

1 AN ACT concerning mineral leases.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. 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;
23 and any failure so to do after notice and demand, shall
24 constitute a petty offense.

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

26 (765 ILCS 510/2) (from Ch. 96 1/2, par. 4402)

27 Sec. 2. Whenever ~~the lessee of~~ any coal, oil, gas, or
28 other mineral lease shall terminate and the lessee, his, her,
29 or their heirs, representatives, successors, or assigns
30 ~~lands, or the person, firm, company or corporation, owning,~~

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

26 (Source: P.A. 84-1308.)