

1 AN ACT concerning taxes.

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 21-15, 21-20, and 21-25 as follows:

6 (35 ILCS 200/21-15)

7 Sec. 21-15. General tax due dates; default by mortgage  
8 lender. Except as otherwise provided in this Section or  
9 Section 21-40, all property upon which the first installment  
10 of taxes remains unpaid on June 1 annually shall be deemed  
11 delinquent and shall bear interest after June 1 at the rate  
12 of 1 1/2% per month or portion thereof. Except as otherwise  
13 provided in this Section or Section 21-40, all property upon  
14 which the second installment of taxes remains due and unpaid  
15 on September 1, annually, shall be deemed delinquent and  
16 shall bear interest after September 1 at the same interest  
17 rate. All interest collected shall be paid into the general  
18 fund of the county. Payment received by mail and postmarked  
19 on or before the required due date is not delinquent.

20 Property not subject to the interest charge in Section  
21 9-265 shall also not be subject to the interest charge  
22 imposed by this Section until such time as the owner of the  
23 property receives actual notice of and is billed for the  
24 principal amount of back taxes due and owing.

25 If a member of a reserve component of the armed forces of  
26 the United States who has an ownership interest in property  
27 taxed under this Act is called to active duty for deployment  
28 outside the continental United States and is on active duty  
29 on the due date of any installment of taxes due under this  
30 Act, he or she shall not be deemed delinquent in the payment  
31 of the installment and no interest shall accrue or be charged

1 as a penalty on the installment until 180 30 days after that  
2 member returns from active duty.

3 Notwithstanding any other provision of law, when any  
4 unpaid taxes become delinquent under this Section through the  
5 fault of the mortgage lender, (i) the interest assessed under  
6 this Section for delinquent taxes shall be charged against  
7 the mortgage lender and not the mortgagor and (ii) the  
8 mortgage lender shall pay the taxes, redeem the property and  
9 take all necessary steps to remove any liens accruing against  
10 the property because of the delinquency. In the event that  
11 more than one entity meets the definition of mortgage lender  
12 with respect to any mortgage, the interest shall be assessed  
13 against the mortgage lender responsible for servicing the  
14 mortgage. Unpaid taxes shall be deemed delinquent through  
15 the fault of the mortgage lender only if: (a) the mortgage  
16 lender has received all payments due the mortgage lender for  
17 the property being taxed under the written terms of the  
18 mortgage or promissory note secured by the mortgage, (b) the  
19 mortgage lender holds funds in escrow to pay the taxes, and  
20 (c) the funds are sufficient to pay the taxes after deducting  
21 all amounts reasonably anticipated to become due for all  
22 hazard insurance premiums and mortgage insurance premiums and  
23 any other assessments to be paid from the escrow under the  
24 terms of the mortgage. For purposes of this Section, an  
25 amount is reasonably anticipated to become due if it is  
26 payable within 12 months from the time of determining the  
27 sufficiency of funds held in escrow. Unpaid taxes shall not  
28 be deemed delinquent through the fault of the mortgage lender  
29 if the mortgage lender was directed in writing by the  
30 mortgagor not to pay the property taxes, or if the failure to  
31 pay the taxes when due resulted from inadequate or inaccurate  
32 parcel information provided by the mortgagor, a title or  
33 abstract company, or by the agency or unit of government  
34 assessing the tax.

1 (Source: P.A. 90-336, eff. 1-1-98; 90-575, eff. 3-20-98;  
2 91-199, eff. 1-1-00; 91-898, eff. 7-6-00.)

3 (35 ILCS 200/21-20)

4 Sec. 21-20. Due dates; accelerated billing in counties  
5 of less than 3,000,000. Except as otherwise provided in  
6 Section 21-40, in counties with less than 3,000,000  
7 inhabitants in which the accelerated method of billing and  
8 paying taxes provided for in Section 21-30 is in effect, the  
9 estimated first installment of unpaid taxes shall be deemed  
10 delinquent and shall bear interest after a date not later  
11 than June 1 annually as provided for in the ordinance or  
12 resolution of the county board adopting the accelerated  
13 method, at the rate of 1 1/2% per month or portion thereof  
14 until paid or forfeited. The second installment of unpaid  
15 taxes shall be deemed delinquent and shall bear interest  
16 after August 1 annually at the same interest rate until paid  
17 or forfeited. Payment received by mail and postmarked on or  
18 before the required due date is not delinquent.

19 If a member of a reserve component of the armed forces of  
20 the United States who has an ownership interest in property  
21 taxed under this Act is called to active duty for deployment  
22 outside the continental United States and is on active duty  
23 on the due date of any installment of taxes due under this  
24 Act, he or she shall not be deemed delinquent in the payment  
25 of the installment and no interest shall accrue or be charged  
26 as a penalty on the installment until 180 30 days after that  
27 member returns from active duty.

28 (Source: P.A. 91-199, eff. 1-1-00; 91-898, eff. 7-6-00.)

29 (35 ILCS 200/21-25)

30 Sec. 21-25. Due dates; accelerated billing in counties  
31 of 3,000,000 or more. Except as hereinafter provided and as  
32 provided in Section 21-40, in counties with 3,000,000 or more

1 inhabitants in which the accelerated method of billing and  
2 paying taxes provided for in Section 21-30 is in effect, the  
3 estimated first installment of unpaid taxes shall be deemed  
4 delinquent and shall bear interest after March 1 at the rate  
5 of 1 1/2% per month or portion thereof until paid or  
6 forfeited. The second installment of unpaid taxes shall be  
7 deemed delinquent and shall bear interest after August 1  
8 annually at the same interest rate until paid or forfeited.

9 If the county board elects by ordinance adopted prior to  
10 July 1 of a levy year to provide for taxes to be paid in 4  
11 installments, each installment for that levy year and each  
12 subsequent year shall be deemed delinquent and shall begin to  
13 bear interest 30 days after the date specified by the  
14 ordinance for mailing bills, at the rate of 1 1/2% per month  
15 or portion thereof, until paid or forfeited.

16 Payment received by mail and postmarked on or before the  
17 required due date is not delinquent.

18 Taxes levied on homestead property in which a member of  
19 the National Guard or reserves of the armed forces of the  
20 United States who was called to active duty on or after  
21 August 1, 1990, and who has an ownership interest, shall not  
22 be deemed delinquent and no interest shall accrue or be  
23 charged as a penalty on such taxes due and payable in 1991 or  
24 1992 until one year after that member returns to civilian  
25 status.

26 If a member of a reserve component of the armed forces of  
27 the United States who has an ownership interest in property  
28 taxed under this Act is called to active duty for deployment  
29 outside the continental United States and is on active duty  
30 on the due date of any installment of taxes due under this  
31 Act, he or she shall not be deemed delinquent in the payment  
32 of the installment and no interest shall accrue or be charged  
33 as a penalty on the installment until 180 30 days after that  
34 member returns to civilian status.

1 (Source: P.A. 91-199, eff. 1-1-00; 91-898, eff. 7-6-00.)

2 Section 99. Effective date. This Act takes effect upon

3 becoming law