

1 AMENDMENT TO HOUSE BILL 4082

2 AMENDMENT NO. _____. Amend House Bill 4082 as follows:

3 on page 1, line 5, by replacing "Section 21-220" with
4 "Sections 21-220 and 21-355"; and

5 on page 2, below line 5, by inserting the following:

6 "(35 ILCS 200/21-355)

7 Sec. 21-355. Amount of redemption. Any person desiring
8 to redeem shall deposit an amount specified in this Section
9 with the county clerk of the county in which the property is
10 situated, in legal money of the United States, or by
11 cashier's check, certified check, post office money order or
12 money order issued by a financial institution insured by an
13 agency or instrumentality of the United States, payable to
14 the county clerk of the proper county. The deposit shall be
15 deemed timely only if actually received in person at the
16 county clerk's office prior to the close of business as
17 defined in Section 3-2007 of the Counties Code on or before
18 the expiration of the period of redemption or by United
19 States mail with a post office cancellation mark dated not
20 less than one day prior to the expiration of the period of
21 redemption. The deposit shall be in an amount equal to the
22 total of the following:

1 (a) the certificate amount, which shall include all
2 tax principal, special assessments, interest and
3 penalties paid by the tax purchaser together with costs
4 and fees of sale and fees paid under Sections 21-295 and
5 21-315 through 21-335;

6 (b) the accrued penalty, computed through the date
7 of redemption as a percentage of the certificate amount,
8 as follows:

9 (1) if the redemption occurs on or before the
10 expiration of 6 months from the date of sale, the
11 certificate amount times the penalty bid at sale;

12 (2) if the redemption occurs after 6 months
13 from the date of sale, and on or before the
14 expiration of 12 months from the date of sale, the
15 certificate amount times 2 times the penalty bid at
16 sale;

17 (3) if the redemption occurs after 12 months
18 from the date of sale and on or before the
19 expiration of 18 months from the date of sale, the
20 certificate amount times 3 times the penalty bid at
21 sale;

22 (4) if the redemption occurs after 18 months
23 from the date of sale and on or before the
24 expiration of 24 months from the date of sale, the
25 certificate amount times 4 times the penalty bid at
26 sale;

27 (5) if the redemption occurs after 24 months
28 from the date of sale and on or before the
29 expiration of 30 months from the date of sale, the
30 certificate amount times 5 times the penalty bid at
31 sale;

32 (6) if the redemption occurs after 30 months
33 from the date of sale and on or before the
34 expiration of 36 months from the date of sale, the

1 certificate amount times 6 times the penalty bid at
2 sale.

3 In the event that the property to be redeemed
4 has been purchased under Section 21-405, the penalty
5 bid shall be 12% per penalty period as set forth in
6 subparagraphs (1) through (6) of this subsection
7 (b). The changes to this subdivision (b)(6) made by
8 this amendatory Act of the 91st General Assembly are
9 not a new enactment, but declaratory of existing
10 law.

11 (c) The total of all taxes, special assessments,
12 accrued interest on those taxes and special assessments
13 and costs charged in connection with the payment of those
14 taxes or special assessments, which have been paid by the
15 tax certificate holder on or after the date those taxes
16 or special assessments became delinquent together with
17 12% penalty on each amount so paid for each year or
18 portion thereof intervening between the date of that
19 payment and the date of redemption. In counties with less
20 than 3,000,000 inhabitants, however, a tax certificate
21 holder may not pay all or part of an installment of a
22 subsequent tax or special assessment for any year, nor
23 shall any tender of such a payment be accepted, until
24 after the second or final installment of the subsequent
25 tax or special assessment has become delinquent or until
26 after the holder of the certificate of purchase has filed
27 a petition for a tax deed under Section 22.30. The
28 person redeeming shall also pay the amount of interest
29 charged on the subsequent tax or special assessment and
30 paid as a penalty by the tax certificate holder. This
31 amendatory Act of 1995 applies to tax years beginning
32 with the 1995 taxes, payable in 1996, and thereafter.

33 (d) Any amount paid to redeem a forfeiture
34 occurring subsequent to the tax sale together with 12%

1 penalty thereon for each year or portion thereof
2 intervening between the date of the forfeiture redemption
3 and the date of redemption from the sale.

4 (e) Any amount paid by the certificate holder for
5 redemption of a subsequently occurring tax sale.

6 (f) All fees paid to the county clerk under Section
7 22-5.

8 (g) All fees paid to the registrar of titles
9 incident to registering the tax certificate in compliance
10 with the Registered Titles (Torrens) Act.

11 (h) All fees paid to the circuit clerk and the
12 sheriff or coroner in connection with the filing of the
13 petition for tax deed and service of notices under
14 Sections 22-15 through 22-30 and 22-40 in addition to (1)
15 a fee of \$35 if a petition for tax deed has been filed,
16 which fee shall be posted to the tax judgement, sale,
17 redemption, and forfeiture record, to be paid to the
18 purchaser or his or her assignee; (2) a fee of \$4 if a
19 notice under Section 22-5 has been filed, which fee shall
20 be posted to the tax judgment, sale, redemption, and
21 forfeiture record, to be paid to the purchaser or his or
22 her assignee; and (3) all costs paid to record a lis
23 pendens notice in connection with filing a petition under
24 this Code. The fees in (1) and (2) of this paragraph (h)
25 shall be exempt from the posting requirements of Section
26 21-360.

27 (i) All fees paid for publication of notice of the
28 tax sale in accordance with Section 22-20.

29 (j) All sums paid to any city, village or
30 incorporated town for reimbursement under Section 22-35.

31 (k) All costs and expenses of receivership under
32 Section 21-410, to the extent that these costs and
33 expenses exceed any income from the property in question,
34 if the costs and expenditures have been approved by the

1 court appointing the receiver and a certified copy of the
2 order or approval is filed and posted by the certificate
3 holder with the county clerk. Only actual costs expended
4 may be posted on the tax judgment, sale, redemption and
5 forfeiture record.

6 (1) Up to \$125 paid for costs of title insurance
7 and to identify and locate owners and interested parties
8 to the subject real estate.

9 (Source: P.A. 91-924, eff. 1-1-01.)".