



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB4189

Introduced 11/3/2005, by Rep. Constance A. Howard

SYNOPSIS AS INTRODUCED:

735 ILCS 5/12-901

from Ch. 110, par. 12-901

Amends the Code of Civil Procedure. Raises the homestead exemption to \$125,000 (from \$15,000) for an individual and \$250,000 (from \$30,000) for 2 or more individuals.

LRB094 14460 LCT 49397 b

1 AN ACT concerning civil procedure.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Code of Civil Procedure is amended by
5 changing Section 12-901 as follows:

6 (735 ILCS 5/12-901) (from Ch. 110, par. 12-901)

7 Sec. 12-901. Amount. Every individual is entitled to an
8 estate of homestead to the extent in value of \$125,000 ~~\$15,000~~
9 of his or her interest in a farm or lot of land and buildings
10 thereon, a condominium, or personal property, owned or rightly
11 possessed by lease or otherwise and occupied by him or her as a
12 residence, or in a cooperative that owns property that the
13 individual uses as a residence. That homestead and all right in
14 and title to that homestead is exempt from attachment,
15 judgment, levy, or judgment sale for the payment of his or her
16 debts or other purposes and from the laws of conveyance,
17 descent, and legacy, except as provided in this Code or in
18 Section 20-6 of the Probate Act of 1975. This Section is not
19 applicable between joint tenants or tenants in common but it is
20 applicable as to any creditors of those persons. If 2 or more
21 individuals own property that is exempt as a homestead, the
22 value of the exemption of each individual may not exceed his or
23 her proportionate share of \$250,000 ~~\$30,000~~ based upon
24 percentage of ownership.

25 (Source: P.A. 94-293, eff. 1-1-06.)