



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/04/04, by Thomas Holbrook

SYNOPSIS AS INTRODUCED:

35 ILCS 516/395
35 ILCS 516/402

Amends the Mobile Home Local Services Tax Enforcement Act. In any tax sale proceeding in which the tax purchaser is a county acting as trustee for taxing districts, makes inapplicable the requirement that an order for the issuance of a tax certificate of title under the Act shall not be entered affecting the title to or interest in any mobile home in which a city, village, or incorporated town has an interest under the police and welfare power by advancements made from public funds, until the purchaser or assignee makes reimbursement to the city, village, or incorporated town of the money so advanced or the city, village, or town waives its lien on the mobile home for the money so advanced. Provides that the requirement that a person who has a certificate of purchase and obtains a court order directing the issuance of a tax certificate of title for a mobile home located on a lot in a manufactured home community must follow certain rules with respect to that community does not apply if that person is a county acting as trustee for taxing districts. Provides that these changes are declarative of existing law. Effective immediately.

LRB093 17794 SJM 43474 b

1 AN ACT concerning taxes.

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

4 Section 5. The Mobile Home Local Services Tax Enforcement
5 Act is amended by changing Sections 395 and 402 as follows:

6 (35 ILCS 516/395)

7 Sec. 395. Reimbursement of municipality before issuance of
8 tax certificate of title. Except in any proceeding in which the
9 tax purchaser is a county acting as trustee for taxing
10 districts as provided in Section 35, an order for the issuance
11 of a tax certificate of title under this Act shall not be
12 entered affecting the title to or interest in any mobile home
13 in which a city, village, or incorporated town has an interest
14 under the police and welfare power by advancements made from
15 public funds, until the purchaser or assignee makes
16 reimbursement to the city, village, or incorporated town of the
17 money so advanced or the city, village, or town waives its lien
18 on the mobile home for the money so advanced. However, in lieu
19 of reimbursement or waiver, the purchaser or his or her
20 assignee may make application for and the court shall order
21 that the tax purchase be set aside as a sale in error. A filing
22 or appearance fee shall not be required of a city, village, or
23 incorporated town seeking to enforce its claim under this
24 Section in a tax certificate of title proceeding.

25 The changes made by this amendatory Act of the 93rd General
26 Assembly are intended to be declarative of existing law.

27 (Source: P.A. 92-807, eff. 1-1-03.)

28 (35 ILCS 516/402)

29 Sec. 402. Mobile homes located in manufactured home
30 community; requirements. The person, except any county acting
31 as trustee for taxing districts as provided in Section 35, who

1 has a certificate of purchase and obtains a court order
2 directing the issuance of a tax certificate of title under
3 Section 400 for a mobile home located on a lot in a
4 manufactured home community is liable for lot rent (at the
5 prevailing rate) beginning on the date of the entry of the
6 court order and shall either (i) qualify for tenancy in the
7 manufactured home community in accordance with the community's
8 normal tenant qualification and screening procedures or (ii)
9 remove the mobile home from the lot no later than 30 days after
10 the date of the entry of the court order.

11 The changes made by this amendatory Act of the 93rd General
12 Assembly are intended to be declarative of existing law.

13 (Source: P.A. 92-807, eff. 1-1-03.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.