



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3569

Introduced 2/18/2025, by Rep. Jaime M. Andrade, Jr.

SYNOPSIS AS INTRODUCED:

35 ILCS 200/21-305
35 ILCS 200/22-10
35 ILCS 200/22-30
35 ILCS 200/22-40
35 ILCS 200/22-45
35 ILCS 200/22-55
35 ILCS 200/22-60
35 ILCS 200/22-75
35 ILCS 200/22-80
35 ILCS 200/22-85
35 ILCS 200/22-100 new
35 ILCS 200/22-105 new
35 ILCS 200/22-110 new
35 ILCS 200/22-115 new
35 ILCS 200/22-120 new

Amends the Property Tax Code. Provides that any owner who has an interest in the property on the date a tax deed petition is filed with the clerk of the circuit court may request an excess proceeds sale. Sets forth the form of the request for excess proceeds and the notice requirements for the excess proceeds sale. Provides for certain indemnity fund surcharges and fees. Makes other changes. Effective immediately.

LRB104 10280 HLH 20354 b

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 Sections 21-305 22-10, 22-30, 22-35, 22-40, 22-45, 22-55,
6 22-60, 22-75, 22-80, and 22-85 and by adding Sections 22-100,
7 22-105, 22-110, 22-115, and 22-120 as follows:

8 (35 ILCS 200/21-305)

9 Sec. 21-305. Payments from Indemnity Fund.

10 (a) Any owner of property sold under any provision of this
11 Code who sustains loss or damage by reason of the issuance of a
12 tax deed under Section 21-445 or 22-40 and who is barred or is
13 in any way precluded from bringing an action for the recovery
14 of the property shall have the right to indemnity for the loss
15 or damage sustained, limited as follows:

16 (1) An owner who resided on property that contained 4
17 or less dwelling units on the last day of the period of
18 redemption and who is equitably entitled to compensation
19 for the loss or damage sustained has the right to
20 indemnity. An equitable indemnity award shall be limited
21 to the fair cash value of the property as of the date the
22 tax deed was issued less any mortgages or liens on the
23 property, and the award will not exceed \$99,000. The Court

1 shall liberally construe this equitable entitlement
2 standard to provide compensation wherever, in the
3 discretion of the Court, the equities warrant the action.

4 An owner of a property that contained 4 or less
5 dwelling units who requests an award in excess of \$99,000
6 must prove that the loss of his or her property was not
7 attributable to his or her own fault or negligence before
8 an award in excess of \$99,000 will be granted.

9 (2) An owner who sustains the loss or damage of any
10 property occasioned by reason of the issuance of a tax
11 deed, without fault or negligence of his or her own, has
12 the right to indemnity limited to the fair cash value of
13 the property less any mortgages or liens on the property.
14 In determining the existence of fault or negligence, the
15 court shall consider whether the owner exercised ordinary
16 reasonable diligence under all of the relevant
17 circumstances.

18 (3) In determining the fair cash value of property
19 less any mortgages or liens on the property, the fair cash
20 value shall be reduced by the principal amount of all
21 taxes paid by the tax purchaser or his or her assignee
22 before the issuance of the tax deed.

23 (4) If an award made under paragraph (1) or (2) is
24 subject to a reduction by the amount of an outstanding
25 mortgage or lien on the property, other than the principal
26 amount of all taxes paid by the tax purchaser or his or her

1 assignee before the issuance of the tax deed and the
2 petitioner would be personally liable to the mortgagee or
3 lienholder for all or part of that reduction amount, the
4 court shall order an additional indemnity award to be paid
5 directly to the mortgagee or lienholder sufficient to
6 discharge the petitioner's personal liability. The court,
7 in its discretion, may order the joinder of the mortgagee
8 or lienholder as an additional party to the indemnity
9 action.

10 (b) Indemnity fund; subrogation.

11 (1) Any person claiming indemnity hereunder shall
12 petition the Court which ordered the tax deed to issue,
13 shall name the County Treasurer, as Trustee of the
14 indemnity fund, as defendant to the petition, and shall
15 ask that judgment be entered against the County Treasurer,
16 as Trustee, in the amount of the indemnity sought. The
17 provisions of the Civil Practice Law shall apply to
18 proceedings under the petition, except that neither the
19 petitioner nor County Treasurer shall be entitled to trial
20 by jury on the issues presented in the petition. The Court
21 shall liberally construe this Section to provide
22 compensation wherever in the discretion of the Court the
23 equities warrant such action.

24 (2) The County Treasurer, as Trustee of the indemnity
25 fund, shall be subrogated to all parties in whose favor
26 judgment may be rendered against him or her, and by

1 third-party ~~third-party~~ complaint may bring in as a
2 defendant any person, other than the tax deed grantee and
3 its successors in title, not a party to the action who is
4 or may be liable to him or her, as subrogee, for all or
5 part of the petitioner's claim against him or her.

6 (c) Any contract involving the proceeds of a judgment for
7 indemnity under this Section, between the tax deed grantee or
8 its successors in title and the indemnity petitioner or his or
9 her successors, shall be in writing. In any action brought
10 under Section 21-305, the Collector shall be entitled to
11 discovery regarding, but not limited to, the following:

12 (1) the identity of all persons beneficially
13 interested in the contract, directly or indirectly,
14 including at least the following information: the names
15 and addresses of any natural persons; the place of
16 incorporation of any corporation and the names and
17 addresses of its shareholders unless it is publicly held;
18 the names and addresses of all general and limited
19 partners of any partnership; the names and addresses of
20 all persons having an ownership interest in any entity
21 doing business under an assumed name, and the county in
22 which the assumed business name is registered; and the
23 nature and extent of the interest in the contract of each
24 person identified;

25 (2) the time period during which the contract was
26 negotiated and agreed upon, from the date of the first

1 direct or indirect contact between any of the contracting
2 parties to the date of its execution;

3 (3) the name and address of each natural person who
4 took part in negotiating the contract, and the identity
5 and relationship of the party that the person represented
6 in the negotiations; and

7 (4) the existence of an agreement for payment of
8 attorney's fees by or on behalf of each party.

9 Any information disclosed during discovery may be subject
10 to protective order as deemed appropriate by the court. The
11 terms of the contract shall not be used as evidence of value.

12 (d) A petition of indemnity under this Section must be
13 filed within 10 years after the date the tax deed was issued.

14 (e) Any owner who requests an excess proceeds sale
15 pursuant to Section 22-100 that results in a sale pursuant to
16 Section 22-105 shall not be entitled to any award under this
17 Section, regardless of whether any surplus was generated.

18 (Source: P.A. 97-557, eff. 7-1-12.)

19 (35 ILCS 200/22-10)

20 Sec. 22-10. Notice of expiration of period of redemption.
21 A purchaser or assignee shall not be entitled to a tax deed to
22 the property sold unless, not less than 3 months nor more than
23 6 months prior to the expiration of the period of redemption,
24 he or she gives notice of the sale and the date of expiration
25 of the period of redemption to the owners, occupants, and

1 parties interested in the property, including any mortgagee of
 2 record, as provided below. For counties or taxing districts
 3 holding certificates pursuant to Section 21-90, the date of
 4 expiration of the period of redemption shall be designated by
 5 the county or taxing district in its petition for tax deed and
 6 identified in the notice below, which shall be filed with the
 7 county clerk.

8 The Notice to be given to the parties shall be in at least
 9 10-point type in the following form completely filled in:

10 TAX DEED NO. FILED

11 TAKE NOTICE

12 County of

13 Date Premises Sold or Forfeited

14 Certificate No.

15 Sold or Forfeited for General Taxes of (year)

16 Sold for Special Assessment of (Municipality)
 17 and special assessment number

18 Warrant No. Inst. No.

19 THIS PROPERTY HAS BEEN SOLD FOR

20 DELINQUENT TAXES

21 Property Address (as identified on the most recent tax bill,
 22 if available)

23 Legal Description or Property Index No.

24

25

26 This notice is to advise you that the above property has

1 been sold for delinquent taxes and that the period of
2 redemption from the sale will expire on

3

4 Check with the county clerk as to the exact amount you owe
5 before redeeming.

6 This notice is also to advise you that a petition has been
7 filed for a tax deed which will transfer title and the right to
8 possession of this property if redemption is not made on or
9 before

10 This matter is set for hearing in the Circuit Court of this
11 county in, Illinois on

12 You may be present at this hearing but your right to redeem
13 will already have expired at that time.

14 YOU ARE URGED TO REDEEM IMMEDIATELY
15 TO PREVENT LOSS OF PROPERTY

16 Redemption can be made at any time on or before by
17 applying to the County Clerk of, County, Illinois at the
18 Office of the County Clerk in, Illinois.

19 For further information contact the County Clerk

20 IF YOU BELIEVE THAT YOUR PROPERTY HAS VALUE THAT EXCEEDS
21 THE TAX BURDEN ON THE PROPERTY, AND YOU DO NOT WANT TO LOSE
22 EQUITY YOU MAY HAVE IN THE PROPERTY, YOU MAY REQUEST AN EXCESS
23 PROCEEDS SALE BY NOTIFYING THE COUNTY CLERK OF YOUR REQUEST IN
24 WRITING. THE COUNTY CLERK SHALL PROVIDE THE FORM.

25 ADDRESS:.....

26 TELEPHONE AND/OR EMAIL ADDRESS:.....

1
 2 Purchaser or Assignee.
 3 Dated (insert date).

4 In counties with 3,000,000 or more inhabitants, the notice
 5 shall also state the address, room number, and time at which
 6 the matter is set for hearing.

7 The changes to this Section made by Public Act 97-557
 8 apply only to matters in which a petition for tax deed is filed
 9 on or after July 1, 2012 (the effective date of Public Act
 10 97-557).

11 The changes to this Section made by Public Act 102-1003
 12 apply to matters in which a petition for tax deed is filed on
 13 or after May 27, 2022 (the effective date of Public Act
 14 102-1003). Failure of any party or any public official to
 15 comply with the changes made to this Section by Public Act
 16 102-528 does not invalidate any tax deed issued prior to May
 17 27, 2022 (the effective date of Public Act 102-1003).

18 The changes made to this Section by this amendatory Act of
 19 the 103rd General Assembly apply to matters concerning tax
 20 certificates issued on or after the effective date of this
 21 amendatory Act of the 103rd General Assembly.

22 (Source: P.A. 102-528, eff. 1-1-22; 102-813, eff. 5-13-22;
 23 102-1003, eff. 5-27-22; 103-154, eff. 6-30-23; 103-555, eff.
 24 1-1-24.)

1 (35 ILCS 200/22-30)

2 Sec. 22-30. Petition for deed. At any time within 6 months
3 but not less than 3 months prior to the expiration of the
4 redemption period for property sold pursuant to judgment and
5 order of sale under Sections 21-110 through 21-120 or 21-260
6 or otherwise acquired by the county pursuant to Section 21-90,
7 the purchaser, or the agent pursuant to Section 21-90, may
8 file a petition in the circuit court in the same proceeding in
9 which the judgment and order of sale were entered, asking that
10 the court direct the county clerk to issue a tax deed if the
11 property is not redeemed from the sale. The petition shall be
12 accompanied by the statutory filing fee.

13 Notice of filing the petition and a date for redemption,
14 after which the petitioner intends to apply for an order to
15 issue a tax deed if the taxes are not redeemed, shall be given
16 to occupants, owners and persons interested in the property as
17 part of the notice provided in Sections 22-10 through 22-25,
18 except that only one publication is required. The county clerk
19 shall be notified of the filing of the petition and any person
20 owning or interested in the property may, if he or she desires,
21 appear in the proceeding.

22 Any owner may appear and object to the tax deed
23 petitioner's request for an order directing the county clerk
24 to issue the tax deed notwithstanding that a request for an
25 excess proceeds sale was made by any owner pursuant to Section

1 22-100.

2 The changes to this Section made by this amendatory Act of
3 the 95th General Assembly apply only to matters in which a
4 petition for tax deed is filed on or after the effective date
5 of this amendatory Act of the 95th General Assembly.

6 (Source: P.A. 103-555, eff. 1-1-24.)

7 (35 ILCS 200/22-40)

8 Sec. 22-40. Issuance of deed; possession.

9 (a) To obtain an order for issuance of tax deed, the
10 petitioner must provide sufficient evidence that:

11 (1) the redemption period has expired and the property
12 has not been redeemed;

13 (2) all taxes and special assessments which became due
14 and payable subsequent to the sale have been paid, unless
15 the county or its agent, as trustee pursuant to Section
16 21-90, is the petitioner;

17 (3) all forfeitures and sales which occur subsequent
18 to the sale are paid or redeemed, unless the county or its
19 agent, as trustee pursuant to Section 21-90, is the
20 petitioner;

21 (4) the notices required by law have been given, and
22 all advancements of public funds under the police power
23 made by a county, city, village, or town under Section
24 22-35 have been paid; and

25 (5) the petitioner has complied with all the

1 provisions of law entitling him or her to a deed.

2 Upon receipt of sufficient evidence of the requirements
3 under this subsection (a), the court shall find that the
4 petitioner complied with those requirements and shall enter an
5 order directing the county clerk, on the production of the tax
6 certificate and a certified copy of the order, to issue to the
7 purchaser or its assignee a tax deed. The court shall insist on
8 strict compliance with Section 22-10 through 22-25. Prior to
9 the entry of an order directing the issuance of a tax deed, the
10 petitioner shall furnish the court with a report of
11 proceedings of the evidence received on the application for
12 tax deed and the report of proceedings shall be filed and made
13 a part of the court record.

14 (a-5) If, at the time the order directing issuance of tax
15 deed is entered, no request for an excess proceeds sale has
16 been made pursuant to subsections (a) or (b) of Section
17 22-100, the order shall require the tax deed petitioner to
18 send via first-class mail to all parties that were named in the
19 tax deed proceeding and to any party entitled to receive
20 notice pursuant to Section 22-5, a copy of the order along with
21 a request for an excess proceeds sale form as set forth in
22 Section 22-100. The order and the request for excess proceeds
23 sale form shall be sent within 14 days after the order
24 directing issuance of tax deed is entered. The form shall list
25 the final date upon which a person may request an excess
26 proceeds sale under subsection (c) of Section 22-100. The tax

1 deed petitioner must file a notice of filing and certificate
2 of mailing in the tax deed proceeding that verifies that the
3 mailing occurred. The county clerk shall not issue any tax
4 deed prior to the ninety-first day after the entry of the order
5 unless proof is presented to the county clerk that the notice
6 required by this Section was timely mailed, except in cases
7 where a request for an excess proceeds sale was made pursuant
8 to subsection (a) or (b) of Section 22-100. If the notice set
9 forth in this Section is not mailed within 14 days after the
10 order is entered, the county clerk shall not issue a tax deed
11 until proof is presented to the clerk that the mailing
12 occurred. In that case, the county clerk shall issue a tax deed
13 only after 90 days have passed from the date the notice was
14 mailed. A copy of the file stamped notice of filing and
15 certificate of mailing filed in the tax deed proceeding is
16 satisfactory proof that the mailing occurred on the date
17 listed in the notice.

18 (a-10) Every order directing issuance of tax deed shall
19 list the total amount owed to the holder of the certificate of
20 purchase at the time the order is entered, which shall be paid
21 to the holder of the certificate of purchase if an excess
22 proceeds sale is held pursuant to Section 22-105. The total
23 amount due to the holder of the certificate of purchase shall
24 include the following amounts:

25 (1) the amount necessary to redeem the property from
26 the sale as of the last day of the period of redemption

1 plus interest of 16%;

2 (2) all taxes and special assessments paid or redeemed
3 by the tax purchaser or the purchaser's assignee that are
4 not included in the redemption amount, plus any indemnity
5 fund fees paid as required by subsection (e-5);

6 (3) court reporter fees for the hearing on the
7 application for tax deed and transcript of the hearing;

8 (4) amounts in satisfaction of municipal liens paid by
9 the tax purchaser or the tax purchaser's assignee; and

10 (5) reasonable attorney's fees.

11 (b) Except as provided in subsection (e), if taxes for
12 years prior to the year or years sold are or become delinquent
13 subsequent to the date of sale, the court shall find that the
14 lien of those delinquent taxes has been or will be merged into
15 the tax deed grantee's title if the court determines that the
16 tax deed grantee or any prior holder of the certificate of
17 purchase, or any person or entity under common ownership or
18 control with any such grantee or prior holder of the
19 certificate of purchase, was at no time the holder of any
20 certificate of purchase for the years sought to be merged. If
21 delinquent taxes are merged into the tax deed pursuant to this
22 subsection, the court shall enter an order declaring which
23 specific taxes have been or will be merged into the tax deed
24 title and directing the county treasurer and county clerk to
25 reflect that declaration in the warrant and judgment records;
26 provided, that no such order shall be effective until a tax

1 deed has been issued and timely recorded. Nothing contained in
2 this Section shall relieve any owner liable for delinquent
3 property taxes under this Code from the payment of the taxes
4 that have been merged into the title upon issuance of the tax
5 deed.

6 (c) The county clerk is entitled to a fee of \$10 in
7 counties of 3,000,000 or more inhabitants and \$5 in counties
8 with less than 3,000,000 inhabitants for the issuance of the
9 tax deed, with the exception of deeds issued to the county
10 pursuant to its authority under Section 21-90. The clerk may
11 not include in a tax deed more than one property as listed,
12 assessed and sold in one description, except in cases where
13 several properties are owned by one person. The fee paid to the
14 county clerk for the issuance of the tax deed shall be
15 accompanied by a \$300 indemnity fund fee in counties of
16 3,000,000 or more inhabitants and a \$100 indemnity fund fee in
17 counties with less than 3,000,000 inhabitants, with the
18 exception of deeds issued to the county pursuant to its
19 authority under Section 21-90. All fees received under this
20 subsection shall be paid by the county clerk to the county
21 treasurer of the county in which the land is situated for the
22 purpose of funding the county's indemnity fund established
23 under Section 21-295.

24 Upon application, l the court shall 7 enter an order to place
25 the tax deed grantee or the grantee's successor in interest in
26 possession of the property and may enter orders and grant

1 relief as may be necessary or desirable to maintain the
2 grantee or the grantee's successor in interest in possession.

3 (d) The court shall retain jurisdiction to enter orders
4 pursuant to subsections (b) and (c) of this Section. Public
5 Act 92-223 ~~This amendatory Act of the 92nd General Assembly~~
6 and Public Act 95-477 ~~this amendatory Act of the 95th General~~
7 ~~Assembly~~ shall be construed as being declarative of existing
8 law and not as a new enactment.

9 (e) Prior to the issuance of any tax deed under this
10 Section, the petitioner must redeem all taxes and special
11 assessments on the property that are subject to a pending tax
12 petition filed by a county or its assignee pursuant to Section
13 21-90.

14 (e-5) Following the expiration of the period of
15 redemption, the petitioner's payment of (i) any subsequent tax
16 and special assessment and (ii) any redemption of any sale of
17 subsequent taxes or forfeiture shall be accompanied by a 10%
18 indemnity fund fee to be paid by the petitioner. All fees
19 received under this subsection shall be paid by the collector
20 and county clerk to the county treasurer of the county in which
21 the land is situated for the purpose of funding the county's
22 indemnity fund established by Section 21-295. No fees incurred
23 under this subsection shall be posted to the subject tax sale
24 pursuant to Section 21-355.

25 (f) If, for any reason, a purchaser fails to obtain an
26 order for tax deed within the required time period and no sale

1 in error was granted or redemption paid, then the certificate
2 shall be forfeited to the county, as trustee, pursuant to
3 Section 21-90.

4 (Source: P.A. 103-555, eff. 1-1-24; revised 8-5-24.)

5 (35 ILCS 200/22-45)

6 Sec. 22-45. Tax deed incontestable unless order appealed
7 or relief petitioned.

8 (a) Tax deeds issued under Section 22-40 are incontestable
9 except by appeal from the order of the court directing the
10 county clerk to issue the tax deed. However, relief from such
11 order may be had under Sections 2-1203 or 2-1401 of the Code of
12 Civil Procedure in the same manner and to the same extent as
13 may be had under those Sections with respect to final orders
14 and judgments in other proceedings. The grounds for relief
15 under Section 2-1401 shall be limited to:

- 16 (1) proof that the taxes were paid prior to sale;
- 17 (2) proof that the property was exempt from taxation;
- 18 (3) proof by clear and convincing evidence that the
19 tax deed had been procured by fraud or deception by the tax
20 purchaser or his or her assignee; or
- 21 (4) proof by a person or party holding a recorded
22 ownership or other recorded interest in the property that
23 he or she was not named as a party in the publication
24 notice as set forth in Section 22-20, and that the tax
25 purchaser or his or her assignee did not make a diligent

1 inquiry and effort to serve that person or party with the
2 notices required by Sections 22-10 through 22-30.

3 (b) In cases of the sale of homestead property in counties
4 with 3,000,000 or more inhabitants, a tax deed may also be
5 voided by the court upon petition, filed not more than 3 months
6 after an order for tax deed was entered, if the court finds
7 that the property was owner occupied on the expiration date of
8 the period of redemption and that the order for deed was
9 effectuated pursuant to a negligent or willful error made by
10 an employee of the county clerk or county collector during the
11 period of redemption from the sale that was reasonably relied
12 upon to the detriment of any person having a redeemable
13 interest. In such a case, the tax purchaser shall be entitled
14 to the original amount required to redeem the property plus
15 interest from the sale as of the last date of redemption
16 together with costs actually expended subsequent to the
17 expiration of the period of redemption and reasonable
18 attorney's fees, all of which shall be dispensed from the fund
19 created by Section 21-295. If an excess proceeds sale has
20 occurred pursuant to Section 22-105, the successful purchaser
21 shall be entitled to the following amounts, all of which shall
22 be dispensed from the fund created by Section 21-295:

23 (1) the amount owed to the holder of the certificate
24 listed in the order directing issuance of tax deed, with
25 interest at the rate of 1% per month from the date the
26 successful purchaser paid his or her winning excess

1 proceeds sale bid until the date of payment pursuant to
2 this Section;

3 (2) all taxes and special assessments paid or redeemed
4 by the successful purchaser, the tax deed grantee, or or
5 the tax deed grantee's successors and assigns, after the
6 excess proceeds sale, with interest at the rate of 1% per
7 month from the date any such payment was made until the
8 date of payment pursuant to this Section;

9 (3) the cost of certification of tax deed order, the
10 cost of issuance of the tax deed, and the cost of recording
11 of the tax deed, which shall include any indemnity fund
12 fees as required by subsection (c) of Section 22-40;

13 (4) the total amount of any excess surplus paid by the
14 winning bidder at any excess proceeds sale, provided that
15 the amount bid was in excess of the total amount owed to
16 the holder of the certificate as listed in the order
17 directing issuance of tax deed; and

18 (5) reasonable attorney's fees and court costs
19 actually expended.

20 (c) The treasurer, as trustee of the county indemnity
21 fund, may file a motion with the court for the release of any
22 surplus funds held by the clerk of the circuit court as
23 provided in Section 22-120, and the court shall enter an order
24 requiring the clerk of the circuit court to release any
25 surplus funds from the excess proceeds sale to the treasurer
26 as trustee of the county indemnity fund.

1 ~~(d) In those cases of error where the court vacates the tax~~
2 ~~deed, it may award the petitioner reasonable attorney's fees~~
3 ~~and court costs actually expended, payable from that fund.~~ The
4 court hearing a petition filed under this Section or Section
5 2-1401 of the Code of Civil Procedure may concurrently hear a
6 petition filed under Section 21-295 and may grant relief under
7 any Section.

8 (e) Any owner who requests an excess proceeds sale
9 pursuant to Section 22-100 shall not be limited to any relief
10 from the order directing the county clerk to issue the tax deed
11 as provided in this Section and under and any motion filed
12 under Sections 2-1203 or 2-1401 of the Code of Civil Procedure
13 unless an excess proceeds sale occurs. Once the excess
14 proceeds sale occurs, any owner who made such a request shall
15 be limited to the results of any excess proceeds sale
16 regardless if any surplus funds exist. Any surplus funds shall
17 be recovered only pursuant to the requirements of Section
18 22-120.

19 This amendatory Act of the 95th General Assembly shall be
20 construed as being declarative of existing law and not as a new
21 enactment.

22 (Source: P.A. 95-477, eff. 6-1-08.)

23 (35 ILCS 200/22-55)

24 Sec. 22-55. Tax deeds to convey merchantable title.

25 (a) This Section shall be liberally construed so that tax

1 deeds shall convey merchantable title. In the event the
2 property has been taken by eminent domain under the Eminent
3 Domain Act, the tax purchaser shall be entitled to the award
4 which is the substitute for the property. Tax deeds issued
5 pursuant to this Section are subject to Section 22-70.

6 (b) Any conveyance from any tax deed grantee, including
7 any deed issued to the county, a specific county agency, or a
8 municipality, to a bona fide purchaser shall include a county
9 indemnity fund charge in the amount of 2.5% of the purchase
10 price, which shall be paid by the tax deed grantee. The
11 indemnity fund charge shall be collected by the Illinois
12 licensed title insurance company that issues an owner's policy
13 of title insurance from the tax deed grantee to the purchaser
14 and shall thereafter be paid by the title insurance company to
15 the county treasurer of the county in which the property is
16 located, as trustee of the indemnity fund established by
17 Section 21-295. The title insurance company may charge a
18 reasonable fee for the collection and turnover of those
19 charges. This subsection applies to conveyances that occur on
20 or after the effective date of this amendatory Act of the 104th
21 General Assembly.

22 (c) In counties of 3,000,000 or more inhabitants, any
23 conveyance from any tax deed grantee, including any deed that
24 is issued to the county, to a specific county agency, or to a
25 municipality, that is not covered in subsection (b) shall
26 include an indemnity fund fee of \$500 upon recording of the

1 deed from the tax deed grantee to any grantee. The \$500
2 indemnity fee received under this subsection shall be paid by
3 the county recorder or the county clerk to the county
4 treasurer of the county in which the land is situated and shall
5 be used for the purpose of funding the county's indemnity fund
6 established by Section 21-295.

7 (Source: P.A. 94-1055, eff. 1-1-07.)

8 (35 ILCS 200/22-60)

9 Sec. 22-60. Contents of deed; recording.

10 (a) Every tax deed shall contain the full names and the
11 true post office address and residence of the grantee. A
12 county receiving a tax deed pursuant to Section 21-90 may
13 designate a specific county agency to be named as the deed
14 grantee. It shall not be of any force or effect, and the
15 recipient shall not take title to the property, until after
16 the deed has been recorded in the office of the recorder.

17 (b) The cost of recording a tax deed, including, but not
18 limited to, a tax deed issued to a county, a specific county
19 agency, or a municipality, shall include a \$200 indemnity fund
20 surcharge fee. All surcharge fees received under this
21 subsection shall be paid by the county recorder or the county
22 clerk to the county treasurer of the county in which the land
23 is situated and shall be used for the purpose of funding the
24 county's indemnity fund established by Section 21-295.

25 (Source: P.A. 103-555, eff. 1-1-24.)

1 (35 ILCS 200/22-75)

2 Sec. 22-75. Deed; prima facie evidence of regularity of
3 sale.

4 (a) As to the property conveyed therein, tax deeds
5 executed by the county clerk are prima facie evidence of the
6 following facts in all controversies and suits in relation to
7 the rights of the tax deed grantee and his or her heirs or
8 assigns:

9 (1) the property conveyed was subject to taxation at
10 the time it was assessed, and was listed and assessed in
11 the time and manner required by law;

12 (2) the taxes or special assessments were not paid at
13 any time before the sale;

14 (3) the property was advertised for sale in the manner
15 and for the length of time required by law;

16 (4) the property was sold for taxes or special
17 assessments as stated in the deed;

18 (5) the sale was conducted in the manner required by
19 law;

20 (6) the property conveyed was not redeemed from the
21 sale within the time permitted by law;

22 (7) the grantee in the deed was the purchaser or
23 assignee of the purchaser.

24 (a-5) No conveyance from a tax deed grantee to a bona fide
25 purchaser may be challenged on the basis that the former owner

1 may have suffered a loss of equity. Any such claim must be
2 adjudicated pursuant to the provisions of Sections 22-100
3 through 22-120 or 21-305, which provisions shall be the
4 exclusive remedy for any alleged loss of equity.

5 (b) Any order for the sale of property for delinquent
6 taxes, except as otherwise provided in this Section, shall
7 estop all parties from raising any objections to the order or
8 to a tax title based thereon, which existed at or before the
9 rendition of the order, and which could have been presented as
10 a defense to the application for the order. The order itself is
11 conclusive evidence of its regularity and validity in all
12 collateral proceedings, except in cases where the tax or
13 special assessments were paid prior to the sale or the
14 property was exempt from general taxes or was not subject to
15 special assessment.

16 (Source: P.A. 88-455; 89-342, eff. 1-1-96.)

17 (35 ILCS 200/22-80)

18 Sec. 22-80. Order of court setting aside tax deed;
19 payments to holder of deed.

20 (a) Any order of court vacating an order directing the
21 county clerk to issue a tax deed based upon a finding that the
22 property was not subject to taxation or special assessment, or
23 that the taxes or special assessments had been paid prior to
24 the sale of the property, or that the tax sale was otherwise
25 void, shall declare the tax sale to be a sale in error pursuant

1 to Section 21-310 of this Act. The order shall direct the
2 county collector to refund to the tax deed grantee or his or
3 her successors and assigns (or, if a tax deed has not yet
4 issued, the holder of the certificate) the following amounts:

5 (1) all taxes and special assessments purchased, paid,
6 or redeemed by the tax purchaser or his or her assignee, or
7 by the tax deed grantee or his or her successors and
8 assigns, whether before or after entry of the order for
9 tax deed, with interest at the rate of 1% per month from
10 the date each amount was paid until the date of payment
11 pursuant to this Section;

12 (2) all costs paid and posted to the judgment record
13 and not included in paragraph (1) of this subsection (a);
14 and

15 (3) court reporter fees for the hearing on the
16 application for tax deed and transcript thereof, the cost
17 of certification of tax deed order, the cost of issuance
18 of tax deed, ~~and~~ the cost of recording of tax deed, and any
19 indemnity fund fees as required by subsection (c) of
20 Section 22-40, subsection (e-5) of Section 22-40,
21 subsection (b) of 22-50, and subsection (b) of Section
22 22-60.

23 (a-5) If an excess proceeds sale has occurred pursuant to
24 Section 22-105, the county collector shall refund to the tax
25 deed grantee, or to the grantee's successors and assigns, or,
26 if a tax deed has not yet issued, to the holder of the

1 certificate of purchase, the following amounts:

2 (1) the amount owed to the holder of the certificate,
3 which is listed in the order directing issuance of tax
4 deed, with interest at the rate of 1% per month from the
5 date the order directing issuance of tax deed was entered
6 until the date of payment under this Section;

7 (2) all taxes and special assessments paid or redeemed
8 by the tax purchaser or the tax purchaser's assignee, or
9 by the tax deed grantee or the grantee's successors and
10 assigns, after the excess proceeds sale, with interest at
11 the rate of 1% per month from the date each amount was paid
12 until the date of payment pursuant to this Section;

13 (3) the cost of certification of tax deed order, the
14 cost of issuance of tax deed, the cost of recording of tax
15 deed, and any indemnity fund fees as required by
16 subsection (d) of Section 22-40, subsection (e-5) of
17 Section 22-40, subsection (b) of 22-50, subsection (b) of
18 and 22-60; and

19 (4) the total amount of any excess surplus paid by the
20 winning bidder at any excess proceeds sale, provided that
21 the amount bid was in excess of the total amount owed to
22 the holder of the certificate as listed in the order
23 directing issuance of tax deed with interest at the rate
24 of 1% per month from the date the winning bidder paid the
25 amount due at the excess surplus sale until the date of
26 payment pursuant to this Section. The collector may file a

1 motion with the court for release of any surplus funds
2 held by the clerk of the circuit court as provided in
3 Section 22-120, and the court shall enter an order
4 requiring the clerk of the circuit court to release any
5 remaining surplus funds to the collector from that excess
6 proceeds sale.

7 (b) Except in those cases described in subsection (a) and
8 (a-5) of this Section, ~~and unless the court on motion of the~~
9 ~~tax deed petitioner extends the redemption period to a date~~
10 ~~not later than 3 years from the date of sale,~~ any order of
11 court finding that an order directing the county clerk to
12 issue a tax deed should be vacated shall direct the party who
13 successfully contested the entry of the order to pay to the tax
14 deed grantee or his or her successors and assigns (or, if a tax
15 deed has not yet issued, the holder of the certificate) within
16 90 days after the date of the finding:

17 (1) the amount necessary to redeem the property from
18 the sale as of the last day of the period of redemption,
19 except that, if the sale is a scavenger sale pursuant to
20 Section 21-260 of this Act, the redemption amount shall
21 not include an amount equal to all delinquent taxes on
22 such property which taxes were delinquent at the time of
23 sale; and

24 (2) amounts in satisfaction of municipal liens paid by
25 the tax purchaser or his or her assignee, and the amounts
26 specified in paragraphs (1) and (3) of subsection (a) of

1 this Section, to the extent the amounts are not included
2 in paragraph (1) of this subsection (b).

3 If the payment is not made within the 90-day period, the
4 petition to vacate the order directing the county clerk to
5 issue a tax deed shall be denied with prejudice, and the order
6 directing the county clerk to issue a tax deed shall remain in
7 full force and effect. No final order vacating any order
8 directing the county clerk to issue a tax deed shall be entered
9 pursuant to this subsection (b) until the payment has been
10 made.

11 (c) Except as described in subsection (a), (a-5), or (b),
12 any order of the court finding that an order directing the
13 county clerk to issue a tax deed shall be vacated when an
14 excess proceeds sale has occurred shall direct the party who
15 successfully contested the entry of the order to pay to the tax
16 deed grantee or the grantee's successors and assigns (or, if a
17 tax deed has not yet issued, to the holder of the certificate)
18 within 90 days after the date of the finding the following
19 amounts:

20 (1) the amount owed to the holder of the certificate
21 that is listed in the order directing issuance of tax
22 deed, with interest at the rate of 1% per month from the
23 date the order directing issuance of tax deed was entered
24 until the date of payment pursuant to this Section;

25 (2) all taxes and special assessments paid or redeemed
26 by the tax purchaser or his or her assignee, or by the tax

1 deed grantee or his or her successors and assigns, after
2 the excess proceeds sale, with interest at the rate of 1%
3 per month from the date each amount was paid until the date
4 of payment pursuant to this Section; and

5 (3) the cost of certification of tax deed order, the
6 cost of issuance of tax deed, the cost of recording of tax
7 deed, and any indemnity fund surcharge fees as required by
8 subsection (c) of Sections 22-40, subsection (e-5) of
9 Section 22-40, subsection (b) of Section 22-50, and
10 subsection (b) of Section 22-60.

11 If the payment is not made within the 90-day period, the
12 petition to vacate the order directing the county clerk to
13 issue a tax deed shall be denied with prejudice, and the order
14 directing the county clerk to issue a tax deed shall remain in
15 full force and effect. No final order vacating any order
16 directing the county clerk to issue a tax deed shall be entered
17 pursuant to this subsection (c) until the payment has been
18 made.

19 (d) If the total amount from any excess proceeds sale
20 exceeds the total amount owed to the holder of the certificate
21 as listed in the order directing issuance of tax deed. The tax
22 deed grantee or his or her successors and assigns (or, if a tax
23 deed has not yet issued, the holder of the certificate) may
24 file a motion with the court for release of any surplus funds
25 held by the clerk of the circuit court as provided in Section
26 22-120 and the court shall order the clerk of the circuit court

1 to release any remaining surplus funds from said sale to the
2 movant.

3 (Source: P.A. 91-357, eff. 7-29-99.)

4 (35 ILCS 200/22-85)

5 Sec. 22-85. Failure to timely take out and record deed;
6 deed is void. Unless the holder of the certificate purchased
7 at any tax sale under this Code takes out the deed in the time
8 provided by law, and records the same within one year from and
9 after the time for redemption expires, the certificate or
10 deed, and the sale on which it is based, shall, after the
11 expiration of the one-year period ~~one-year period~~, be
12 absolutely void with no right to reimbursement. If the holder
13 of the certificate is prevented from obtaining or recording a
14 deed by injunction or order of any court, ~~or~~ by the refusal or
15 inability of any court to act upon the application for a tax
16 deed, ~~or~~ by the refusal of the clerk to execute the same deed,
17 or by the refusal, inability, or delay of any county, city,
18 village, or incorporated town to issue transfer stamps, the
19 time he or she is so prevented shall be excluded from
20 computation of the one-year period ~~one-year period~~.
21 Certificates of purchase and deeds executed by the clerk shall
22 recite the qualifications required in this Section. The court
23 shall retain jurisdiction to enter orders pursuant to this
24 Section.

25 If any owner of the property sold requests an excess

1 proceeds sale, the time for recording any tax deed shall be
2 extended pursuant to the requirement of subsection (g) of
3 Section 22-105.

4 (Source: P.A. 87-669; 88-455.)

5 (35 ILCS 200/22-100 new)

6 Sec. 22-100. Request for excess proceeds sale. Any owner
7 who has an interest in the property on the date a tax deed
8 petition is filed with the clerk of the circuit court may
9 request an excess proceeds sale by:

10 (1) filing a request for an excess proceeds sale with
11 the county clerk before the final date of redemption; the
12 clerk shall provide the request form to the person making
13 the request and, upon completion of the form, shall
14 immediately mark the request on the tax judgment, sale,
15 redemption, and forfeiture record; the county clerk may
16 charge a reasonable fee for such a request and shall
17 provide a receipt to the person making such request;

18 (2) filing a request for an excess proceeds sale with
19 the clerk of the circuit court for which the tax deed
20 proceeding is pending before the entry of any tax deed
21 order; or

22 (3) filing a request for an excess proceeds sale with
23 the clerk of the circuit court for which the tax deed
24 proceeding is pending within 90 days after date the tax
25 deed order is entered or the date the notice required

1 under Section 22-40 is mailed, whichever is later.

2 An owner's failure to request an excess proceeds sale
3 shall not affect any rights the owner may have for
4 indemnification pursuant to Section 21-305.

5 The request for an excess proceeds sale shall be completed
6 in its entirety by the owner in the following form:

7 REQUEST FOR AN EXCESS PROCEEDS SALE

8 Name of Owner:

9 Property Address:.....

10 Property Index Number:

11 Sold or Forfeited for General Taxes of (year) Tax Deed

12 Case Number:

13 I, [insert name], am an owner of the above property. If I
14 cannot redeem my property from the above tax sale, I hereby
15 request that the court order an excess proceeds sale, and that
16 I be given an opportunity to claim any surplus funds that may
17 be collected in excess of the amounts due for taxes,
18 penalties, costs, and other encumbrances on the property.

19 Date:.....

20 Owner:

21 If no request for an excess proceeds sale has been made by
22 any owner prior to the entry of the tax deed order, the holder
23 of the certificate of purchase as listed in the tax deed order
24 shall mail the form for a request for an excess proceeds sale
25 as set forth in this Section to the persons listed in
26 subsection (a-5) of Section 22-40 as required by that Section.

1 The form shall include the date on which the excess proceeds
2 sale is to be held.

3 (35 ILCS 200/22-105 new)

4 Sec. 22-105. Excess proceeds sale.

5 (a) If an owner makes a written request for an excess
6 proceeds sale, as set forth in Section 22-100, upon entry of an
7 order directing the county clerk to issue a tax deed (tax deed
8 order), the certificate of purchase that is the subject of the
9 tax deed order shall be sold at an excess proceeds sale in
10 accordance with this Section.

11 (b) The certificate of purchase shall be sold as provided
12 in this Section, on such terms and conditions as shall be
13 specified by the court in the tax deed order. The sale may be
14 conducted by any licensed title insurance company in the State
15 of Illinois or by the law firm or attorney who obtained the tax
16 deed order.

17 (c) The title insurance company, law firm, attorney, or
18 such other party as is designated by the court shall give
19 public notice of the sale as follows:

20 (1) The notice of sale shall include at least the
21 following information, but an immaterial error in the
22 information shall not invalidate the legal effect of the
23 notice:

24 (A) the name, address, and telephone number of the
25 person to contact for information regarding the

1 certificate of purchase and the real estate to which
2 it pertains;

3 (B) the property address (as identified on the
4 most recent tax bill, if available); the Property
5 Index Number listed on the certificate of purchase,
6 and any other common description, if any, of the real
7 estate;

8 (C) a legal description of the real estate
9 sufficient to identify it with reasonable certainty;

10 (D) a description of the improvements on the real
11 estate;

12 (E) the time and place of the sale;

13 (F) the terms of the sale;

14 (G) the case title, case number, and court in
15 which the tax deed order was entered;

16 (H) such other information as is ordered by the
17 court.

18 (2) The notice of sale shall be published once each
19 week for at least 3 consecutive calendar weeks (Sunday
20 through Saturday). The first such notice shall be
21 published not more than 45 days before the sale, and the
22 last such notice shall be published not less than 7 days
23 before the sale. Notice shall be in the following manner:

24 (A) by advertisement in a newspaper circulated to
25 the general public in the county in which the real
26 estate is located, in the section of that newspaper

1 where legal notices are commonly placed;

2 (B) by separate advertisements in the section of
3 such a newspaper, which (except in counties with a
4 population in excess of 3,000,000) may be the same
5 newspaper, in which real estate other than real estate
6 being sold as part of legal proceedings is commonly
7 advertised to the general public; provided that the
8 separate advertisements in the real estate section
9 need not include a legal description and that, if both
10 advertisements could be published in the same
11 newspaper and that newspaper does not have separate
12 legal notices and real estate advertisement sections,
13 a single advertisement with the legal description
14 shall be sufficient; and

15 (C) by such other publications as may be further
16 ordered by the court.

17 (3) The party who gives notice of public sale in
18 accordance with this subsection (c) shall also give notice
19 to all interested parties who were named in the tax deed
20 proceeding via first-class mail at the addresses used in
21 the tax deed proceeding and to any attorney or person who
22 appeared in the proceeding to receive notice. After notice
23 is given as required in this Section, a copy of the notice
24 shall be filed in the office of the clerk of the court
25 entering the tax deed order, together with a certificate
26 of counsel or other proof that notice has been served in

1 compliance with this Section.

2 (4) The party who gives notice of public sale in
3 accordance with this subsection (c) shall again give
4 notice in accordance with this Section of any canceled
5 sale; provided, however, that, if the canceled sale is to
6 occur less than 30 days after the last scheduled sale,
7 notice of any canceled sale need not be given pursuant to
8 this Section. In the event of cancellation, the person
9 conducting the sale shall, upon cancellation, announce the
10 date, time, and place upon which the adjourned sale shall
11 be held. Notwithstanding any language to the contrary, for
12 any canceled sale that is to be conducted more than 60 days
13 after the date on which it was to first be held, the party
14 giving notice of the sale shall again give notice in
15 accordance with this Section.

16 (5) No other notice by publication or posting is
17 necessary unless required by order or rule of the court.

18 (d) Upon and at the sale of the certificate of purchase,
19 the person conducting the sale shall give to the purchaser a
20 receipt of sale. The receipt shall describe the real estate
21 purchased and shall show the amount bid, the amount paid, the
22 total amount paid to date and the amount still to be paid for
23 it. An additional receipt shall be given at the time of each
24 subsequent payment. The holder of the certificate of purchase
25 identified in the tax deed order may place a credit bid equal
26 to the total amount as listed in the tax deed order.

1 (e) Upon payment in full of the amount bid, the person
2 conducting the sale shall assign and deliver the original
3 certificate of purchase to the winning bidder who shall become
4 the holder of the certificate of purchase. The sale amount of
5 the certificate of purchase is prima facia evidence of the
6 fair market value of the real estate as of the date of the
7 excess proceeds sale. Any certificate of purchase following a
8 sale under this Section shall be freely assignable by
9 endorsement as set forth in Section 21-250.

10 (f) Following a sale as set forth in this Section, the
11 holder of the certificate of purchase, or the holder's
12 assignee, shall present the certificate of purchase to the
13 county clerk in order to obtain a tax deed for the property.

14 (g) Notwithstanding the provisions of Section 22-85, if a
15 sale occurs under this Section, the winning bidder or the
16 bidder's assignee shall have one year from the date of the sale
17 under this Section to take out and record the tax deed. If the
18 bidder or the bidder's assignee fails to record the tax deed
19 within one year after the sale under this Section, the
20 certificate or deed, and the sale on which it is based, shall
21 be absolutely void with no right to reimbursement. If the
22 holder of the certificate is prevented from obtaining or
23 recording a deed by injunction or order of any court, by the
24 refusal or inability of any court to act upon the application
25 for a tax deed, by the refusal of the clerk to execute the same
26 deed, or by the refusal, inability, or delay of any county,

1 city, village, or incorporated town to issue transfer stamps,
2 then the time during which the holder is so prevented shall be
3 excluded from computation of the one-year period. The court
4 shall retain jurisdiction to enter orders pursuant to this
5 Section.

6 (35 ILCS 200/22-110 new)

7 Sec. 22-110. Excess Proceeds Sale; Indemnity Fund.

8 (a) Upon and at the excess proceeds sale under Section
9 22-105, the purchaser shall pay to the person conducting the
10 sale a fee for deposit into the county indemnity fund
11 established by Section 21-295. The fee shall be \$500 and shall
12 be paid by the purchaser to the person conducting the sale, as
13 reflected in the receipt of sale issued to the purchaser. This
14 fee shall also be paid by the holder of the certificate of
15 purchase pursuant to any credit bid at the sale. Upon the
16 completion of the sale, the person conducting the sale shall
17 remit the fee to the county treasurer as trustee of the county
18 indemnity fund for the county in which the sale occurred.

19 (b) All fees paid by purchasers under this Section shall
20 be disbursed within 60 days after receipt by the person
21 conducting the sale as follows: (i) 95% to the county
22 treasurer, as trustee of the county indemnity fund for deposit
23 into the indemnity fund; and (ii) 5% to be retained by the
24 person conducting the sale to defray administrative expenses
25 related to implementation of this Section.

1 (c) Not later than March 1 of each year, the county
2 treasurer, as trustee of the indemnity fund, shall submit to
3 the county clerk a report of the funds collected and remitted
4 during the preceding year.

5 (35 ILCS 200/22-115 new)

6 Sec. 22-115. Application of proceeds of sale. The proceeds
7 resulting from a sale of a certificate of purchase under
8 Section 22-105 shall be applied in the following order:

9 (1) an amount equal to the cost of facilitating the
10 excess proceeds sale, including the costs of providing all
11 notices required by Section 22-105, to the person
12 appointed by the court to conduct the sale;

13 (2) a reasonable fee for conducting the sale, which
14 shall not exceed \$1,500, to the person appointed by the
15 court to conduct the sale; and

16 (3) the amount set forth in the tax deed order to be
17 paid to the holder of the certificate of purchase at the
18 time the order was entered.

19 (35 ILCS 200/22-120 new)

20 Sec. 22-120. Surplus distribution.

21 (a) Within 30 days after the completion of the sale, if
22 there is a surplus following the distributions made pursuant
23 to Section 22-115, the person conducting the sale shall
24 deposit all surplus proceeds with the clerk of the circuit

1 court in the county in which the sale was held until further
2 order of the court. The surplus shall be held until a person
3 obtains a court order for its distribution or until, in the
4 absence of an order, the surplus is forfeited to the State.

5 (b) Within 14 days after any surplus deposit is made to the
6 clerk of the circuit court, the person appointed by the court
7 to conduct the sale shall file a notice of deposit of surplus
8 with the clerk of the circuit court in the same case in which
9 the tax deed order was entered. The notice shall list the
10 amount of the surplus and the date on which the surplus was
11 deposited with the clerk of the circuit court, together with a
12 certificate of counsel or other proof that notice has been
13 mailed to the person who made the written request for an excess
14 proceeds sale and to all persons named in the tax deed
15 proceeding, via first-class mail at the addresses used in the
16 tax deed proceeding, and to any attorney or person who
17 appeared in the proceeding. In addition to the notice of
18 surplus, a form motion and petition for turnover of surplus
19 funds must be included.

20 (c) Any owner desiring to make a claim for any surplus
21 proceeds must file a motion and petition for turnover of
22 surplus funds in the circuit court and obtain a court order
23 requiring the circuit court to release any surplus funds. The
24 circuit court shall retain jurisdiction over the matter and
25 enter any surplus order requiring the circuit court to release
26 funds to satisfy all claims in the order of priority.

1 (d) Any owner who requested an Excess Proceeds Sale need
2 not pay an appearance fee in order to make a motion to claim
3 any surplus.

4 (e) The county treasurer, as trustee of the county
5 indemnity fund, may file a motion and petition for turnover of
6 surplus funds in the circuit court and obtain a court order
7 requiring the circuit court to release any surplus funds as
8 authorized by subsection (c) of Section 22-45.

9 (f) The county collector may file a motion and petition
10 for turnover of surplus funds in the circuit court and obtain a
11 court order requiring the circuit court to release any surplus
12 funds as authorized by Section subsection (a-5) of Section
13 22-80.

14 (g) The tax deed grantee or the grantee's successors and
15 assigns (or, if a tax deed has not yet issued, the holder of
16 the certificate) may file a motion and petition for turnover
17 of surplus funds in the circuit court and obtain a court order
18 requiring the circuit court to release any surplus funds as
19 authorized by subsection (d) of Section 22-80.

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