

1 AMENDMENT TO HOUSE BILL 512

2 AMENDMENT NO. _____. Amend House Bill 512 as follows:
3 on page 1, by inserting after line 30 the following:

4 "Section 10. The Mineral Lease Release of Record Act is
5 amended by changing Sections 1 and 2 as follows:

6 (765 ILCS 510/1) (from Ch. 96 1/2, par. 4401)
7 Sec. 1.

8 When any lease on land heretofore or hereafter taken for
9 the purpose of prospecting for or mining or producing coal,
10 oil, gas, or other minerals ~~mineral, or for the purpose of~~
11 ~~mining the coal or other mineral from said land, so leased,~~
12 shall terminate ~~become forfeited~~ by the terms of the said
13 lease or the acts or omissions of the said lessee, his, her,
14 or their heirs, representatives, successors or assigns, it
15 shall be the duty of said lessee, his, her or their heirs,
16 representatives, successors or assigns, within 60 days from
17 the date of termination of the lease ~~within sixty days from~~
18 ~~the time this act shall take effect, if such forfeiture take~~
19 ~~effect prior thereto, and within sixty days from the date of~~
20 ~~forfeiture of any and all other leases,~~ to have such lease or
21 leases, released of record in the county where such land is
22 situate, without any cost to the owner or owners of the land;

1 and any failure so to do after notice and demand, shall
2 constitute a petty offense.

3 (Source: P.A. 77-2719.)

4 (765 ILCS 510/2) (from Ch. 96 1/2, par. 4402)

5 Sec. 2. Whenever ~~the lessee of~~ any coal, oil, gas, or
6 other mineral lease shall terminate and the lessee, his, her,
7 or their heirs, representatives, successors, or assigns
8 ~~lands, or the person, firm, company or corporation, owning,~~
9 ~~holding or having control of any such lease shall allow the~~
10 ~~same to become forfeited, or by his, her or their acts shall~~
11 ~~forfeit the same,~~ and shall refuse, fail or neglect to cause
12 the same to be released of record in the county where such
13 lands are located situate, the lessor or owner of the lands
14 may begin and maintain a civil action for a judgment that the
15 lease has terminated. The recording of a judgment of
16 termination in the office of the recorder of the county
17 wherein are located the lands covered by such terminated
18 lease shall constitute a release of the lease. Upon judgment
19 being rendered that a lease has terminated and that the
20 lessee, his, her or their heirs, representatives, successors,
21 or assigns has not released the same of record within 60 days
22 after notice and demand, the court shall enter judgment
23 against all such persons who shall have failed to release
24 such lease of record for all court costs, litigation
25 expenses, and attorney's fees reasonably incurred by the
26 lessor or owner of the lands or minerals in obtaining the
27 judgment of termination. to compel the party to release the
28 ~~same of record and upon judgment being rendered ordering the~~
29 ~~lease forfeited and directing the release, the lessee, or the~~
30 ~~person, firm, company or corporation owning, holding or~~
31 ~~controlling the lease, shall be ordered to pay all costs~~
32 ~~accruing by the action, including a reasonable attorney's fee~~
33 ~~to be taxed as cost.~~

1 (Source: P.A. 84-1308.)".