

# SB3753



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3753

Introduced 2/5/2026, by Sen. Graciela Guzmán

### SYNOPSIS AS INTRODUCED:

765 ILCS 705/5

Amends the Landlord and Tenant Act. Provides that in any eviction proceeding in which the trier of fact determines that the tenant has complied with the terms of the last written and signed lease as to the amount and timeliness of rent payments, the proceedings shall be sealed.

LRB104 20680 JRC 34179 b

A BILL FOR

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 Landlord and Tenant Act is amended by  
5 changing Section 5 as follows:

6 (765 ILCS 705/5)

7 Sec. 5. Class X felony by lessee or occupant.

8 (a) If, after the effective date of this amendatory Act of  
9 1995, any lessee or occupant is charged during his or her lease  
10 or contract term with having committed an offense on the  
11 premises constituting a Class X felony under the laws of this  
12 State, upon a judicial finding of probable cause at a  
13 preliminary hearing or indictment by a grand jury, the lease  
14 or contract for letting the premises shall, at the option of  
15 the lessor or the lessor's assignee, become void, and the  
16 owner or the owner's assignee may notify the lessee or  
17 occupant by posting a written notice at the premises requiring  
18 the lessee or occupant to vacate the leased premises on or  
19 before a date 5 days after the giving of the notice. The notice  
20 shall state the basis for its issuance on forms provided by the  
21 circuit court clerk of the county in which the real property is  
22 located. The owner or owner's assignee may have the same  
23 remedy to recover possession of the premises as against a

1 tenant holding over after the expiration of his or her term.  
2 The owner or lessor may bring an eviction action.

3 (b) A person does not forfeit his or her security deposit  
4 or any part of the security deposit due solely to an eviction  
5 under the provisions of this Section.

6 (c) If a lessor or the lessor's assignee voids a contract  
7 under the provisions of this Section, and a tenant or occupant  
8 has not vacated the premises within 5 days after receipt of a  
9 written notice to vacate the premises, the lessor or the  
10 lessor's assignee may seek relief under Article IX of the Code  
11 of Civil Procedure. Notwithstanding Sections 9-112, 9-113, and  
12 9-114 of the Code of Civil Procedure, judgment for costs  
13 against the plaintiff seeking eviction under this Section  
14 shall not be awarded to the defendant unless the action was  
15 brought by the plaintiff in bad faith. An eviction action  
16 under this Section shall not be deemed to be in bad faith if  
17 the plaintiff based his or her cause of action on information  
18 provided to him or her by a law enforcement agency or the  
19 State's Attorney.

20 (d) The provisions of this Section are enforceable only if  
21 the lessee or occupant and the owner or owner's assignee have  
22 executed a lease addendum for drug free housing as promulgated  
23 by the United States Department of Housing and Urban  
24 Development or a substantially similar document.

25 (e) In any eviction proceeding in which the trier of fact  
26 determines that the tenant has complied with the terms of the

1 last written and signed lease as to the amount and timeliness  
2 of rent payments, the proceedings shall be sealed.

3 (Source: P.A. 100-173, eff. 1-1-18.)