



Rep. Daniel V. Beiser

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09800HB5395ham002

LRB098 17753 HEP 58291 a

1 AMENDMENT TO HOUSE BILL 5395

2 AMENDMENT NO. _____. Amend House Bill 5395, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Code of Civil Procedure is amended by
6 adding Section 9-122 as follows:

7 (735 ILCS 5/9-122 new)

8 Sec. 9-122. Judgment for possession; enforcement.
9 Notwithstanding any other provision of law, in a county with a
10 population of 3,000,000 or more, the following apply:

11 (1) The number of motions a tenant may file to stay the
12 enforcement of an order for possession is limited to 2,
13 unless good cause for an additional stay is shown by
14 written motion filed with the court and served upon the
15 plaintiff.

16 (2) The sheriff shall evict the tenant within 45 days

1 from the date of expiration of the stay of enforcement of
2 the order for possession entered by the court. If a motion
3 for stay of enforcement of an order for possession is filed
4 and denied by the court, the sheriff shall evict the tenant
5 within 45 days of the denial. If a stay of the enforcement
6 of an order of possession is granted, the sheriff shall
7 evict the tenant within 45 days from the date of the
8 expiration of the stay of enforcement of the order for
9 possession.

10 (3) If the sheriff does not evict the tenant within the
11 time specified by paragraph (2) of this Section, a peace
12 officer, as that term is defined in Section 2-13 of the
13 Criminal Code of 2012, is authorized to execute the order
14 for possession."