

1 AN ACT concerning civil law.

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

4 Section 5. The Illinois Housing Development Act is amended  
5 by changing Section 7.31 as follows:

6 (20 ILCS 3805/7.31)

7 Sec. 7.31. Abandoned Residential Property Municipality  
8 Relief Program.

9 (a) The Authority shall establish and administer an  
10 Abandoned Residential Property Municipality Relief Program.  
11 The Authority shall use moneys in the Abandoned Residential  
12 Property Municipality Relief Fund, and any other funds  
13 appropriated for this purpose, to make grants to municipalities  
14 and to counties to assist with costs incurred by the  
15 municipality or county for: cutting of neglected weeds or  
16 grass, trimming of trees or bushes, and removal of nuisance  
17 bushes or trees; extermination of pests or prevention of the  
18 ingress of pests; removal of garbage, debris, and graffiti;  
19 boarding up, closing off, or locking windows or entrances or  
20 otherwise making the interior of a building inaccessible to the  
21 general public; surrounding part or all of an abandoned  
22 residential property's underlying parcel with a fence or wall  
23 or otherwise making part or all of the abandoned residential

1 property's underlying parcel inaccessible to the general  
2 public; demolition of abandoned residential property; and  
3 repair or rehabilitation of abandoned residential property, as  
4 approved by the Authority under the Program. For purposes of  
5 this subsection (a), "pests" has the meaning ascribed to that  
6 term in subsection (c) of Section 11-20-8 of the Illinois  
7 Municipal Code. The Authority shall promulgate rules for the  
8 administration, operation, and maintenance of the Program and  
9 may adopt emergency rules as soon as practicable to begin  
10 implementation of the Program.

11 (b) Subject to appropriation, the Authority shall make  
12 grants from the Abandoned Residential Property Municipality  
13 Relief Fund derived from fees paid as specified in paragraph  
14 (1) of subsection (a-5) of Section 15-1504.1 and subsection (a)  
15 of Section 15-1507.1 of the Code of Civil Procedure as follows:

16 (1) 30% of the moneys in the Fund shall be used to make  
17 grants to municipalities other than the City of Chicago in  
18 Cook County and to Cook County;

19 (2) 25% of the moneys in the Fund shall be used to make  
20 grants to the City of Chicago;

21 (3) 30% of the moneys in the Fund shall be used to make  
22 grants to municipalities in DuPage, Kane, Lake, McHenry and  
23 Will Counties, and to those counties; and

24 (4) 15% of the moneys in the Fund shall be used to make  
25 grants to municipalities in Illinois in counties other than  
26 Cook, DuPage, Kane, Lake, McHenry, and Will Counties, and

1 to counties other than Cook, DuPage, Kane, Lake, McHenry,  
2 and Will Counties. Grants distributed to the  
3 municipalities and counties identified in this paragraph  
4 (4) shall be based (i) proportionately on the amount of  
5 fees paid to the respective clerks of the courts within  
6 these counties and (ii) on any other factors that the  
7 Authority deems appropriate.

8 (Source: P.A. 96-1419, eff. 10-1-10; 97-1164, eff. 6-1-13.)

9 Section 10. The Code of Civil Procedure is amended by  
10 changing Sections 15-1504.1, 15-1505.8, and 15-1507.1 as  
11 follows:

12 (735 ILCS 5/15-1504.1)

13 Sec. 15-1504.1. Filing fee for Foreclosure Prevention  
14 Program Fund and Abandoned Residential Property Municipality  
15 Relief Fund.

16 (a) Fee paid by all plaintiffs with respect to residential  
17 real estate. With respect to residential real estate, at the  
18 time of the filing of a foreclosure complaint, the plaintiff  
19 shall pay to the clerk of the court in which the foreclosure  
20 complaint is filed a fee of \$50 for deposit into the  
21 Foreclosure Prevention Program Fund, a special fund created in  
22 the State treasury. The clerk shall remit the fee collected  
23 pursuant to this subsection (a) to the State Treasurer to be  
24 expended for the purposes set forth in Section 7.30 of the

1 Illinois Housing Development Act. All fees paid by plaintiffs  
2 to the clerk of the court as provided in this subsection (a)  
3 shall be disbursed within 60 days after receipt by the clerk of  
4 the court as follows: (i) 98% to the State Treasurer for  
5 deposit into the Foreclosure Prevention Program Fund, and (ii)  
6 2% to the clerk of the court to be retained by the clerk for  
7 deposit into the Circuit Court Clerk Operation and  
8 Administrative Fund to defray ~~for~~ administrative expenses  
9 related to implementation of this subsection (a).  
10 Notwithstanding any other law to the contrary, the Foreclosure  
11 Prevention Program Fund is not subject to sweeps,  
12 administrative charge-backs, or any other fiscal maneuver that  
13 would in any way transfer any amounts from the Foreclosure  
14 Prevention Program Fund into any other fund of the State.

15 (a-5) Additional fee paid by plaintiffs with respect to  
16 residential real estate.

17 (1) Until January 1, 2018, with respect to residential  
18 real estate, at the time of the filing of a foreclosure  
19 complaint and in addition to the fee set forth in  
20 subsection (a) of this Section, the plaintiff shall pay to  
21 the clerk of the court in which the foreclosure complaint  
22 is filed a fee for the Foreclosure Prevention Program Fund  
23 and the Abandoned Residential Property Municipality Relief  
24 Fund as follows:

25 (A) The fee shall be \$500 if:

26 (i) the plaintiff, together with its

1 affiliates, has filed a sufficient number of  
2 foreclosure complaints so as to be included in the  
3 first tier foreclosure filing category and is  
4 filing the complaint on its own behalf as the  
5 holder of the indebtedness; or

6 (ii) the plaintiff, together with its  
7 affiliates, has filed a sufficient number of  
8 foreclosure complaints so as to be included in the  
9 first tier foreclosure filing category and is  
10 filing the complaint on behalf of a mortgagee that,  
11 together with its affiliates, has filed a  
12 sufficient number of foreclosure complaints so as  
13 to be included in the first tier foreclosure filing  
14 category; or

15 (iii) the plaintiff is not a depository  
16 institution and is filing the complaint on behalf  
17 of a mortgagee that, together with its affiliates,  
18 has filed a sufficient number of foreclosure  
19 complaints so as to be included in the first tier  
20 foreclosure filing category.

21 (B) The fee shall be \$250 if:

22 (i) the plaintiff, together with its  
23 affiliates, has filed a sufficient number of  
24 foreclosure complaints so as to be included in the  
25 second tier foreclosure filing category and is  
26 filing the complaint on its own behalf as the

1 holder of the indebtedness; or

2 (ii) the plaintiff, together with its  
3 affiliates, has filed a sufficient number of  
4 foreclosure complaints so as to be included in the  
5 first or second tier foreclosure filing category  
6 and is filing the complaint on behalf of a  
7 mortgagee that, together with its affiliates, has  
8 filed a sufficient number of foreclosure  
9 complaints so as to be included in the second tier  
10 foreclosure filing category; or

11 (iii) the plaintiff, together with its  
12 affiliates, has filed a sufficient number of  
13 foreclosure complaints so as to be included in the  
14 second tier foreclosure filing category and is  
15 filing the complaint on behalf of a mortgagee that,  
16 together with its affiliates, has filed a  
17 sufficient number of foreclosure complaints so as  
18 to be included in the first tier foreclosure filing  
19 category; or

20 (iv) the plaintiff is not a depository  
21 institution and is filing the complaint on behalf  
22 of a mortgagee that, together with its affiliates,  
23 has filed a sufficient number of foreclosure  
24 complaints so as to be included in the second tier  
25 foreclosure filing category.

26 (C) The fee shall be \$50 if:

1           (i) the plaintiff, together with its  
2 affiliates, has filed a sufficient number of  
3 foreclosure complaints so as to be included in the  
4 third tier foreclosure filing category and is  
5 filing the complaint on its own behalf as the  
6 holder of the indebtedness; or

7           (ii) the plaintiff, together with its  
8 affiliates, has filed a sufficient number of  
9 foreclosure complaints so as to be included in the  
10 first, second, or third tier foreclosure filing  
11 category and is filing the complaint on behalf of a  
12 mortgagee that, together with its affiliates, has  
13 filed a sufficient number of foreclosure  
14 complaints so as to be included in the third tier  
15 foreclosure filing category; or

16           (iii) the plaintiff, together with its  
17 affiliates, has filed a sufficient number of  
18 foreclosure complaints so as to be included in the  
19 third tier foreclosure filing category and is  
20 filing the complaint on behalf of a mortgagee that,  
21 together with its affiliates, has filed a  
22 sufficient number of foreclosure complaints so as  
23 to be included in the first tier foreclosure filing  
24 category; or

25           (iv) the plaintiff, together with its  
26 affiliates, has filed a sufficient number of

1 foreclosure complaints so as to be included in the  
2 third tier foreclosure filing category and is  
3 filing the complaint on behalf of a mortgagee that,  
4 together with its affiliates, has filed a  
5 sufficient number of foreclosure complaints so as  
6 to be included in the second tier foreclosure  
7 filing category; or

8 (v) the plaintiff is not a depository  
9 institution and is filing the complaint on behalf  
10 of a mortgagee that, together with its affiliates,  
11 has filed a sufficient number of foreclosure  
12 complaints so as to be included in the third tier  
13 foreclosure filing category.

14 (2) The clerk shall remit the fee collected pursuant to  
15 paragraph (1) of this subsection (a-5) to the State  
16 Treasurer to be expended for the purposes set forth in  
17 Sections 7.30 and 7.31 of the Illinois Housing Development  
18 Act and for administrative expenses. All fees paid by  
19 plaintiffs to the clerk of the court as provided in  
20 paragraph (1) shall be disbursed within 60 days after  
21 receipt by the clerk of the court as follows:

22 (A) 28% to the State Treasurer for deposit into the  
23 Foreclosure Prevention Program Fund;

24 (B) 70% to the State Treasurer for deposit into the  
25 Abandoned Residential Property Municipality Relief  
26 Fund; and



1 (C) 2% to the clerk of the court to be retained by  
2 the clerk for deposit into the Circuit Court Clerk  
3 Operation and Administrative Fund to defray for  
4 administrative expenses related to implementation of  
5 this subsection (a-5).

6 (3) Until January 1, 2018, with respect to residential  
7 real estate, at the time of the filing of a foreclosure  
8 complaint, the plaintiff or plaintiff's representative  
9 shall file a verified statement that states which  
10 additional fee is due under paragraph (1) of subsection  
11 (a-5), unless the court has established another process for  
12 a plaintiff or plaintiff's representative to certify which  
13 additional fee is due under paragraph (1) of subsection  
14 (a-5).

15 ~~(3) To determine whether a plaintiff is subject to the~~  
16 ~~fee as set forth in paragraph (1) of this subsection (a-5),~~  
17 ~~a person, including the clerk of the court, may rely on:~~

18 ~~(A) a verified statement filed by the plaintiff at~~  
19 ~~the time of filing the foreclosure complaint that~~  
20 ~~states whether the plaintiff has an obligation to pay~~  
21 ~~an additional fee as set forth in subsection (a-5) and~~  
22 ~~if so whether the fee is due under subparagraph (A),~~  
23 ~~(B), or (C) of paragraph (1) of subsection (a-5); or~~

24 ~~(B) such other processes established by the clerk~~  
25 ~~of the court for plaintiffs to certify their~~  
26 ~~eligibility for the exemption from the additional fee~~

1 ~~set forth in subsection (a-5).~~

2 (4) If a plaintiff fails to provide the clerk of the  
3 court with a true and correct statement of the additional  
4 fee due under paragraph (1) of subsection (a-5), and the  
5 mortgagor reimburses the plaintiff for any erroneous  
6 additional fee that was paid by the plaintiff to the clerk  
7 of the court, the mortgagor may seek a refund of any  
8 overpayment of the fee in an amount that shall not exceed  
9 the difference between the higher additional fee paid under  
10 paragraph (1) of this subsection (a-5) and the actual fee  
11 due thereunder. The mortgagor must petition the judge  
12 within the foreclosure action for the award of any fee  
13 overpayment pursuant to this paragraph (4) of subsection  
14 (a-5), and the award shall be determined by the judge and  
15 paid by the clerk of the court out of the fund account into  
16 which the clerk of the court deposits fees to be remitted  
17 to the State Treasurer under paragraph (2) of subsection  
18 (a-5), the timing of which refund payment shall be  
19 determined by the clerk of the court based upon the  
20 availability of funds in the subject fund account. This  
21 refund shall be the mortgagor's sole remedy and a mortgagor  
22 shall have no private right of action against the plaintiff  
23 or plaintiff's representatives if the additional fee paid  
24 by the plaintiff was erroneous.

25 (5) This subsection (a-5) is inoperative on and after  
26 January 1, 2018.

1 (b) Not later than March 1 of each year, the clerk of the  
2 court shall submit to the Illinois Housing Development  
3 Authority a report of the funds collected and remitted pursuant  
4 to this Section during the preceding year.

5 (c) As used in this Section:

6 "Affiliate" means any company that controls, is controlled  
7 by, or is under common control with another company.

8 "Approved counseling agency" and "approved housing  
9 counseling" have the meanings ascribed to those terms in  
10 Section 7.30 of the Illinois Housing Development Act.

11 "Depository institution" means a bank, savings bank,  
12 savings and loan association, or credit union chartered,  
13 organized, or holding a certificate of authority to do business  
14 under the laws of this State, another state, or the United  
15 States.

16 "First tier foreclosure filing category" is a  
17 classification that only applies to a plaintiff that has filed  
18 175 or more foreclosure complaints on residential real estate  
19 located in Illinois during the calendar year immediately  
20 preceding the date of the filing of the subject foreclosure  
21 complaint.

22 "Second tier foreclosure filing category" is a  
23 classification that only applies to a plaintiff that has filed  
24 at least 50, but no more than 174, foreclosure complaints on  
25 residential real estate located in Illinois during the calendar  
26 year immediately preceding the date of the filing of the

1 subject foreclosure complaint.

2 "Third tier foreclosure filing category" is a  
3 classification that only applies to a plaintiff that has filed  
4 no more than 49 foreclosure complaints on residential real  
5 estate located in Illinois during the calendar year immediately  
6 preceding the date of the filing of the subject foreclosure  
7 complaint.

8 (d) In no instance shall the fee set forth in subsection  
9 (a-5) be assessed for any foreclosure complaint filed before  
10 the effective date of this amendatory Act of the 97th General  
11 Assembly.

12 (e) Notwithstanding any other law to the contrary, the  
13 Abandoned Residential Property Municipality Relief Fund is not  
14 subject to sweeps, administrative charge-backs, or any other  
15 fiscal maneuver that would in any way transfer any amounts from  
16 the Abandoned Residential Property Municipality Relief Fund  
17 into any other fund of the State.

18 (Source: P.A. 96-1419, eff. 10-1-10; 97-333, eff. 8-12-11;  
19 97-1164, eff. 6-1-13.)

20 (735 ILCS 5/15-1505.8)

21 (This Section may contain text from a Public Act with a  
22 delayed effective date)

23 Sec. 15-1505.8. Expedited judgment and sale procedure for  
24 abandoned residential property.

25 (a) Upon motion and notice, the mortgagee may elect to

1 utilize the expedited judgment and sale procedure for abandoned  
2 residential property stated in this Section to obtain a  
3 judgment of foreclosure pursuant to Section 15-1506. The motion  
4 to expedite the judgment and sale may be combined with or made  
5 part of the motion requesting a judgment of foreclosure. The  
6 notice of the motion to expedite the judgment and sale shall be  
7 sent by first-class mail to the last known address of the  
8 mortgagor, and the notice required by paragraph (1) of  
9 subsection (1) of this Section shall be posted at the property  
10 address.

11 (b) The motion requesting an expedited judgment of  
12 foreclosure and sale may be filed by the mortgagee at the time  
13 the foreclosure complaint is filed or any time thereafter, and  
14 shall set forth the facts demonstrating that the mortgaged real  
15 estate is abandoned residential real estate under Section  
16 15-1200.5 and shall be supported by affidavit.

17 (c) If a motion for an expedited judgment and sale is filed  
18 at the time the foreclosure complaint is filed or before the  
19 period to answer the foreclosure complaint has expired, the  
20 motion shall be heard by the court no earlier than before the  
21 period to answer the foreclosure complaint has expired and no  
22 later than 21 ~~15~~ days after the period to answer the  
23 foreclosure complaint has expired.

24 (d) If a motion for an expedited judgment and sale is filed  
25 after the period to answer the foreclosure complaint has  
26 expired, the motion shall be heard no later than 21 ~~15~~ days

1 after the motion is filed.

2 (e) The hearing shall be given priority by the court and  
3 shall be scheduled to be heard within the applicable time  
4 period set forth in subsection (c) or (d) of this Section.

5 (f) Subject to subsection (g), at the hearing on the motion  
6 requesting an expedited judgment and sale, if the court finds  
7 that the mortgaged real estate is abandoned residential  
8 property, the court shall grant the motion and immediately  
9 proceed to a trial of the foreclosure. A judgment of  
10 foreclosure under this Section shall include the matters  
11 identified in Section 15-1506.

12 (g) The court may not grant the motion requesting an  
13 expedited judgment and sale if the mortgagor, an unknown owner,  
14 or a lawful occupant appears in the action in any manner before  
15 or at the hearing and objects to a finding of abandonment.

16 (h) The court shall vacate an order issued pursuant to  
17 subsection (f) of this Section if the mortgagor or a lawful  
18 occupant appears in the action at any time prior to the court  
19 issuing an order confirming the sale pursuant to subsection  
20 (b-3) of Section 15-1508 and presents evidence establishing to  
21 the satisfaction of the court that the mortgagor or lawful  
22 occupant has not abandoned the mortgaged real estate.

23 (i) The reinstatement period and redemption period for the  
24 abandoned residential property shall end in accordance with  
25 paragraph (4) of subsection (b) of Section 15-1603, and the  
26 abandoned residential property shall be sold at the earliest

1 practicable time at a sale as provided in this Article.

2 (j) The mortgagee or its agent may enter, secure, and  
3 maintain abandoned residential property subject to subsection  
4 (e-5) of Section 21-3 of the Criminal Code of 2012.

5 (k) Personal property.

6 (1) Upon confirmation of the sale held pursuant to  
7 Section 15-1507, any personal property remaining in or upon  
8 the abandoned residential property shall be deemed to have  
9 been abandoned by the owner of such personal property and  
10 may be disposed of or donated by the holder of the  
11 certificate of sale (or, if none, by the purchaser at the  
12 sale). In the event of donation of any such personal  
13 property, the holder of the certificate of sale (or, if  
14 none, the purchaser at the sale) may transfer such donated  
15 property with a bill of sale. No mortgagee or its  
16 successors or assigns, holder of a certificate of sale, or  
17 purchaser at the sale shall be liable for any such disposal  
18 or donation of personal property.

19 (2) Notwithstanding paragraph (1) of this subsection  
20 (k), in the event a lawful occupant is in possession of the  
21 mortgaged real estate who has not been made a party to the  
22 foreclosure and had his or her interests terminated  
23 therein, any personal property of the lawful occupant shall  
24 not be deemed to have been abandoned, nor shall the rights  
25 of the lawful occupant to any personal property be  
26 affected.

1 (1) Notices to be posted at property address.

2 (1) The notice set out in this paragraph (1) of this  
3 subsection (1) shall be conspicuously posted at the  
4 property address at least 14 days before the hearing on the  
5 motion requesting an expedited judgment and sale and shall  
6 be in boldface, in at least 12 point type, and in  
7 substantially the following form:

8 "NOTICE TO ANY TENANT OR OTHER LAWFUL  
9 OCCUPANT OF THIS PROPERTY

10 A lawsuit has been filed to foreclose on this property, and the  
11 party asking to foreclose on this property has asked a judge to  
12 find that THIS PROPERTY IS ABANDONED.

13 The judge will be holding a hearing to decide whether this  
14 property is ABANDONED.

15 IF YOU LAWFULLY OCCUPY ANY PART OF THIS PROPERTY, YOU MAY  
16 CHOOSE TO GO TO THIS HEARING and explain to the judge how you  
17 are a lawful occupant of this property.

18 If the judge is satisfied that you are a LAWFUL OCCUPANT of  
19 this property, the court will find that this property is NOT  
20 ABANDONED.



1 This hearing will be held in the courthouse at the following  
2 address, date, and time:

3 Court name: .....

4 Court address: .....

5 Court room number where hearing will be held: .....

6 (There should be a person in this room called a CLERK who can  
7 help you. Make sure you know THIS PROPERTY'S ADDRESS.)

8 Date of hearing: .....

9 Time of hearing: .....

10 MORE INFORMATION

11 Name of lawsuit: .....

12 Number of lawsuit: .....

13 Address of this property: .....

14 IMPORTANT

15 This is NOT a notice to vacate the premises. You may wish to  
16 contact a lawyer or your local legal aid or housing counseling  
17 agency to discuss any rights that you may have.

18 WARNING

19 INTENTIONAL REMOVAL OF THIS NOTICE BEFORE THE DATE AND TIME

1 STATED IN THIS NOTICE IS A CLASS B MISDEMEANOR, PUNISHABLE BY  
2 UP TO 180 DAYS IN JAIL AND A FINE OF UP TO \$1500, UNDER ILLINOIS  
3 LAW. 720 ILCS 5/21-3(a).

4 NO TRESPASSING

5 KNOWINGLY ENTERING THIS PROPERTY WITHOUT LAWFUL AUTHORITY IS A  
6 CLASS B MISDEMEANOR, PUNISHABLE BY UP TO 180 DAYS IN JAIL AND A  
7 FINE OF UP TO \$1500, UNDER ILLINOIS LAW. 720 ILCS 5/21-3(a).".

8 (2) The notice set out in this paragraph (2) of this  
9 subsection (1) shall be conspicuously posted at the  
10 property address at least 14 days before the hearing to  
11 confirm the sale of the abandoned residential property and  
12 shall be in boldface, in at least 12 point type, and in  
13 substantially the following form:

14 "NOTICE TO ANY TENANT OR OTHER LAWFUL  
15 OCCUPANT OF THIS PROPERTY

16 A lawsuit has been filed to foreclose on this property, and the  
17 judge has found that THIS PROPERTY IS ABANDONED. As a result,  
18 THIS PROPERTY HAS BEEN OR WILL BE SOLD.

19 HOWEVER, there still must be a hearing for the judge to approve  
20 the sale. The judge will NOT APPROVE this sale if the judge  
21 finds that any person lawfully occupies any part of this

1 property.

2 IF YOU LAWFULLY OCCUPY ANY PART OF THIS PROPERTY, YOU MAY  
3 CHOOSE TO GO TO THIS HEARING and explain to the judge how you  
4 are a lawful occupant of this property. You also may appear  
5 BEFORE this hearing and explain to the judge how you are a  
6 lawful occupant of this property.

7 If the judge is satisfied that you are a LAWFUL OCCUPANT of  
8 this property, the court will find that this property is NOT  
9 ABANDONED, and there will be no sale of the property at this  
10 time.

11 This hearing will be held in the courthouse at the following  
12 address, date, and time:

13 Court name: .....

14 Court address: .....

15 Court room number where hearing will be held: .....

16 (There should be a person in this room called a CLERK who can  
17 help you. Make sure you know THIS PROPERTY'S ADDRESS.)

18 Date of hearing: .....

19 Time of hearing: .....

20 MORE INFORMATION

1 Name of lawsuit: .....

2 Number of lawsuit: .....

3 Address of this property: .....

4 IMPORTANT

5 This is NOT a notice to vacate the premises. You may wish to

6 contact a lawyer or your local legal aid or housing counseling

7 agency to discuss any rights that you may have.

8 WARNING

9 INTENTIONAL REMOVAL OF THIS NOTICE BEFORE THE DATE AND TIME

10 STATED IN THIS NOTICE IS A CLASS B MISDEMEANOR, PUNISHABLE BY

11 UP TO 180 DAYS IN JAIL AND A FINE OF UP TO \$1500, UNDER ILLINOIS

12 LAW. 720 ILCS 5/21-3(a).

13 NO TRESPASSING

14 KNOWINGLY ENTERING THIS PROPERTY WITHOUT LAWFUL AUTHORITY IS A

15 CLASS B MISDEMEANOR, PUNISHABLE BY UP TO 180 DAYS IN JAIL AND A

16 FINE OF UP TO \$1500, UNDER ILLINOIS LAW. 720 ILCS 5/21-3(a)."

17 (Source: P.A. 97-1164, eff. 6-1-13.)

18 (735 ILCS 5/15-1507.1)

19 (Section scheduled to be repealed on March 2, 2016)

1           Sec. 15-1507.1. Judicial sale fee for Abandoned  
2 Residential Property Municipality Relief Fund.

3           (a) Upon and at the sale of residential real estate under  
4 Section 15-1507, the purchaser shall pay to the person  
5 conducting the sale pursuant to Section 15-1507 a fee for  
6 deposit into the Abandoned Residential Property Municipality  
7 Relief Fund, a special fund created in the State treasury. The  
8 fee shall be calculated at the rate of \$1 for each \$1,000 or  
9 fraction thereof of the amount paid by the purchaser to the  
10 person conducting the sale, as reflected in the receipt of sale  
11 issued to the purchaser, provided that in no event shall the  
12 fee exceed \$300. No fee shall be paid by the mortgagee  
13 acquiring the residential real estate pursuant to its credit  
14 bid at the sale or by any mortgagee, judgment creditor, or  
15 other lienor acquiring the residential real estate whose rights  
16 in and to the residential real estate arose prior to the sale.  
17 Upon confirmation of the sale under Section 15-1508, the person  
18 conducting the sale shall remit the fee to the clerk of the  
19 court in which the foreclosure case is pending. The clerk shall  
20 remit the fee to the State Treasurer as provided in this  
21 Section, to be expended for the purposes set forth in Section  
22 7.31 of the Illinois Housing Development Act.

23           (b) All fees paid by purchasers as provided in this Section  
24 shall be disbursed within 60 days after receipt by the clerk of  
25 the court as follows: (i) 98% to the State Treasurer for  
26 deposit into the Abandoned Residential Property Municipality

1 Relief Fund, and (ii) 2% to the clerk of the court to be  
2 retained by the clerk for deposit into the Circuit Court Clerk  
3 Operation and Administrative Fund to defray ~~for~~ administrative  
4 expenses related to implementation of this Section.

5 (c) Not later than March 1 of each year, the clerk of the  
6 court shall submit to the Illinois Housing Development  
7 Authority a report of the funds collected and remitted during  
8 the preceding year pursuant to this Section.

9 (d) Subsections (a) and (b) of this Section shall become  
10 inoperative on January 1, 2016. This Section is repealed on  
11 March 2, 2016.

12 (Source: P.A. 96-1419, eff. 10-1-10.)

13 Section 99. Effective date. This Act takes effect June 1,  
14 2013.

1 INDEX

2 Statutes amended in order of appearance

3 20 ILCS 3805/7.31

4 735 ILCS 5/15-1504.1

5 735 ILCS 5/15-1505.8

6 735 ILCS 5/15-1507.1