



Rep. Marcus C. Evans, Jr.

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10100HB5048ham001

LRB101 17338 HLH 71192 a

1 AMENDMENT TO HOUSE BILL 5048

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5048 by replacing  
3 everything after the enacting clause with the following:

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 by a  
11 sheriff (or if he or she is disqualified, by a coroner) of the  
12 county in which the property, or any part thereof, is located  
13 or, except in Cook County, by a person who is licensed or  
14 registered as a private detective under the Private Detective,  
15 Private Alarm, Private Security, Fingerprint Vendor, and  
16 Locksmith Act of 2004 upon owners who reside on any part of the

1 property sold by leaving a copy of the notice with those owners  
2 personally.

3 In Cook County, the notice must be served by a sheriff (or  
4 if he or she is disqualified, by a coroner) and may also be  
5 served by a by a person who is licensed or registered as a  
6 private detective under the Private Detective, Private Alarm,  
7 Private Security, Fingerprint Vendor, and Locksmith Act of  
8 2004.

9 In counties of 3,000,000 or more inhabitants where a taxing  
10 district is a petitioner for tax deed pursuant to Section  
11 21-90, in lieu of service by the sheriff or coroner the notice  
12 may be served by a special process server appointed by the  
13 circuit court as provided in this Section. The taxing district  
14 may move prior to filing one or more petitions for tax deed for  
15 appointment of such a special process server. The court, upon  
16 being satisfied that the person named in the motion is at least  
17 18 years of age and is capable of serving notice as required  
18 under this Code, shall enter an order appointing such person as  
19 a special process server for a period of one year. The  
20 appointment may be renewed for successive periods of one year  
21 each by motion and order, and a copy of the original and any  
22 subsequent order shall be filed in each tax deed case in which  
23 a notice is served by the appointed person. Delivery of the  
24 notice to and service of the notice by the special process  
25 server shall have the same force and effect as its delivery to  
26 and service by the sheriff or coroner.

1           The same form of notice shall also be served, in the manner  
2 set forth under Sections 2-203, 2-204, 2-205, 2-205.1, and  
3 2-211 of the Code of Civil Procedure, upon all other owners and  
4 parties interested in the property, if upon diligent inquiry  
5 they can be found in the county, and upon the occupants of the  
6 property.

7           If the property sold has more than 4 dwellings or other  
8 rental units, and has a managing agent or party who collects  
9 rents, that person shall be deemed the occupant and shall be  
10 served with notice instead of the occupants of the individual  
11 units. If the property has no dwellings or rental units, but  
12 economic or recreational activities are carried on therein, the  
13 person directing such activities shall be deemed the occupant.  
14 Holders of rights of entry and possibilities of reverter shall  
15 not be deemed parties interested in the property.

16           When a party interested in the property is a trustee,  
17 notice served upon the trustee shall be deemed to have been  
18 served upon any beneficiary or note holder thereunder unless  
19 the holder of the note is disclosed of record.

20           When a judgment is a lien upon the property sold, the  
21 holder of the lien shall be served with notice if the name of  
22 the judgment debtor as shown in the transcript, certified copy  
23 or memorandum of judgment filed of record is identical, as to  
24 given name and surname, with the name of the party interested  
25 as it appears of record.

26           If any owner or party interested, upon diligent inquiry and

1 effort, cannot be found or served with notice in the county as  
2 provided in this Section, and the person in actual occupancy  
3 and possession is tenant to, or in possession under the owners  
4 or the parties interested in the property, then service of  
5 notice upon the tenant, occupant or person in possession shall  
6 be deemed service upon the owners or parties interested.

7 If any owner or party interested, upon diligent inquiry and  
8 effort cannot be found or served with notice in the county,  
9 then the person making the service shall cause a copy of the  
10 notice to be sent by registered or certified mail, return  
11 receipt requested, to that party at his or her residence, if  
12 ascertainable.

13 The changes to this Section made by Public Act 95-477 apply  
14 only to matters in which a petition for tax deed is filed on or  
15 after June 1, 2008 (the effective date of Public Act 95-477).

16 (Source: P.A. 95-195, eff. 1-1-08; 95-477, eff. 6-1-08; 95-876,  
17 eff. 8-21-08.)

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law."