



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1443

Introduced 1/31/2025, by Sen. Michael E. Hastings

SYNOPSIS AS INTRODUCED:

765 ILCS 905/17 new

Amends the Mortgage Act. Provides that the Act does not abrogate the Illinois common law that the payment in full of a debt secured by a mortgage extinguishes the lien. Provides that payment in full of a debt secured by a mortgage pursuant to a payoff statement, as defined in the Mortgage Certificate of Release Act, issued by or on behalf of the holder of the indebtedness extinguishes the lien of the mortgage. Effective immediately.

LRB104 07581 JRC 17625 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 Mortgage Act is amended by adding Section
5 17 as follows:

6 (765 ILCS 905/17 new)

7 Sec. 17. Notwithstanding any other provisions of this Act:

8 (1) The Act does not abrogate the Illinois common law
9 that the payment in full of a debt secured by a mortgage
10 extinguishes the lien.

11 (2) Payment in full of a debt secured by a mortgage
12 pursuant to a payoff statement, as defined in Section 5 of
13 the Mortgage Certificate of Release Act, issued by or on
14 behalf of the holder of the indebtedness extinguishes the
15 lien of the mortgage.

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.