

HB0307



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0307

Introduced 1/23/2009, by Rep. Robert Rita

SYNOPSIS AS INTRODUCED:

35 ILCS 200/21-295

Amends the Property Tax Code. Provides that, in counties of 3,000,000 or more inhabitants, each person purchasing property at a sale under the Code must pay to the county collector an additional fee equal to 5% of the taxes, interest, and penalties paid by the purchaser. Effective immediately.

LRB096 02879 HLH 12893 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 21-295 as follows:

6 (35 ILCS 200/21-295)

7 Sec. 21-295. Creation of indemnity fund.

8 (a) In counties of less than 3,000,000 inhabitants, each
9 person purchasing any property at a sale under this Code shall
10 pay to the County Collector, prior to the issuance of any
11 certificate of purchase, a fee of \$20 for each item purchased.
12 A like sum shall be paid for each year that all or a portion of
13 subsequent taxes are paid by the tax purchaser and posted to
14 the tax judgment, sale, redemption and forfeiture record where
15 the underlying certificate of purchase is recorded.

16 (a-5) In counties of 3,000,000 or more inhabitants, each
17 person purchasing property at a sale under this Code shall pay
18 to the County Collector a fee of \$80 for each item purchased
19 plus an additional sum equal to 5% of taxes, interest, and
20 penalties paid by the purchaser, including the taxes, interest,
21 and penalties paid under Section 21-240. In these counties, the
22 certificate holder shall also pay to the County Collector a fee
23 of \$80 for each year that all or a portion of subsequent taxes

1 are paid by the tax purchaser and posted to the tax judgment,
2 sale, redemption, and forfeiture record, plus an additional sum
3 equal to 5% of all subsequent taxes, interest, and penalties.
4 ~~The additional 5% fees are not required after December 31,~~
5 ~~2006.~~ The changes to this subsection made by this amendatory
6 Act of the 91st General Assembly are not a new enactment, but
7 declaratory of existing law.

8 (b) The amount paid prior to issuance of the certificate of
9 purchase pursuant to subsection (a) or (a-5) shall be included
10 in the purchase price of the property in the certificate of
11 purchase and all amounts paid under this Section shall be
12 included in the amount required to redeem under Section 21-355.
13 Except as otherwise provided in subsection (b) of Section
14 21-300, all money received under subsection (a) or (a-5) shall
15 be paid by the Collector to the County Treasurer of the County
16 in which the land is situated, for the purpose of an indemnity
17 fund. The County Treasurer, as trustee of that fund, shall
18 invest all of that fund, principal and income, in his or her
19 hands from time to time, if not immediately required for
20 payments of indemnities under subsection (a) of Section 21-305,
21 in investments permitted by the Illinois State Board of
22 Investment under Article 22A of the Illinois Pension Code. The
23 county collector shall report annually to the county clerk on
24 the condition and income of the fund. The indemnity fund shall
25 be held to satisfy judgments obtained against the County
26 Treasurer, as trustee of the fund. No payment shall be made

1 from the fund, except upon a judgment of the court which
2 ordered the issuance of a tax deed.

3 (Source: P.A. 94-412, eff. 8-2-05.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.