



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB1504

Introduced 02/10/05, by Rep. Mike Boland

SYNOPSIS AS INTRODUCED:

35 ILCS 200/21-355

Amends the Property Tax Code. In a Section concerning the redemption of property sold for taxes, provides that the county clerk may, at his or her sole discretion, accept a deposit for the redemption by credit card. Effective immediately.

LRB094 10248 BDD 40515 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 Section 21-355 as follows:

6 (35 ILCS 200/21-355)

7 Sec. 21-355. Amount of redemption. Any person desiring to
8 redeem shall deposit an amount specified in this Section with
9 the county clerk of the county in which the property is
10 situated, in legal money of the United States, or by cashier's
11 check, certified check, post office money order or money order
12 issued by a financial institution insured by an agency or
13 instrumentality of the United States, payable to the county
14 clerk of the proper county. The county clerk may also, at his
15 or her sole discretion, accept a deposit by credit card, in
16 accordance with the Local Governmental Acceptance of Credit
17 Cards Act. The deposit shall be deemed timely only if actually
18 received in person at the county clerk's office prior to the
19 close of business as defined in Section 3-2007 of the Counties
20 Code on or before the expiration of the period of redemption or
21 by United States mail with a post office cancellation mark
22 dated not less than one day prior to the expiration of the
23 period of redemption. The deposit shall be in an amount equal
24 to the total of the following:

25 (a) the certificate amount, which shall include all tax
26 principal, special assessments, interest and penalties
27 paid by the tax purchaser together with costs and fees of
28 sale and fees paid under Sections 21-295 and 21-315 through
29 21-335;

30 (b) the accrued penalty, computed through the date of
31 redemption as a percentage of the certificate amount, as
32 follows:

1 (1) if the redemption occurs on or before the
2 expiration of 6 months from the date of sale, the
3 certificate amount times the penalty bid at sale;

4 (2) if the redemption occurs after 6 months from
5 the date of sale, and on or before the expiration of 12
6 months from the date of sale, the certificate amount
7 times 2 times the penalty bid at sale;

8 (3) if the redemption occurs after 12 months from
9 the date of sale and on or before the expiration of 18
10 months from the date of sale, the certificate amount
11 times 3 times the penalty bid at sale;

12 (4) if the redemption occurs after 18 months from
13 the date of sale and on or before the expiration of 24
14 months from the date of sale, the certificate amount
15 times 4 times the penalty bid at sale;

16 (5) if the redemption occurs after 24 months from
17 the date of sale and on or before the expiration of 30
18 months from the date of sale, the certificate amount
19 times 5 times the penalty bid at sale;

20 (6) if the redemption occurs after 30 months from
21 the date of sale and on or before the expiration of 36
22 months from the date of sale, the certificate amount
23 times 6 times the penalty bid at sale.

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

31 (c) The total of all taxes, special assessments,
32 accrued interest on those taxes and special assessments and
33 costs charged in connection with the payment of those taxes
34 or special assessments, which have been paid by the tax
35 certificate holder on or after the date those taxes or
36 special assessments became delinquent together with 12%

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

17 (d) Any amount paid to redeem a forfeiture occurring
18 subsequent to the tax sale together with 12% penalty
19 thereon for each year or portion thereof intervening
20 between the date of the forfeiture redemption and the date
21 of redemption from the sale.

22 (e) Any amount paid by the certificate holder for
23 redemption of a subsequently occurring tax sale.

24 (f) All fees paid to the county clerk under Section
25 22-5.

26 (g) All fees paid to the registrar of titles incident
27 to registering the tax certificate in compliance with the
28 Registered Titles (Torrens) Act.

29 (h) All fees paid to the circuit clerk and the sheriff
30 or coroner in connection with the filing of the petition
31 for tax deed and service of notices under Sections 22-15
32 through 22-30 and 22-40 in addition to (1) a fee of \$35 if
33 a petition for tax deed has been filed, which fee shall be
34 posted to the tax judgement, sale, redemption, and
35 forfeiture record, to be paid to the purchaser or his or
36 her assignee; (2) a fee of \$4 if a notice under Section

1 22-5 has been filed, which fee shall be posted to the tax
2 judgment, sale, redemption, and forfeiture record, to be
3 paid to the purchaser or his or her assignee; and (3) all
4 costs paid to record a lis pendens notice in connection
5 with filing a petition under this Code. The fees in (1) and
6 (2) of this paragraph (h) shall be exempt from the posting
7 requirements of Section 21-360.

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

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

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

21 (Source: P.A. 91-924, eff. 1-1-01.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.