

1                                    AMENDMENT TO HOUSE BILL 1489

2            AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1489, on page 1,  
3 line 5, by replacing "Section 21-135" with "Sections 21-135,  
4 21-265, 22-5, and 22-10"; and

5 on page 2, immediately below line 13, by inserting the  
6 following:

7            "(35 ILCS 200/21-265)

8            Sec. 21-265. Scavenger sale; persons ineligible to bid  
9 or purchase.

10            (a) No person, except a unit of local government, shall  
11 be eligible to bid or receive a certificate of purchase at  
12 any sale under Section 21-260 unless that person has  
13 completed and delivered to the county clerk a true, accurate  
14 and complete application for certificate of purchase which  
15 shall affirm that:

16                    (1) the person has not bid upon or applied to  
17 purchase any property at the sale for a person who is the  
18 party or agent of the party who owns the property or is  
19 responsible for the payment of the delinquent taxes;

20                    (2) the person is not, nor is he or she the agent  
21 for, the owner or party responsible for payment of the  
22 general taxes on any property which is located in the

1 same county in which the sale is held and which is tax  
2 delinquent or forfeited for all or any part of each of 2  
3 or more years, excepting any year for which a certificate  
4 of error issued under Sections 14-15, 14-20 and 14-25 is  
5 pending for adjudication; and

6 (3) the person, although otherwise eligible to bid,  
7 has not either directly or through an agent twice during  
8 any previous sale in the last 3 calendar years the--same  
9 sale failed to complete a purchase by the immediate  
10 payment of the minimum bid or the payment of the balance  
11 of a bid within the time provided by Section 21-260.

12 (Source: P.A. 86-949; 87-669; 88-455.)

13 (35 ILCS 200/22-5)

14 Sec. 22-5. Notice of sale and redemption rights. In  
15 order to be entitled to a tax deed, within 4 months and 15  
16 days after any sale held under this Code, the purchaser or  
17 his or her assignee shall deliver to the county clerk a  
18 notice to be given to the party in whose name the taxes are  
19 last assessed as shown by the most recent tax collector's  
20 warrant books, in at least 10 point type in the following  
21 form completely filled in:

22 TAKE NOTICE OF SALE OF DELINQUENT  
23 REAL ESTATE TAX LIEN AND OF POSSIBLE LOSS  
24 OF PROPERTY IF THE SALE IS NOT REDEEMED  
25 County of .....  
26 Date Lien for Taxes Premises Sold .....  
27 Certificate of Purchase No. ....  
28 Sold for General Taxes of (year) .....  
29 Sold for Special Assessment of the {Municipality} of.....  
30 and special assessment number .....  
31 Warrant No. .... Inst. No. ....

32 THE LIEN ON THIS PROPERTY HAS-BEEN-SOLD FOR  
33 DELINQUENT TAXES HAS BEEN SOLD

1 Property located at .....

2 Property Legal-Description-or-Permanent Index No: Vol .....

3 .....

4 PIN .....

5 Legal Description (required if location, volume, and PIN are

6 not given): .....

7 .....

8 .....

9 .....

10 This notice is to advise you that the lien on the above

11 property has--been-sold for delinquent taxes has been sold

12 and that the period of redemption from the sale will expire

13 on .....

14 The tax purchaser may, without notice to you, extend the

15 date of redemption to a date between ..... and

16 ..... After the first expiration date above, you need

17 to call the county clerk to determine whether the tax

18 purchaser has extended the date. The tax purchaser is not

19 required to and may not extend the redemption date. If the

20 redemption date has expired, you will not be able to redeem

21 your lien and may lose your property.

22 This notice is also to advise you that a petition will be

23 filed for a tax deed which will transfer title and the right

24 to possession of this property if redemption is not made on

25 or before ....., or any extended date.

26 At the date of this notice the total amount which you

27 must pay in order to redeem the above property is .....

28 The amount to redeem is subject to increase at 6 month

29 intervals from the date of sale and may be further increased

30 if the tax purchaser pays any subsequently accruing

31 delinquent taxes or special assessments in order to protect

32 the tax purchaser's lien on your taxes.

33 YOU ARE URGED TO REDEEM IMMEDIATELY TO

34 PREVENT LOSS OF PROPERTY

1 Redemption can be made at any time on or before .... (or  
2 any extended date, if any), by applying to the County Clerk  
3 of .... County, Illinois at the County Court Building House  
4 in ....., Illinois.

5 The above amount is subject to increase at 6 month  
6 intervals from the date of sale. Check with the county clerk  
7 as to the exact amount you owe before redeeming. Payment  
8 must be made by certified check, cashier's check, money  
9 order, or in cash.

10 For further information contact the County Clerk.

11 Address:.....

12 Telephone: .....

13 Purchaser or Assignee,

14 Name: .....

15 Address: .....

16 Dated (insert date).

17 Within 10 days after receipt of said notice, the county  
18 clerk shall mail to the addresses supplied by the purchaser  
19 or assignee, by registered or certified mail, copies of said  
20 notice to the party in whose name the taxes are last assessed  
21 as shown by the most recent tax collector's warrant books.  
22 The purchaser or assignee shall pay to the clerk postage plus  
23 the sum of \$10. The clerk shall write or stamp the date of  
24 receiving the notices upon the copies of the notices, and  
25 retain one copy.

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

27 (35 ILCS 200/22-10)

28 Sec. 22-10. Notice of expiration of period of  
29 redemption. A purchaser or assignee shall not be entitled to  
30 a tax deed to the property sold unless, not less than 3  
31 months nor more than 5 months prior to the expiration of the  
32 period of redemption, he or she gives notice of the sale and

1 the date of expiration of the period of redemption to the  
2 owners, occupants, and parties interested in the property,  
3 including any mortgagee of record, as provided below.

4 The Notice to be given to the parties shall be in at  
5 least 10 point type in the following form completely filled  
6 in:

7 TAX-DEED-NO-----FILED-----

8 TAKE NOTICE OF SALE OF DELINQUENT

9 REAL ESTATE TAX LIEN AND PETITION FOR A

10 TAX DEED TO THE PROPERTY

11 County of .....TAX DEED NO. .....

12 Date Taxes Premises Sold .....FILED .....

13 Certificate No. ....

14 Sold for General Taxes of (year) .....

15 Sold for Special Assessment of the (Municipality) of .....

16 and special assessment No. number .....

17 Warrant No. .... Inst. No. ....

18 THE LIEN ON THIS PROPERTY HAS-BEEN-SOLD FOR

19 DELINQUENT TAXES HAS BEEN SOLD

20 Property located at .....

21 ~~Legal-Description-or~~ Property Index No.: Vol.....PIN.....

22 Legal Description (required if location, volume, and PIN, are  
23 not given) .....

24 .....

25 .....

26 -----

27 -----

28 This notice is to advise you that the lien on the above

29 property ~~has-been-sold~~ for delinquent taxes has been sold and

30 that the period of redemption from the sale will expire on ..

31 .....

32 This notice is also to advise you that a petition HAS

33 BEEN filed for a tax deed that will transfer title and right

34 to possession of property if redemption is not made on or

1 before .....

2 The matter is set for hearing in the circuit court of  
3 this county in ....., Illinois on ..... You may be  
4 present at this hearing but your right to redeem will already  
5 have expired at that time.

6 YOU ARE URGED TO REDEEM IMMEDIATELY  
7 TO PREVENT LOSS OF PROPERTY.

8 Redemption can be made at any time on or before .....  
9 by applying to the County Clerk of ..... County,  
10 Illinois at the County Building in ....., Illinois.

11 The amount to redeem is subject to increase at 6 month  
12 intervals from the date of sale and may be further increased  
13 if the purchaser at the tax sale or his or her assignee pays  
14 any subsequently accruing taxes or special assessments to  
15 redeem the property from subsequent forfeitures or tax sales.  
16 Check with the county clerk as to the exact amount you owe  
17 before redeeming.

18 PAYMENT MUST BE MADE BY CERTIFIED CHECK,  
19 CASHIER'S CHECK, MONEY ORDER, OR IN CASH.

20 ~~This notice is also to advise you that a petition has~~  
21 ~~been filed for a tax deed which will transfer title and the~~  
22 ~~right to possession of this property if redemption is not~~  
23 ~~made on or before .....~~

24 ~~This matter is set for hearing in the Circuit Court of~~  
25 ~~this county in ....., Illinois on .....~~

26 ~~You may be present at this hearing but your right to~~  
27 ~~redeem will already have expired at that time.~~

28 ~~YOU ARE URGED TO REDEEM IMMEDIATELY~~  
29 ~~TO PREVENT LOSS OF PROPERTY~~

30 ~~Redemption can be made at any time on or before ... by~~  
31 ~~applying to the County Clerk of ..... County, Illinois at the~~  
32 ~~County Court House in ....., Illinois.~~

33 For further information contact the County Clerk.

34 Address: .....

1        Telephone: .....

2        Purchaser or Assignee.

3        Name:.....

4        Address: .....

5        Date: (insert date).

6            In counties with 3,000,000 or more inhabitants, the  
7        notice shall also state the address, room number and time at  
8        which the matter is set for hearing.

9            This amendatory Act of 1996 applies only to matters in  
10        which a petition for tax deed is filed on or after the  
11        effective date of this amendatory Act of 1996.

12        (Source: P.A. 91-357, eff. 7-29-99; 92-267, eff. 1-1-02.)".