



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2740

Introduced 2/21/2013, by Rep. Jay Hoffman

SYNOPSIS AS INTRODUCED:

35 ILCS 200/21-110
35 ILCS 200/22-20

Amends the Property Tax Code. Provides that the notice of annual application for judgment and sale shall be published in a newspaper circulated (instead of published) in the unit of local government. Provides that, in counties with less than 3,000,000 inhabitants, notice of the expiration of the redemption period shall be published in a newspaper circulated (instead of published) in the county.

LRB098 08024 HLH 38115 b

FISCAL 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 Property Tax Code is amended by changing
5 Sections 21-110 and 22-20 as follows:

6 (35 ILCS 200/21-110)

7 Sec. 21-110. Published notice of annual application for
8 judgment and sale; delinquent taxes. At any time after all
9 taxes have become delinquent in any year, the Collector shall
10 publish an advertisement, giving notice of the intended
11 application for judgment and sale of the delinquent properties.
12 The advertisement may include the street address on file with
13 the county collector, if available, and shall include the PIN
14 number of each delinquent property. Except as provided below,
15 the advertisement shall be in a newspaper circulated ~~published~~
16 in the township or road district in which the properties are
17 located. If there is no newspaper circulated ~~published~~ in the
18 township or road district, then the notice shall be published
19 in some newspaper circulated in the same county as the township
20 or road district, to be selected by the county collector. When
21 the property is in a city with more than 1,000,000 inhabitants,
22 the advertisement may be in any newspaper circulated ~~published~~
23 in the same county. When the property is in an incorporated

1 town which has superseded a civil township, the advertisement
2 shall be in a newspaper circulated ~~published~~ in the
3 incorporated town or if there is no such newspaper, then in a
4 newspaper circulated ~~published~~ in the county.

5 The provisions of this Section relating to the time when
6 the Collector shall advertise intended application for
7 judgment for sale are subject to modification by the governing
8 authority of a county in accordance with the provisions of
9 subsection (c) of Section 21-40.

10 (Source: P.A. 97-557, eff. 7-1-12.)

11 (35 ILCS 200/22-20)

12 Sec. 22-20. Proof of service of notice; publication of
13 notice. The sheriff or coroner serving notice under Section
14 22-15 shall endorse his or her return thereon and file it with
15 the Clerk of the Circuit Court and it shall be a part of the
16 court record. A private detective or a special process server
17 appointed under Section 22-15 shall make his or her return by
18 affidavit and shall file it with the Clerk of the Circuit
19 Court, where it shall be a part of the court record. If a
20 sheriff, private detective, special process server, or coroner
21 to whom any notice is delivered for service, neglects or
22 refuses to make the return, the purchaser or his or her
23 assignee may petition the court to enter a rule requiring the
24 sheriff, private detective, special process server, or coroner
25 to make return of the notice on a day to be fixed by the court,

1 or to show cause on that day why he or she should not be
2 attached for contempt of the court. The purchaser or assignee
3 shall cause a written notice of the rule to be served upon the
4 sheriff, private detective, special process server, or
5 coroner. If good and sufficient cause to excuse the sheriff,
6 private detective, special process server, or coroner is not
7 shown, the court shall adjudge him or her guilty of a contempt,
8 and shall proceed to punish him as in other cases of contempt.

9 If the property is located in a municipality in a county
10 with less than 3,000,000 inhabitants, the purchaser or his or
11 her assignee shall also publish a notice as to the owner or
12 party interested, in some newspaper circulated ~~published~~ in the
13 municipality. If the property is not in a municipality in a
14 county with less than 3,000,000 inhabitants, or if no newspaper
15 is circulated ~~published~~ therein, or if the property is in a
16 county with 3,000,000 or more inhabitants, the notice shall be
17 published in some newspaper in the county. If the property is
18 located in a county with less than 3,000,000 inhabitants, if ~~if~~
19 no newspaper is circulated ~~published~~ in the county, then the
20 notice shall be published in the newspaper that is circulated
21 ~~published~~ nearest the county seat of the county in which the
22 property is located. If the property is located in a county
23 with more than 3,000,000 inhabitants, if no newspaper is
24 published in the county, then the notice shall be published in
25 the newspaper that is published nearest the county seat of the
26 county in which the property is located. If the owners and

1 parties interested in the property upon diligent inquiry are
2 unknown to the purchaser or his or her assignee, the
3 publication as to such owner or party interested, may be made
4 to unknown owners or parties interested. Any notice by
5 publication given under this Section shall be given 3 times at
6 any time after filing a petition for tax deed, but not less
7 than 3 months nor more than 6 months prior to the expiration of
8 the period of redemption. The publication shall contain (a)
9 notice of the filing of the petition for tax deed, (b) the date
10 on which the petitioner intends to make application for an
11 order on the petition that a tax deed issue, (c) a description
12 of the property, (d) the date upon which the property was sold,
13 (e) the taxes or special assessments for which it was sold and
14 (f) the date on which the period of redemption will expire. The
15 publication shall not include more than one property listed and
16 sold in one description, except as provided in Section 21-90,
17 and except that when more than one property is owned by one
18 person, all of the parcels owned by that person may be included
19 in one notice.

20 The changes to this Section made by Public Act 95-477 apply
21 only to matters in which a petition for tax deed is filed on or
22 after June 1, 2008 (the effective date of Public Act 95-477).

23 (Source: P.A. 95-195, eff. 1-1-08; 95-477, eff. 6-1-08; 95-876,
24 eff. 8-21-08.)