

1 AN ACT in relation to civil procedure.

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

4 Section 5. The Code of Civil Procedure is amended by
5 changing Section 9-316 as follows:

6 (735 ILCS 5/9-316) (from Ch. 110, par. 9-316)

7 Sec. 9-316. Lien on ~~upon~~ crops. Every landlord shall
8 have a lien upon the crops grown or growing upon the demised
9 premises for the rent thereof, whether the same is payable
10 wholly or in part in money or specific articles of property
11 or products of the premises, or labor, and also for the
12 faithful performance of the terms of the lease. Such lien
13 shall continue for the period of 6 months after the
14 expiration of the term for which the premises are demised,
15 and may be enforced by distraint as provided in Part 3 of
16 Article IX of this Act.

17 A good faith purchaser shall, however, take such crops
18 free of any landlord's lien unless, within 6 months prior to
19 the purchase, the landlord provides written notice of his
20 lien to the purchaser by registered or certified mail. Such
21 notice shall contain the names and addresses of the landlord
22 and tenant, and clearly identify the leased property.

23 A landlord may require that, prior to his tenant's
24 selling any crops grown on the demised premises, the tenant
25 disclose the name of the person to whom the tenant intends to
26 sell those crops. Where such a requirement has been imposed,
27 the tenant shall not sell the crops to any person other than
28 a person who has been disclosed to the landlord as a
29 potential buyer of the crops.

30 A lien arising under this Section shall have priority
31 over any agricultural lien as defined in, and over any

1 security interest arising under, provisions of Article 9 of
2 the Uniform Commercial Code.

3 (Source: P.A. 91-893, eff. 7-1-01; 92-819, eff. 8-21-02.)