

SB1404



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB1404

Introduced 2/6/2013, by Sen. William R. Haine

SYNOPSIS AS INTRODUCED:

35 ILCS 200/21-135

Amends the Property Tax Code. Provides that notices of application for judgment and sale may be sent by first class mail (instead of registered or certified mail). Provides that the mailing must be supported by the certificate or affidavit of the employee of the county collector who mailed the document, stating the time and place of mailing or delivery, the complete address which appeared on the envelope or package, and the fact that the proper postage was prepaid. Effective January 1, 2014.

LRB098 06163 HLH 36204 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 21-135 as follows:

6 (35 ILCS 200/21-135)

7 Sec. 21-135. Mailed notice of application for judgment and
8 sale. Not less than 15 days before the date of application for
9 judgment and sale of delinquent properties, the county
10 collector shall mail, ~~by registered or certified mail,~~ a notice
11 of the forthcoming application for judgment and sale to the
12 person shown by the current collector's warrant book to be the
13 party in whose name the taxes were last assessed or to the
14 current owner of record and, if applicable, to the party
15 specified under Section 15-170. The notice shall include the
16 intended dates of application for judgment and sale and
17 commencement of the sale, and a description of the properties.
18 The county collector must present proof of the mailing to the
19 court along with the application for judgement. That proof
20 shall be in the form of a certificate or affidavit of the
21 employee of the county collector who mailed the document,
22 stating the time and place of mailing or delivery, the complete
23 address that appeared on the envelope or package, and the fact

1 that proper postage was prepaid.

2 In counties with less than 3,000,000 inhabitants, a copy of
3 this notice shall also be mailed by the county collector by
4 registered or certified mail to any lienholder of record who
5 annually requests a copy of the notice. The failure of the
6 county collector to mail a notice or its non-delivery to the
7 lienholder shall not affect the validity of the judgment.

8 In counties with 3,000,000 or more inhabitants, notice
9 shall not be mailed to any person when, under Section 14-15, a
10 certificate of error has been executed by the county assessor
11 or by both the county assessor and board of appeals (until the
12 first Monday in December 1998 and the board of review beginning
13 the first Monday in December 1998 and thereafter), except as
14 provided by court order under Section 21-120.

15 The collector shall collect \$10 from the proceeds of each
16 sale to cover the costs of ~~registered or certified~~ mailing and
17 the costs of advertisement and publication. If a taxpayer pays
18 the taxes on the property after the notice of the forthcoming
19 application for judgment and sale is mailed but before the sale
20 is made, then the collector shall collect \$10 from the taxpayer
21 to cover the costs of ~~registered or certified~~ mailing and the
22 costs of advertisement and publication.

23 (Source: P.A. 93-899, eff. 8-10-04.)

24 Section 99. Effective date. This Act takes effect January
25 1, 2014.