

1 AN ACT in relation to probate.

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

4 Section 5. The Probate Act of 1975 is amended by
5 changing Sections 13-3 and 13-4 as follows:

6 (755 ILCS 5/13-3) (from Ch. 110 1/2, par. 13-3)

7 Sec. 13-3. Compensation of public administrator.

8 (a) In counties having a population in excess of
9 1,000,000 the public administrator shall pay all the fees
10 collected by the office into the county treasury. Each year,
11 the county board shall appropriate an amount to be paid to
12 the public administrator as compensation for the public
13 administrator's performance of his or her duties and such
14 compensation shall be paid at a minimum level of \$20,000
15 annually. That amount shall be paid from the fees collected
16 by the office of the public administrator. The county board
17 in such counties shall fix the amount for the public
18 administrator's compensation and necessary clerk hire,
19 assistants, and office expense in the annual county budget
20 and appropriation ordinances, which shall be paid from the
21 county treasury. In such counties all fees of the office of
22 public administrator are subject to audit the same as are
23 fees of other county officers.

24 (b) In counties having a population of 1,000,000 or less
25 the public administrator may receive all the fees of his
26 office and shall bear the expenses connected with the
27 operation of such office. In no event shall the fees and
28 attorney's expenses charged to an estate by the public
29 administrator under this subsection (b) exceed 5% of the
30 gross value of the estate. The court may except other
31 reasonable and necessary expenses from this limitation for

1 good cause shown. An annual report of all funds received and
2 disbursed by the public administrator under this subsection
3 (b) shall be filed on or before December 31 of each year with
4 the clerk of the circuit court in the county with
5 jurisdiction, and with the Office of the Comptroller of the
6 State of Illinois.

7 (Source: P.A. 89-135, eff. 7-14-95.)

8 (755 ILCS 5/13-4) (from Ch. 110 1/2, par. 13-4)
9 Sec. 13-4. Powers and duties of public administrator.)

10 (a) When a person dies owning any real or personal estate in
11 this State and there is no person in this State having a
12 prior right to administer his estate, the public
13 administrator of the county of which the decedent was a
14 resident, or of the county in which his estate is situated,
15 if the decedent was a nonresident of this State, may take
16 such measures as he deems proper to protect and secure the
17 estate from waste, loss or embezzlement until letters of
18 office on the estate are issued to the person entitled
19 thereto or until a demand for the removal of the personal
20 estate from this State is made by a nonresident
21 representative pursuant to the authority granted by this Act.
22 When letters of office are issued to the public
23 administrator, he has the same powers and duties as other
24 representatives of decedents' estates appointed under this
25 Act until he is discharged or his authority is sooner
26 terminated by order of court. Notwithstanding any provision
27 in this Act, all sales of property conducted under this Act
28 shall be by public sealed bid auction, with all timely
29 submitted bids being opened at the same time.

30 (b) In counties having a population in excess of
31 1,000,000 inhabitants, a public administrator shall deposit
32 his files of cases in which he receives a discharge with the
33 clerk of the court of the county in which he served or is

1 serving as such public administrator.

2 (Source: P.A. 80-808.)