



Sen. Jason A. Barickman

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LRB100 06944 HEP 24113 a

1 AMENDMENT TO SENATE BILL 758

2 AMENDMENT NO. _____. Amend Senate Bill 758 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Code of Civil Procedure is amended by
5 changing Section 9-211 as follows:

6 (735 ILCS 5/9-211) (from Ch. 110, par. 9-211)

7 Sec. 9-211. Service of demand or notice.

8 (a) Any demand may be made or notice served by delivering a
9 written or printed, or partly written and printed, copy thereof
10 to the tenant; ~~or~~ or by leaving the same with some person of the
11 age of 13 years or upwards, residing on or in possession of the
12 premises; or by sending a copy of the notice to the tenant by
13 certified or registered mail or by a national private delivery
14 service, with a returned receipt from the addressee or a member
15 of the household; or if, ~~and in case~~ no one is in the actual
16 possession of the premises, then by posting the same on the

1 premises; or by electronic service as provided in subsection
2 (b) of this Section.

3 (b) Electronic service of the demand may be made if the
4 tenant has in writing specifically consented to electronic
5 service of the demand and if the consent or confirmation of the
6 consent has been sent by one party and affirmatively replied
7 to, by electronic transmission, by the other party. The
8 electronic service address used by a party in the process under
9 this Section shall be considered to remain that party's
10 correct, functioning electronic service address, unless
11 consent as provided in this subsection is obtained using a
12 different electronic service address for that party or unless
13 that party notifies the other in writing that that party no
14 longer has an electronic service address. A landlord shall not
15 refuse to enter a lease because the prospective tenant declines
16 to consent to electronic service under this Section. As used in
17 this subsection:

18 (1) "Document" means a digital image of a record
19 originally produced on paper or originally created by an
20 electronic means, the output of which is readable by sight
21 and can be printed to paper.

22 (2) "Electronic notification" means the notification
23 to a person that a document is served by sending an
24 electronic message to the electronic service address at or
25 through which the person has authorized electronic
26 service, specifying the exact name of the document served

1 or providing a hyperlink at which the served document can
2 be viewed and downloaded, or both.

3 (3) "Electronic service" means service of a document on
4 a person by either electronic transmission or electronic
5 notification.

6 (4) "Electronic service address" means the electronic
7 address at or through which the person has authorized
8 electronic service.

9 (5) "Electronic transmission" means the transmission
10 of a document by electronic means to the electronic service
11 address at or through which a person has authorized
12 electronic service.

13 (Source: P.A. 83-355.)".