## 92\_HB1975sam004

## LRB9201948SMmbam03

1	AMENDMENT	ТО	HOUSE	BILL	1975	

- 2 AMENDMENT NO. \_\_\_\_. Amend House Bill 1975, AS AMENDED,
- 3 in Section 55, by deleting "When the mobile home is in a city
- 4 with more than 1,000,000 inhabitants, the advertisement may
- 5 be in any newspaper published in the same county."; and
- 6 in Section 90, in the sentence beginning "At the same time",
- 7 by replacing "it is mandatory for the collector in counties
- 8 with 3,000,000 or more inhabitants, and in other counties if
- 9 the county board so orders by resolution, to with "the
- 10 collector, if the county board so orders by resolution, must
- 11 "; and
- 12 in Section 95, by deleting "In the 10 years next following
- 13 the completion of a general reassessment of property in any
- 14 county with 3,000,000 or more inhabitants, made under an
- order of the Department, applications for judgment and order
- of sale shall be made as soon as may be and on the day
- 17 specified in the advertisement required by Sections 55 and
- 18 60. If for any cause the court is not held on the day
- 19 specified, the cause shall stand continued, and it shall be
- 20 unnecessary to re-advertise the list or notice."; and
- in Section 105, by deleting ", or in counties with 3,000,000
- or more inhabitants, the taxes, interest, and costs due, ";

- 1 and
- 2 in Section 145, by deleting "However, in any county with
- 3 3,000,000 or more inhabitants, the offer for sale shall be
- 4 made between 8:00 a.m. and 8:00 p.m."; and
- 5 in Section 155, by replacing "Section 155. Letter of credit
- or bond in counties of 3,000,000 or more; registration in
- 7 other counties. In counties with 3,000,000 or more
- 8 inhabitants, no person shall make an offer to pay the amount
- 9 due on any mobile home and the collector shall not accept or
- 10 acknowledge an offer from any person who has not deposited
- 11 with the collector, not less than 10 days prior to making
- 12 such offer, an irrevocable and unconditional letter of credit
- or such other unconditional bond payable to the order of the
- 14 collector in an amount not less than 1.5 times the amount of
- 15 any tax due upon the mobile home. The collector may without
- 16 notice draw upon the letter of credit or bond in the event
- 17 payment of the amount due together with interest and costs
- 18 thereon is not made forthwith by the person purchasing any
- 19 mobile home. At all times during the sale, any person making
- 20 an offer or offers to pay the amount or amounts due on any
- 21 mobile homes shall maintain the letter of credit or bond with
- 22 the collector in an amount not less than 1.5 times the amount
- due on the mobile homes which he or she has purchased and for
- 24 which he or she has not paid." with "Section 155.
- 25 Registration."; and
- in Section 175, by deleting "In counties with 3,000,000 or
- 27 more inhabitants, only the published taxes, interest, and
- 28 costs as advertised in the sale shall be required to be paid
- 29 forthwith."; and
- 30 in Section 180, in the sentence beginning "The county
- 31 collector", by deleting "in all counties"; and
- in Section 210, in the sentence that begins "The collector

- 1 may charge", by deleting "and not more than \$100 in counties
- of 3,000,000 or more inhabitants"; and
- 3 in Section 215, in the sentence that begins, "The schedule or
- 4 schedules shall", by deleting "and \$20 in counties with
- 5 3,000,000 or more inhabitants"; and
- 6 in Section 240, in subsection (a), in the sentence that
- 7 begins "The county board in each", by deleting ", and not
- 8 greater than \$2,000,000 in counties with 3,000,000 or more
- 9 inhabitants"; and
- 10 by replacing Section 270 with the following:
- "Section 270. Orders for payment of interest. The county
- 12 treasurer may determine in his or her discretion whether
- 13 payment of interest and costs shall be made as provided in
- 14 Section 275, 280, or 285. If the treasurer determines not to
- 15 make payment as provided in those Sections, the treasurer
- 16 shall pay any interest or costs awarded under this Section
- 17 pro rata from those accounts where the principal refund of
- 18 the tax sale purchase price under Section 275 is taken."; and
- in Section 275, by deleting "Each person purchasing any
- 20 mobile home at a sale held under this Act in a county with
- 3,000,000 or more inhabitants shall pay to the county
- 22 collector, prior to the issuance of any certificate of
- 23 purchase, a fee of \$15 for each item purchased."; and
- in Section 335, by deleting "However, when a certificate of
- 25 purchase has been recorded in the office of the county
- 26 recorder by any city, incorporated town, or village with
- 27 1,000,000 or more inhabitants in which the mobile home is
- 28 situated, the recording of a certificate by the county clerk,
- 29 reciting the cancellation of the certificate of purchase on
- 30 the tax judgment, sale, redemption and forfeiture record,
- 31 shall operate as a release of the lien of the city,

- 1 incorporated town, or village under the certificate of
- 2 purchase."; and
- 3 in Section 345, by deleting "In counties with 3,000,000 or
- 4 more inhabitants, if an order is entered setting aside a
- 5 redemption made within the time allowed by law after a
- 6 petition for tax certificate of title has been filed, the
- 7 holder of the certificate of purchase shall mail a copy of
- 8 the order within 7 days of entry of the order by registered
- 9 or certified mail to the county clerk, to the person who made
- 10 the redemption, and to all parties entitled to notice of the
- 11 petition under Section 370, 375, or 385."; and
- in Section 370, by deleting the last sentence, which reads
- "In counties with 3,000,000 or more inhabitants, the notice
- 14 shall also state the address, room number and time at which
- 15 the matter is set for hearing."; and
- in Section 375, in the paragraph beginning "In counties of
- 17 3,000,000", by deleting "In counties of 3,000,000 or more
- 18 inhabitants where the petitioner is a petitioner for tax
- 19 certificate of title pursuant to Section 35, in lieu of
- 20 service by the sheriff or coroner, the notice may be served
- $21\,$   $\,$  by a process server. The taxing district may move prior to
- 22 filing one or more petitions for tax certificate of title for
- 23 appointment of such a special process server. The court, upon
- 24 being satisfied that the person named in the motion is at
- 25 least 18 years of age and is capable of serving notice as
- 26 required under this Act, shall enter an order appointing such
- 27 person as a special process server for a period of one year.
- 28 The appointment may be renewed for successive periods of one
- year each by motion and order, and a copy of the original and
- 30 any subsequent order shall be filed in each tax certificate
- 31 of title case in which a notice is served by the appointed
- 32 person. Delivery of the notice to and service of the notice
- 33 by the special process server shall have the same force and

- 1 effect as its delivery to and service by the sheriff or
- 2 coroner."; and
- 3 in Section 380, in the paragraph beginning, "If the mobile
- 4 home is located", in the sentence beginning "If the mobile
- 5 home is not in a municipality", by deleting "or if the mobile
- 6 home is in a county with 3,000,000 or more inhabitants,"; and
- 7 in Section 405, in the paragraph beginning "In cases of the
- 8 sale of a mobile home in counties with 3,000,000", by
- 9 deleting "In cases of the sale of a mobile home in counties
- 10 with 3,000,000 or more inhabitants, a tax certificate of
- 11 title may also be voided by the court upon petition, filed
- 12 not more than 3 months after an order for tax certificate of
- 13 title was entered, if the court finds that the mobile home
- 14 was owner occupied on the expiration date of the period of
- 15 redemption and that the order for certificate of title was
- 16 effectuated pursuant to a negligent or willful error made by
- 17 an employee of the county clerk or county collector during
- 18 the period of redemption from the sale that was reasonably
- 19 relied upon to the detriment of any person having a
- 20 redeemable interest. In such a case, the tax purchaser shall
- 21 be entitled to the original amount required to redeem the
- 22 mobile home plus interest from the sale as of the last date
- 23 of redemption together with costs actually expended
- 25 reasonable attorney's fees, all of which shall be dispensed

subsequent to the expiration of the period of redemption and

- 26 from the fund created by Section 235. In those cases of error
- 27 where the court vacates the tax certificate of title, it may
- 28 award the petitioner reasonable attorney's fees and court
- costs actually expended, payable from that fund."; and
- in Section 405, in the last sentence, by replacing "Act" with
- 31 "Code".

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