 deed has been issued and timely recorded. Nothing contained in  
7 this Section shall relieve any owner liable for delinquent  
8 property taxes under this Code from the payment of the taxes  
9 that have been merged into the title upon issuance of the tax  
10 deed.

11 (c) The county clerk is entitled to a fee of \$10 in  
12 counties of 3,000,000 or more inhabitants and \$5 in counties  
13 with less than 3,000,000 inhabitants for the issuance of the  
14 tax deed, with the exception of deeds issued to the county  
15 pursuant to its authority under Section 21-90 or Section  
16 21-191. The clerk may not include in a tax deed more than one  
17 property as listed, assessed and sold in one description,  
18 except in cases where several properties are owned by one  
19 person.

20 Upon application, the court shall enter an order to place  
21 the tax deed grantee or the grantee's successor in interest in  
22 possession of the property and may enter orders and grant  
23 relief as may be necessary or desirable to maintain the  
24 grantee or the grantee's successor in interest in possession.

25 (d) The court shall retain jurisdiction to enter orders  
26 pursuant to subsections (b) and (c) of this Section. ~~Public~~

1 ~~Act 92-223 and Public Act 95-477 shall be construed as being~~  
2 ~~declarative of existing law and not as a new enactment.~~

3 (e) Prior to the issuance of any order for a judicial tax  
4 deed auction under this Section, the petitioner must redeem  
5 all taxes and special assessments on the property that are  
6 delinquent after the date of its tax sale subject to a pending  
7 tax petition filed by a county or its assignee pursuant to  
8 Section 21-90 or Section 21-191.

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

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

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

22 (35 ILCS 200/22-42 new)

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

24 (a) Notice of tax deed auction. The sheriff or duly  
25 appointed private selling officer shall give notice of the

1 auction with the following information:

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

4 (2) the time and place of the auction including  
5 whether the auction will take place online, in person, or  
6 both, and the website where the online bidding may take  
7 place, if applicable;

8 (3) the terms of the auction; and

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

11 The Notice of Tax Deed Auction shall be in clear and  
12 concise language, together with a notice in Spanish, Polish,  
13 and Mandarin Chinese stating that the notice affects important  
14 legal rights and should be translated immediately. The Notice  
15 of Tax Deed Auction shall be mailed via first-class mail to all  
16 interested parties. The Notice of Tax Deed Auction shall be  
17 mailed via first-class mail and certified mail to the owner of  
18 the property, at the address at which service of the Section  
19 22-10 Take Notice was attempted, and to any parties who have  
20 appeared in the proceeding. The notice shall include a sworn  
21 certificate of service signed by the party sending the notice  
22 attesting to the fact that the notice of auction was placed in  
23 the mail at least 10 calendar days prior to the date of the  
24 auction.

25 The Notice of Tax Deed Auction shall be published in at  
26 least 3 consecutive calendar weeks, once in each week. The

1 first such notice shall be published not more than 45 days  
2 prior to the auction, and the last such notice shall be  
3 published not less than 7 days prior to the auction. If the  
4 property is located in a municipality in a county with less  
5 than 3,000,000 inhabitants, the petitioner shall also publish  
6 a notice in a newspaper published in the municipality and in  
7 such other publications as may be further ordered by the  
8 court. If the petitioner cannot identify a newspaper published  
9 in the municipality, or if the property is located in a county  
10 with 3,000,000 or more inhabitants, the notice shall be  
11 published in a newspaper published within the county and in  
12 such other publications as may be further ordered by the  
13 court. If no newspaper is published in the county, then the  
14 notice shall be published in the newspaper that is published  
15 nearest the county seat of the county in which the property is  
16 located and such other publications as may be further ordered  
17 by the court. The publication shall include all information  
18 included in the notice sent pursuant to this Section.

19 (b) Minimum bid. The selling officer shall start all  
20 bidding with a minimum bid equal to the tax deed judgment  
21 amount, plus only the cost for the publication of the judicial  
22 sale required in this Section and the costs of the selling  
23 officer. The selling officer shall proceed to a public  
24 judicial tax deed auction, offer the real estate for sale, and  
25 sell the real estate to the highest bidder. The highest bid at  
26 the judicial tax deed auction shall constitute the fair market

1 value of the property for purposes of this Code. If no bidder  
2 is willing to pay the minimum bid, the petitioner shall be the  
3 winning bidder and be entitled to a tax deed, and it shall be  
4 conclusively presumed that there is no surplus equity in the  
5 property.

6 (c) Credit bid for petitioner. At the auction under this  
7 Section, the person conducting the auction shall enter a bid  
8 in favor of the petitioner in the amount of the minimum bid set  
9 forth above. Nothing in this Section shall be construed to  
10 prevent the petitioner from bidding at the public auction.  
11 However, if the petitioner is the winning bidder, the holder  
12 must pay cash for the difference between the winning bid and  
13 the minimum bid, plus any applicable costs or fees that may be  
14 attached to the winning bid.

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

26 (e) Certificate of Judicial Tax Deed Auction. Upon payment

1 in full of the amount bid, the sheriff or duly appointed  
2 selling officer conducting the sale shall issue, in duplicate,  
3 and give to the purchaser a certificate of judicial tax deed  
4 auction. The certificate shall be in a recordable form,  
5 describe the real estate purchased, indicate the date and  
6 place of sale and show the amount paid therefor. The  
7 certificate shall further indicate that it is subject to  
8 confirmation by the court. The certificate shall be freely  
9 assignable by endorsement thereon.

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

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

18 (1) The sheriff or selling officer conducting the sale  
19 shall promptly make a report to the court that issued the  
20 order authorizing the judicial tax deed auction, which  
21 report shall include a copy of all receipts and, if any,  
22 certificate of judicial tax deed auction.

23 (2) Upon motion and notice in accordance with court  
24 rules applicable to motions generally, which motion shall  
25 not be made prior to sale, the court shall conduct a  
26 hearing to confirm the sale. Unless the court finds that a

1       notice required in this Section was not issued or the sale  
2       was not conducted in accordance with the order for  
3       judicial tax deed auction, the court shall enter an order:

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

5               (B) directing the county clerk to issue a tax deed  
6       in the name of the holder of the certificate of  
7       judicial tax deed auction once presented with a  
8       certified copy of the confirmation order and original  
9       certificate of judicial tax deed auction; and

10              (C) directing the selling officer to pay to the  
11       holder of the tax certificate the amount of the credit  
12       bid upon surrender of the tax certificate, and to pay  
13       the selling officer its fees.

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

26              (4) If any judicial tax deed auction sale fails to

1 comply with the requirements in this Section, any party  
2 may, by motion supported by affidavit made prior to  
3 confirmation of such sale, request that the court which  
4 entered the judgment set aside the judicial tax deed  
5 auction sale. Any such party shall guarantee or secure by  
6 bond a bid equal to the successful bid at the judicial tax  
7 deed auction. No guarantee or bond shall be required if  
8 the property is residential and the party seeking to set  
9 aside the sale is the owner-occupant of the property at  
10 the time the motion is filed. If the court denies  
11 confirmation of the judicial tax deed auction sale, it  
12 shall order a new judicial tax deed auction. Any  
13 subsequent auction is subject to the same notice  
14 requirement as the original auction.

15 (5) No sale under this Section shall be held invalid  
16 or be set aside because of any immaterial or insignificant  
17 defect in the notice thereof or in the publication of the  
18 same, or in the proceedings of the officer conducting the  
19 sale.

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

1       (i) Distribution of surplus proceeds. Upon receipt of a  
2 claim for surplus proceeds, the county treasurer, being  
3 satisfied of the facts in the case, shall distribute the  
4 surplus proceeds to the proper claimant. When the county  
5 treasurer is unable to determine the proper claimant, the  
6 county treasurer shall file a motion with the circuit court  
7 hearing the underlying tax case, requesting that the court  
8 determine whether an interested party is the owner of record  
9 entitled to a disbursement of surplus proceeds. Within 30 days  
10 following the filing of the motion, the court hearing the  
11 underlying tax case shall set a hearing to determine whether  
12 an interested party is the owner of record entitled to a  
13 disbursement of surplus proceeds. All interested parties in  
14 the underlying case shall be notified by the county treasurer.  
15 Any party claiming to have an ownership interest in the parcel  
16 at the time of the issuance of tax deed may present evidence of  
17 ownership and request a disbursement of any or all surplus  
18 proceeds. The court shall issue an order directing the  
19 treasurer to disburse a specific amount of surplus proceeds to  
20 specific parties, with sufficient personally identifiable  
21 information to accurately identify the parties entitled to  
22 disbursement.

23       (j) Disbursement hearing. Upon filing of a motion by a  
24 party claiming to be the owner of the property at the time of  
25 sale, within 30 days following the filing of the motion, the  
26 court hearing the underlying tax case shall set a hearing to

1 determine whether an interested party is the owner entitled to  
2 a disbursement of surplus proceeds. All interested parties in  
3 the underlying case shall be notified by the movant. Any party  
4 claiming to be the owner of the property at the time of sale  
5 may present evidence of ownership and request a disbursement  
6 of any or all surplus proceeds. The court shall issue an order  
7 directing the treasurer to disburse a specific amount of  
8 surplus proceeds to specific parties, with sufficient  
9 personally identifiable information to accurately identify the  
10 parties entitled to disbursement.

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

14 (l) Interest. Interest earned on surplus proceeds while  
15 held by the county treasurer shall belong to the lawful  
16 claimant and shall be paid with the principal amount of the  
17 surplus proceeds.

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

22 (35 ILCS 200/22-43 new)

23 Sec. 22-43. Segregated escrow account for surplus  
24 proceeds.

25 (a) All surplus proceeds deposited with the county

1 treasurer under this Code shall be held in a segregated,  
2 non-divertible escrow account.

3 (b) Moneys held in the escrow account shall not be  
4 transferred, appropriated, borrowed, swept, pledged, invested,  
5 or otherwise used for any county general fund, tort liability  
6 fund, county investment program, or other governmental  
7 purpose.

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

11 (d) The county treasurer shall maintain records of all  
12 deposits, balances, notices, disbursements, and transfers to  
13 unclaimed property.

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

17 (35 ILCS 200/22-65)

18 Sec. 22-65. Form of deed. A tax deed executed by the county  
19 clerk under the official seal of the county shall be recorded  
20 in the same manner as other conveyances of property, and vests  
21 in the grantee, his or her heirs and assigns, the title of the  
22 property therein described without further acknowledgment or  
23 evidence of the conveyance. Tax deeds issued under this  
24 Section shall not require a municipal transfer stamp or be  
25 subject to any municipal real estate transfer taxes,

1 requirements, or certifications prior to recording. The  
2 conveyance shall be substantially in the following form:

3 State of Illinois)

4 ) ss.

5 County of .....)

6 At a judicial tax deed auction public sale of property for  
7 the nonpayment of taxes, held in the county above stated, on  
8 (insert date), the following described property was sold:  
9 (here place description of property conveyed). The property  
10 not having been redeemed from the sale, and it appearing that  
11 the holder of the certificate of purchase of the property has  
12 complied with the laws of the State of Illinois necessary to  
13 entitle the holder ~~(insert him, her or them)~~ to a deed of the  
14 property: I ....., county clerk of the county of ....., in  
15 consideration of the premises ~~property~~ and by virtue of the  
16 statutes of the State of Illinois in such cases provided,  
17 grant and convey to ....., his or her heirs and assigns forever,  
18 the property described above.

19 Dated (insert date).

20 Signature of ..... County Clerk

21 Seal of County of ....., Illinois

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

23 Section 95. Applicability. The changes made by this  
24 amendatory Act apply only to tax certificates issued on or  
25 after July 1, 2026. Nothing in this amendatory Act applies to

1 tax deeds issued before July 1, 2026, certificates issued  
2 before July 1, 2026, or any claim arising from a tax sale or  
3 tax deed occurring before July 1, 2026.

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

6 Section 99. Effective date. This Act takes effect July 1,  
7 2026.".