

# HB5168



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

**HB5168**

Introduced 1/27/2022, by Rep. Michael J. Zalewski

### SYNOPSIS AS INTRODUCED:

35 ILCS 200/22-15

Amends the Property Tax Code. Provides that provisions that allow service of notice by a person who is licensed or registered as a private detective also apply in Cook County. Effective immediately.

LRB102 24895 HLH 34145 b

A BILL FOR

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 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  
17 property sold by leaving a copy of the notice with those owners  
18 personally.

19 In counties of 3,000,000 or more inhabitants where a  
20 taxing district is a petitioner for tax deed pursuant to  
21 Section 21-90, in lieu of service by the sheriff or coroner the  
22 notice may be served by a special process server appointed by  
23 the circuit court as provided in this Section. The taxing

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

15 The same form of notice shall also be served, in the manner  
16 set forth under Sections 2-203, 2-204, 2-205, 2-205.1, and  
17 2-211 of the Code of Civil Procedure, upon all other owners and  
18 parties interested in the property, if upon diligent inquiry  
19 they can be found in the county, and upon the occupants of the  
20 property.

21 If the property sold has more than 4 dwellings or other  
22 rental units, and has a managing agent or party who collects  
23 rents, that person shall be deemed the occupant and shall be  
24 served with notice instead of the occupants of the individual  
25 units. If the property has no dwellings or rental units, but  
26 economic or recreational activities are carried on therein,

1 the person directing such activities shall be deemed the  
2 occupant. Holders of rights of entry and possibilities of  
3 reverter shall not be deemed parties interested in the  
4 property.

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

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

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

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

1 receipt requested, to that party at his or her residence, if  
2 ascertainable.

3 The changes to this Section made by Public Act 95-477  
4 apply only to matters in which a petition for tax deed is filed  
5 on or after June 1, 2008 (the effective date of Public Act  
6 95-477).

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

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