

1 AN ACT in relation to nuisances.

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

4 Section 5. The Controlled Substance and Cannabis  
5 Nuisance Act is amended by changing Section 3.1 as follows:

6 (740 ILCS 40/3.1) (from Ch. 100 1/2, par. 16.1)

7 Sec. 3.1. Before the filing of a complaint under  
8 paragraph (c) of Section 3 of this Act, the State's Attorney  
9 shall, by personal service or by certified mail, provide to  
10 the owner of the place at which the nuisance is located, or  
11 the agent of the owner, written notice of the following:

12 (1) That a nuisance, as defined in this Act, exists  
13 at the place specified in the notice;

14 (2) That the owner of the place or his or her agent  
15 has 14 days from the mailing of the notice or 7 days from  
16 personal service of the notice to appear at the State's  
17 Attorney's Office at the address provided in the notice  
18 to arrange to take action to abate the nuisance; and

19 (3) That failure to appear at the State's  
20 Attorney's Office within the time indicated may result in  
21 the State's Attorney filing a complaint to enjoin the use  
22 of the owner's property for a period of one year.

23 If the owner of the place or his or her agent does not  
24 appear at the State's Attorney's Office as requested within  
25 the time periods prescribed above, the State's Attorney may  
26 file a complaint under Section 3 of this Act. If the owner or  
27 his or her agent appears before the State's Attorney in the  
28 time prescribed, the owner or his or her agent may agree to  
29 comply with reasonable recommendations requested by the  
30 State's Attorney designed to abate the nuisance. If the owner  
31 or his or her agent does not affirmatively agree to follow

1 the State's Attorney's recommendations, the State's Attorney  
2 may file a complaint under Section 3 of this Act. If the  
3 owner or his or her agent agrees to follow the State's  
4 Attorney's recommendations but subsequently fails to comply  
5 with those recommendations within 60 days of the owner's or  
6 his or her agent's appearance before the State's Attorney,  
7 the State's Attorney may proceed to file a complaint under  
8 Section 3 of this Act, except that in cases in which the  
9 prompt failure to file a complaint would not result in  
10 irreparable harm, loss, or damage, the State's Attorney  
11 shall, before the filing of the complaint, provide the owner  
12 of the place or his or her agent with written notification by  
13 personal service or by certified mail sent to the last known  
14 address of the owner or agent that he or she has failed to  
15 satisfactorily comply with the requested recommendations and  
16 that the State's Attorney intends to file a suit under  
17 Section 3 of this Act to abate the nuisance.

18 (Source: P.A. 87-765.)

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.