



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3902

Introduced 12/11/2011, by Rep. Dwight Kay

SYNOPSIS AS INTRODUCED:

10 ILCS 5/Art. 9 heading
10 ILCS 5/9-8.7 new
35 ILCS 200/21-220

Amends the Election Code. Provides that registered tax purchasers are prohibited from making campaign contributions to candidates for county treasurer in the county in which the tax purchaser is registered. Amends the Property Tax Code. Provides that tax purchasers in all counties must register with the county collector. Preempts the concurrent exercise of home rule powers. Effective immediately.

LRB097 14205 HLH 58912 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

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 Election Code is amended by changing the
5 heading of Article 9 and by adding Section 9-8.7 as follows:

6 (10 ILCS 5/Art. 9 heading)

7 ARTICLE 9. DISCLOSURE, ~~AND~~ REGULATION, AND PROHIBITION OF
8 CAMPAIGN

9 CONTRIBUTIONS AND EXPENDITURES

10 (Source: P.A. 96-832, eff. 1-1-11.)

11 (10 ILCS 5/9-8.7 new)

12 Sec. 9-8.7. Campaign contributions from tax purchasers
13 prohibited. It is unlawful for any tax purchaser who is
14 registered under Section 21-220 of the Property Tax Code to
15 make a campaign contribution to any candidate for county
16 treasurer in the county in which the tax purchaser is
17 registered. It is unlawful for any candidate for county
18 treasurer to knowingly accept or receive any contribution
19 prohibited by this Section.

20 Section 10. The Property Tax Code is amended by changing
21 Section 21-220 as follows:

1 (35 ILCS 200/21-220)

2 Sec. 21-220. Letter of credit or bond in counties of
3 3,000,000 or more; registration ~~in other counties~~. In counties
4 with 3,000,000 or more inhabitants, no person shall make an
5 offer to pay the amount due on any property and the collector
6 shall not accept or acknowledge an offer from any person who
7 has not, at least 10 business days prior to making the offer,
8 registered with the county collector and deposited with the
9 collector, ~~not less than 10 days prior to making such offer,~~ an
10 irrevocable and unconditional letter of credit or such other
11 unconditional bond payable to the order of the collector in an
12 amount not less than 1.5 times the amount of any tax or special
13 assessment due upon the property, provided that in no event
14 shall the irrevocable and unconditional letter of credit or
15 such other unconditional bond be in an amount less than \$1,000.
16 The collector may without notice draw upon the letter of credit
17 or bond in the event payment of the amount due together with
18 interest and costs thereon is not made forthwith by the person
19 purchasing any property. At all times during the sale, any
20 person making an offer or offers to pay the amount or amounts
21 due on any properties shall maintain the letter of credit or
22 bond with the collector in an amount not less than 1.5 times
23 the amount due on the properties which he or she has purchased
24 and for which he or she has not paid.

25 In counties with less than 3,000,000 inhabitants, ~~unless~~

1 ~~the county board provides otherwise,~~ no person shall be
2 eligible to bid who did not register with the county collector
3 at least 10 business days prior to the first day of sale
4 authorized under Section 21-115. The registration must be
5 accompanied by a deposit in an amount determined by the county
6 collector, but not to exceed \$250 in counties of less than
7 50,000 inhabitants or \$500 in all other counties, which must be
8 applied to the amount due on the properties that the registrant
9 has purchased. If the registrant cannot participate in the tax
10 sale, then he or she may notify the tax collector, no later
11 than 5 business days prior to the sale, of the name of the
12 substitute person who will participate in the sale in the
13 registrant's place, and an additional deposit is not required
14 for any such substitute person. If the registrant does not
15 attend the sale, then the deposit is forfeited to the Tax Sale
16 Automation Fund established under Section 21-245. If the
17 registrant does attend the sale and attempts, but fails, to
18 purchase any parcels offered for sale, then the deposit must be
19 refunded to the registrant. Each county that does not impose a
20 registration requirement on the effective date of this
21 amendatory Act of the 97th General Assembly shall require
22 registration under this Section beginning with the first tax
23 sale to occur in the county not less than 12 months after the
24 effective date of this amendatory Act of the 97th General
25 Assembly.

26 A home rule unit may not conduct tax sales in a manner that

1 is inconsistent with this Section. This Section is a limitation
2 under subsection (i) of Section 6 of Article VII of the
3 Illinois Constitution on the concurrent exercise by home rule
4 units of powers and functions exercised by the State.

5 (Source: P.A. 95-537, eff. 8-28-07.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.