



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1452

Introduced 1/28/2025, by Rep. Charles Meier

SYNOPSIS AS INTRODUCED:

735 ILCS 30/20-5-20

was 735 ILCS 5/7-106

Amends the Eminent Domain Act concerning quick-take procedures. Provides that at any time after the plaintiff has taken possession of the property, but no later than 2 years after the plaintiff has taken possession of the property, the court shall notify the interested parties of their right to apply for authority to withdraw any just compensation due to them.

LRB104 07128 JRC 17165 b

1 AN ACT concerning civil law.

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

4 Section 5. The Eminent Domain Act is amended by changing
5 Section 20-5-20 as follows:

6 (735 ILCS 30/20-5-20) (was 735 ILCS 5/7-106)

7 Sec. 20-5-20. Withdrawal by persons having an interest. At
8 any time after the plaintiff has taken possession of the
9 property pursuant to the order of taking, if an appeal has not
10 been and will not be taken from the court's order described in
11 subsection (b) of Section 20-5-10 of this Act, or if such an
12 appeal has been taken and has been determined in favor of the
13 plaintiff, any party interested in the property may apply to
14 the court for authority to withdraw, for his or her own use,
15 his or her share (or any part thereof) of the amount
16 preliminarily found by the court to be just compensation and
17 deposited by the plaintiff, in accordance with the provisions
18 of subsection (a) of Section 20-5-15 of this Act, as that share
19 is determined by the court. The court shall then fix a date for
20 a hearing on the application for authority to withdraw and
21 shall require due notice of the application to be given to each
22 party whose interests would be affected by the withdrawal.
23 After the hearing, the court may authorize the withdrawal

1 requested, or any part thereof as is proper, but upon the
2 condition that the party making the withdrawal shall refund to
3 the clerk of the court, upon the entry of a proper court order,
4 any portion of the amount withdrawn that exceeds the amount
5 finally ascertained in the proceeding to be just compensation
6 (or damages, costs, expenses, or attorney fees) owing to that
7 party. At any time after the plaintiff has taken possession of
8 the property, but no later than 2 years after the plaintiff has
9 taken possession of the property, the court shall notify the
10 interested parties of their right to apply for authority to
11 withdraw any just compensation due to them.

12 (Source: P.A. 94-1055, eff. 1-1-07.)