

104TH GENERAL ASSEMBLY**State of Illinois****2025 and 2026****HB3690**

Introduced 2/18/2025, by Rep. Steven Reick

SYNOPSIS AS INTRODUCED:

35 ILCS 200/21-205
35 ILCS 200/21-355

Amends the Property Tax Code. In provisions concerning tax sales, provides that, for tax certificates sold after January 1, 2026, the accrued interest penalty is 0.75% of the certificate amount per month in counties with more than 3,000,000 inhabitants and 1.25% of the certificate amount per month in counties with 3,000,000 inhabitants or less. Makes conforming changes. Changes a fee to \$350 (instead of \$35) if a petition for tax deed has been filed and a fee to \$40 (instead of \$4) if a specified notice has been filed. Provides that, for any tax sale, either the collector shall employ an automated bidding system that is programmed to accept the winning bidder at random (instead of the lowest redemption price bid by an eligible tax purchaser, subject to certain limitations) or all tax sales shall be digitally recorded with video and audio. Provides that each county collector in a county with 100,000 (instead of 275,000) or more inhabitants shall adopt a single bidder rule sufficient to prohibit a tax purchaser from registering more than one related bidding entity at the tax sale.

LRB104 10918 HLH 22328 b

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 21-205 and 21-355 as follows:

6 (35 ILCS 200/21-205)

7 Sec. 21-205. Tax sale procedures.

8 (a) The collector, in person or by deputy, shall attend,
9 on the day and in the place specified in the notice for the
10 sale of property for taxes, and shall, between 9:00 a.m. and
11 4:00 p.m., or later at the collector's discretion, proceed to
12 offer for sale, separately and in consecutive order, all
13 property in the list on which the taxes, special assessments,
14 interest or costs have not been paid. However, in any county
15 with 3,000,000 or more inhabitants, the offer for sale shall
16 be made between 8:00 a.m. and 8:00 p.m. The collector's office
17 shall be kept open during all hours in which the sale is in
18 progress. The sale shall be continued from day to day, until
19 all property in the delinquent list has been offered for sale.
20 However, any city, village or incorporated town interested in
21 the collection of any tax or special assessment, may, in
22 default of bidders, withdraw from collection the special
23 assessment levied against any property by the corporate

1 authorities of the city, village or incorporated town. In case
2 of a withdrawal, there shall be no sale of that property on
3 account of the delinquent special assessment thereon.

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

23 (b-5) Each For any annual tax sale conducted on or after
24 the effective date of this amendatory Act of the 102nd General
25 Assembly, each county collector in a county with 100,000
26 275,000 or more inhabitants shall adopt a single bidder rule

1 sufficient to prohibit a tax purchaser from registering more
2 than one related bidding entity at the tax sale. The corporate
3 authorities in any county with less than 100,000 ~~275,000~~
4 inhabitants may, by ordinance, allow the county collector of
5 that county to adopt such a single bidder rule. In any county
6 that has adopted a single bidder rule under this subsection
7 (b-5), the county treasurer shall include a representation and
8 warranty form in each registration package attesting to
9 compliance with the single bidder rule, except that the county
10 may, by ordinance, opt out of this representation and warranty
11 form requirement. A single bidder rule under this subsection
12 may be in the following form:

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

21 (2) A related bidding entity is defined as any
22 individual, corporation, partnership, joint venture,
23 limited liability company, business organization, or other
24 entity that has a shareholder, partner, principal,
25 officer, general partner, or other person or entity having
26 (i) an ownership interest in a bidding entity in common

1 with any other registered participant in the tax sale or
2 (ii) a common guarantor in connection with a source of
3 financing with any other registered participant in the tax
4 sale. The determination of whether registered entities are
5 related so as to prohibit those entities from submitting
6 duplicate bids in violation of the single bidder rule is
7 at the sole and exclusive discretion of the county
8 treasurer or his or her designated representatives.

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

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

12 (35 ILCS 200/21-355)

13 Sec. 21-355. Amount of redemption. Any person desiring to
14 redeem shall deposit an amount specified in this Section with
15 the county clerk of the county in which the property is
16 situated, in legal money of the United States, or by cashier's
17 check, certified check, post office money order or money order
18 issued by a financial institution insured by an agency or
19 instrumentality of the United States, payable to the county
20 clerk of the proper county. The deposit shall be deemed timely
21 only if actually received in person at the county clerk's
22 office prior to the close of business as defined in Section
23 3-2007 of the Counties Code on or before the expiration of the
24 period of redemption or by United States mail with a post
25 office cancellation mark dated not less than one day prior to

1 the expiration of the period of redemption. The deposit shall
2 be in an amount equal to the total of the following:

3 (a) the certificate amount, which shall include all
4 tax principal, special assessments, interest and penalties
5 paid by the tax purchaser together with costs and fees of
6 sale and fees paid under Sections 21-295 and 21-315
7 through 21-335, except for the nonrefundable \$80 fee paid,
8 pursuant to Section 21-295, for each item purchased at the
9 tax sale;

10 (b) the accrued penalty, computed through the date of
11 redemption as a percentage of the certificate amount, as
12 follows:

13 (1) for tax certificates sold after January 1,
14 2026 in counties with more than 3,000,000 inhabitants,
15 a penalty of 0.75% per month or portion thereof; if the
16 redemption occurs on or before the expiration of 6
17 months from the date of sale, the certificate amount
18 times the penalty bid at sale;

19 (2) for tax certificates sold after January 1,
20 2026 in counties with less than 3,000,000 inhabitants,
21 a penalty of 1.5% per month or portion thereof; if the
22 redemption occurs after 6 months from the date of
23 sale, and on or before the expiration of 12 months from
24 the date of sale, the certificate amount times 2 times
25 the penalty bid at sale;

26 (3) (blank); if the redemption occurs after 12

1 months from the date of sale and on or before the
2 expiration of 18 months from the date of sale, the
3 certificate amount times 3 times the penalty bid at
4 sale;

5 (4) (blank); if the redemption occurs after 18
6 months from the date of sale and on or before the
7 expiration of 24 months from the date of sale, the
8 certificate amount times 4 times the penalty bid at
9 sale;

10 (5) (blank); or if the redemption occurs after 24
11 months from the date of sale and on or before the
12 expiration of 30 months from the date of sale, the
13 certificate amount times 5 times the penalty bid at
14 sale;

15 (6) (blank). if the redemption occurs after 30
16 months from the date of sale and on or before the
17 expiration of 36 months from the date of sale, the
18 certificate amount times 6 times the penalty bid at
19 sale.

20 In the event that the property to be redeemed has been
21 purchased under Section 21-405 before January 1, 2024, the
22 penalty bid shall be 12% per penalty period as set forth in
23 subparagraphs (1) through (6) of this subsection (b). The
24 changes to this subdivision (b) (6) made by this amendatory
25 Act of the 91st General Assembly are not a new enactment,
26 but declaratory of existing law.

1 For counties with fewer than 3,000,000 inhabitants, if
2 the property to be redeemed is property with respect to
3 which a tax lien or certificate is acquired after January
4 1, 2026 2024 by the county as trustee pursuant to Section
5 21-90, the penalty bid at sale shall accrue according to
6 the penalty periods established in subparagraph (1)
7 subparagraphs (1) through (6) of this subsection (b).

8 For counties with more than 3,000,000 inhabitants, if
9 the property to be redeemed is property with respect to
10 which a tax lien or certificate is acquired on or after
11 January 1, 2026 2024 by the county as trustee pursuant to
12 Section 21-90, the penalty bid is 1.25% 0.75% and shall
13 accrue monthly ~~instead of according to the penalty periods~~
14 ~~established in subparagraphs (1) through (6) of this~~
15 ~~subsection (b)~~.

16 (c) The total of all taxes, special assessments,
17 accrued interest on those taxes and special assessments
18 and costs charged in connection with the payment of those
19 taxes or special assessments, except for the nonrefundable
20 \$80 fee paid, pursuant to Section 21-295, for each item
21 purchased at the tax sale, which have been paid by the tax
22 certificate holder on or after the date those taxes or
23 special assessments became delinquent together with 12%
24 penalty on each amount so paid for each year or portion
25 thereof intervening between the date of that payment and
26 the date of redemption. In counties with less than

1 3,000,000 inhabitants, however, a tax certificate holder
2 may not pay all or part of an installment of a subsequent
3 tax or special assessment for any year, nor shall any
4 tender of such a payment be accepted, until after the
5 second or final installment of the subsequent tax or
6 special assessment has become delinquent or until after
7 the holder of the certificate of purchase has filed a
8 petition for a tax deed under Section 22.30. The person
9 redeeming shall also pay the amount of interest charged on
10 the subsequent tax or special assessment and paid as a
11 penalty by the tax certificate holder. This amendatory Act
12 of 1995 applies to tax years beginning with the 1995
13 taxes, payable in 1996, and thereafter.

14 (d) Any amount paid to redeem a forfeiture occurring
15 before January 1, 2024 but after the tax sale together
16 with 12% penalty thereon for each year or portion thereof
17 intervening between the date of the forfeiture redemption
18 and the date of redemption from the sale.

19 (e) Any amount paid by the certificate holder for
20 redemption of a subsequently occurring tax sale, including
21 tax liens or certificates held by the county as trustee,
22 pursuant to Section 21-90.

23 (f) All fees paid to the county clerk under Section
24 22-5.

25 (g) All fees paid to the registrar of titles incident
26 to registering the tax certificate in compliance with the

1 Registered Titles (Torrens) Act.

2 (h) All fees paid to the circuit clerk and the
3 sheriff, a licensed or registered private detective, or
4 the coroner in connection with the filing of the petition
5 for tax deed and service of notices under Sections 22-15
6 through 22-30 and 22-40 in addition to (1) a fee of \$350
7 ~~\$35~~ if a petition for tax deed has been filed, which fee
8 shall be posted to the tax judgement, sale, redemption,
9 and forfeiture record, to be paid to the purchaser or his
10 or her assignee; (2) a fee of \$40 ~~\$4~~ if a notice under
11 Section 22-5 has been filed, which fee shall be posted to
12 the tax judgment, sale, redemption, and forfeiture record,
13 to be paid to the purchaser or his or her assignee; (3) all
14 costs paid to record a lis pendens notice in connection
15 with filing a petition under this Code; and (4) if a
16 petition for tax deed has been filed, all fees up to \$150
17 per redemption paid to a registered or licensed title
18 insurance company or title insurance agent for a title
19 search to identify all owners, parties interested, and
20 occupants of the property, to be paid to the purchaser or
21 his or her assignee. The fees in (1) and (2) of this
22 paragraph (h) shall be exempt from the posting
23 requirements of Section 21-360. The costs incurred in
24 causing notices to be served by a licensed or registered
25 private detective under Section 22-15, may not exceed the
26 amount that the sheriff would be authorized by law to

1 charge if those notices had been served by the sheriff.

2 (i) All fees paid for publication of notice of the tax
3 sale in accordance with Section 22-20.

4 (j) All sums paid to any county, city, village or
5 incorporated town for reimbursement under Section 22-35.

6 (k) All costs and expenses of receivership under
7 Section 21-410, to the extent that these costs and
8 expenses exceed any income from the property in question,
9 if the costs and expenditures have been approved by the
10 court appointing the receiver and a certified copy of the
11 order or approval is filed and posted by the certificate
12 holder with the county clerk. Only actual costs expended
13 may be posted on the tax judgment, sale, redemption and
14 forfeiture record.

15 (Source: P.A. 103-555, eff. 1-1-24; 103-592, eff. 6-7-24.)