



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

**HB5048**

Introduced 2/18/2020, by Rep. Marcus C. Evans, Jr.

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/22-15

Amends the Property Tax Code. Provides that, in counties with more than 3,000,000 inhabitants (currently, in Cook County), notice of expiration of period of redemption may be served by a private detective. Effective immediately.

LRB101 17338 HLH 66743 b

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing  
5 Section 22-15 as follows:

6 (35 ILCS 200/22-15)

7 Sec. 22-15. Service of notice. The purchaser or his or her  
8 assignee shall give the notice required by Section 22-10 by  
9 causing it to be published in a newspaper as set forth in  
10 Section 22-20. In addition, the notice shall be served upon  
11 owners who reside on any part of the property sold by leaving a  
12 copy of the notice with those owners personally. Service shall  
13 be made by a sheriff (or if he or she is disqualified, by a  
14 coroner) of the county in which the property, or any part  
15 thereof, is located ~~or~~, except that, in a county with 3,000,000  
16 or more inhabitants, notice may be served by a sheriff (or if  
17 he or she is disqualified, by a coroner) or in Cook County, by  
18 a person who is licensed or registered as a private detective  
19 under the Private Detective, Private Alarm, Private Security,  
20 Fingerprint Vendor, and Locksmith Act of 2004 ~~upon owners who~~  
21 ~~reside on any part of the property sold by leaving a copy of~~  
22 ~~the notice with those owners personally.~~

23 In counties of 3,000,000 or more inhabitants where a taxing

1 district is a petitioner for tax deed pursuant to Section  
2 21-90, in lieu of service by the sheriff or coroner the notice  
3 may be served by a special process server appointed by the  
4 circuit court as provided in this Section. The taxing district  
5 may move prior to filing one or more petitions for tax deed for  
6 appointment of such a special process server. The court, upon  
7 being satisfied that the person named in the motion is at least  
8 18 years of age and is capable of serving notice as required  
9 under this Code, shall enter an order appointing such person as  
10 a special process server for a period of one year. The  
11 appointment may be renewed for successive periods of one year  
12 each by motion and order, and a copy of the original and any  
13 subsequent order shall be filed in each tax deed case in which  
14 a notice is served by the appointed person. Delivery of the  
15 notice to and service of the notice by the special process  
16 server shall have the same force and effect as its delivery to  
17 and service by the sheriff or coroner.

18 The same form of notice shall also be served, in the manner  
19 set forth under Sections 2-203, 2-204, 2-205, 2-205.1, and  
20 2-211 of the Code of Civil Procedure, upon all other owners and  
21 parties interested in the property, if upon diligent inquiry  
22 they can be found in the county, and upon the occupants of the  
23 property.

24 If the property sold has more than 4 dwellings or other  
25 rental units, and has a managing agent or party who collects  
26 rents, that person shall be deemed the occupant and shall be

1 served with notice instead of the occupants of the individual  
2 units. If the property has no dwellings or rental units, but  
3 economic or recreational activities are carried on therein, the  
4 person directing such activities shall be deemed the occupant.  
5 Holders of rights of entry and possibilities of reverter shall  
6 not be deemed parties interested in the property.

7 When a party interested in the property is a trustee,  
8 notice served upon the trustee shall be deemed to have been  
9 served upon any beneficiary or note holder thereunder unless  
10 the holder of the note is disclosed of record.

11 When a judgment is a lien upon the property sold, the  
12 holder of the lien shall be served with notice if the name of  
13 the judgment debtor as shown in the transcript, certified copy  
14 or memorandum of judgment filed of record is identical, as to  
15 given name and surname, with the name of the party interested  
16 as it appears of record.

17 If any owner or party interested, upon diligent inquiry and  
18 effort, cannot be found or served with notice in the county as  
19 provided in this Section, and the person in actual occupancy  
20 and possession is tenant to, or in possession under the owners  
21 or the parties interested in the property, then service of  
22 notice upon the tenant, occupant or person in possession shall  
23 be deemed service upon the owners or parties interested.

24 If any owner or party interested, upon diligent inquiry and  
25 effort cannot be found or served with notice in the county,  
26 then the person making the service shall cause a copy of the

1 notice to be sent by registered or certified mail, return  
2 receipt requested, to that party at his or her residence, if  
3 ascertainable.

4 The changes to this Section made by Public Act 95-477 apply  
5 only to matters in which a petition for tax deed is filed on or  
6 after June 1, 2008 (the effective date of Public Act 95-477).  
7 (Source: P.A. 95-195, eff. 1-1-08; 95-477, eff. 6-1-08; 95-876,  
8 eff. 8-21-08.)

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law.