



Sen. John G. Mulroe

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09800SB1724sam002

LRB098 06630 HEP 56489 a

1 AMENDMENT TO SENATE BILL 1724

2 AMENDMENT NO. _____. Amend Senate Bill 1724, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Code of Civil Procedure is amended by
6 adding Section 2-214 as follows:

7 (735 ILCS 5/2-214 new)

8 Sec. 2-214. Service of process on parties that use a post
9 office box.

10 (a) If a person, corporation, agent or officer of a
11 corporation, or member of a limited liability company uses a
12 post office box as a principal mailing address, the court may
13 enter an order allowing service of process by having a person
14 authorized to serve process under Section 2-202 of this Code
15 mail a copy of the process via both regular and certified mail.

16 (b) Before an order may be entered allowing service of

1 process in the manner provided under this Section:

2 (1) a petition asking for leave to serve process as
3 provided in this Section shall be filed, and shall have
4 attached to it an affidavit, executed by the person
5 authorized to serve process, confirming that (i) the
6 person, corporation, agent or officer of the corporation,
7 or member of the limited liability company uses a post
8 office box as a principal mailing address; and (ii) the
9 person serving the process has been unable to serve process
10 by other means; and

11 (2) the court shall make a finding that service as
12 provided in this Section will result in substantial justice
13 to the parties, taking into account the following:

14 (A) whether all reasonable efforts have been made
15 to locate the person, corporation, agent or officer of
16 a corporation, or member of a limited liability company
17 and whether the efforts have been unsuccessful;

18 (B) evidence of a business address of the person,
19 corporation, agent or officer of a corporation, or
20 member of a limited liability company;

21 (C) unsuccessful attempts to locate the person,
22 corporation, agent or officer of a corporation, or
23 member of a limited liability company;

24 (D) unsuccessful attempts to accomplish service of
25 process;

26 (E) the nature of the case; and

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(F) any other factor the court deems relevant."