



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3414

Introduced 1/14/2022, by Sen. Mattie Hunter

SYNOPSIS AS INTRODUCED:

See Index

Amends the Department of Returning Resident Affairs Act and amends the Freedom of Information Act and the Property Tax Code. Contains declarations and findings. Creates the Second Chance State Housing Program under which the Department of Returning Resident Affairs shall provide decent, affordable single-family and multi-family housing opportunities to returning residents who have been prescreened for and referred to the Program by a hub site operator and have completed a 12-hour course conducted by or through a hub site operator using a U.S. Department of Housing and Urban Development-approved housing counselor. Provides that the Department shall receive not less than 15% of the Illinois affordable housing tax credit allocation. Provides that the Department may borrow money and issue notes and bonds, issue renewal notes, issue bonds to pay such notes, refund any bonds by the issuance of new bonds, create funds and accounts, and exercise other powers. Provides that the property of the Department and its income and operation are exempt from taxation. Provides that the Department shall be considered to be a municipality under the Tax Increment Allocation Redevelopment Act and have all of the authority, rights, powers, duties, and obligations of a municipality under that Act, subject to specified provisions. Provides that the Department's territorial limits shall be anywhere within the State. Provides that the Director of Returning Resident Affairs shall fulfill the role of all officials of a municipality and its corporate authorities. Provides that the Department may offer non-recourse reverse mortgage loans to qualified borrowers, subject to specified conditions. Provides that no unit of local government shall enact any zoning, permit, building code or other requirement for the purpose of preventing the Department from acquiring, revitalizing, rehabilitating, and conveying an interest in single-family and multi-family residential housing to one or more returning residents. Authorizes the purchase by the Department of tax delinquent single-family or multi-family residential property, subject to specified conditions. Makes other changes. Contains a severability provision. Effective immediately, but does not take effect at all unless another Act becomes law.

LRB102 22623 SSS 31766 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Department of Returning Resident Affairs
5 Act is amended by adding Sections 80, 85, and 90 as follows:

6 (Sec. 80 new)

7 Sec. 80. References to Sections 80 through 90. Sections 80
8 through 90 may be referred to as the Second Chance State
9 Housing Program Act.

10 (Sec. 85 new)

11 Sec. 85. Second Chance State Housing Program; legislative
12 declarations and findings. The General Assembly finds and
13 declares that:

14 (1) While stable housing is fundamental to the ability
15 of most members of the general public to survive, succeed,
16 and thrive, it is especially crucial to persons returning
17 to this community from incarceration.

18 (2) The existence of substantial obstacles that
19 prevent returning residents from accessing needed housing
20 is clear from the approximately 60% of unsheltered men and
21 58% of unsheltered women in part of this State who report
22 being previously convicted.

1 (3) The Metropolitan Planning Council has found that
2 "without the most basic of human needs -- a roof over a
3 head -- justice-involved individuals struggle to
4 reintegrate".

5 (4) The cost to Illinois of that failure to
6 reintegrate is high, resulting in approximately 40% of
7 formerly incarcerated individuals recidivating within 3
8 years of release and costing Illinois over \$151,000 for
9 each recidivism event.

10 (5) By providing housing to returning residents
11 through the revitalization and rehabilitation of existing
12 tax delinquent, abandoned, and otherwise distressed
13 single-family and multi-family residential housing units,
14 the Second Chance State Housing Program serves to not only
15 stabilize the lives of returning residents and their
16 families, but also to stabilize disadvantaged communities;

17 (6) The health, welfare, and prosperity of all
18 Illinois citizens requires the State to take the actions
19 described herein that create the Second Chance State
20 Housing Program.

21 (Sec. 90 new)

22 Sec. 90. Second Chance State Housing Program,

23 (a) Establishment. The Second Chance State Housing Program
24 is established as a part of the Second Chance State Program
25 administered by the Department. The Department is authorized,

1 directed, and required to administer the Second Chance State
2 Housing Program with the objective of providing decent,
3 affordable single-family and multi-family housing
4 opportunities to returning residents. To accomplish this and
5 administer and operate the Second Chance State Housing
6 Program, the Department shall have the following powers,
7 duties, and obligations in addition to other powers, duties,
8 and obligations provided to the Department under law.

9 (b) Housing development priorities and participant
10 qualification.

11 (1) The Second Chance State Housing Program shall be
12 implemented by the Department: (A) to the extent
13 reasonably feasible, by revitalizing and rehabilitating
14 existing tax delinquent, abandoned, and otherwise
15 distressed single-family and multi-family residential
16 housing units in order to provide both decent, affordable
17 rental and home ownership opportunities to returning
18 residents and their families; and (B) to the extent that a
19 need for such opportunities exists that cannot be
20 reasonably fulfilled by clause (A), then by such other
21 actions as the Department deems necessary and is legally
22 authorized to pursue, including, without limitation,
23 acquisition of other existing single-family and
24 multi-family residential housing units and construction of
25 new single-family and multi-family housing units.

26 (2) No person shall participate in the Second Chance

1 State Housing Program unless the person is a returning
2 resident who: (A) has been prescreened for and referred to
3 the Second Chance State Housing Program by a hub site
4 operator; and (B) has completed a 12-hour course conducted
5 by or through a hub site operator using a U.S. Department
6 of Housing and Urban Development-approved housing
7 counselor to prepare the returning resident to be a
8 homeowner or tenant. The course shall include, without
9 limitation, training on financial literacy and
10 responsibility, budgeting and financial management, the
11 rental and homebuying process, basic elements of a real
12 estate contract or lease, residential financing, title
13 insurance, real estate taxes, utilities, insurance, basic
14 home maintenance, delinquency and foreclosure prevention,
15 Second Chance State Housing Program requirements, and
16 other practical and legal requirements pertaining to being
17 a homeowner or tenant. The Department may promulgate
18 additional qualifications for participation in the Second
19 Chance State Housing Program that do not conflict with the
20 provisions of this Act.

21 (3) Hub site operators shall otherwise prepare
22 returning residents for participation in the Second Chance
23 State Housing Program and thereafter, returning residents'
24 ownership or rental of housing, including, without
25 limitation, assisting with securing affordable legal
26 representation and the establishment of necessary bank and

1 utility accounts.

2 (c) Illinois affordable housing tax credit allocation. The
3 Department shall receive not less than 15% of the Illinois
4 affordable housing tax credit allocation. The Department is
5 authorized to utilize such credits in any manner not
6 prohibited by law.

7 (d) Low-income housing tax credits.

8 (1) The Department is hereby designated as charged
9 with responsibility for administering low-income housing
10 tax credits allocated to the State for incarceration
11 projects under Section 42 of the Internal Revenue Code of
12 1986, as amended. In fulfilling its responsibilities, the
13 Department is authorized to do all acts authorized or
14 required under Section 42 of the Internal Revenue Code of
15 1986, as amended, and to:

16 (A) Establish a plan for allocation of low-income
17 housing tax credits, prepare application forms for
18 allocation of such tax credits, and make allocation of
19 such tax credits to eligible individuals and
20 corporations.

21 (B) Initiate marketing, education, and outreach
22 projects throughout the State to maximize utilization
23 of all available low-income housing tax credits.

24 (C) Provide technical assistance and training to
25 local governments, including home rule jurisdictions,
26 to encourage coordination of local, State, and federal

1 resources with the allocation of low-income housing
2 tax credits.

3 (D) Accept and allocate low-income housing tax
4 credits that may be transferred from Illinois home
5 rule jurisdictions.

6 (E) Assess fees to cover the costs of allocating
7 and administering the tax credits.

8 (2) The aggregate unused housing tax credit dollar
9 amount of all home rule jurisdictions available under
10 Section 42 of the Internal Revenue Code of 1986, as
11 amended, shall be as of June 1 of each calendar year
12 reserved to the Department in an amount not under
13 \$50,000,000 for allocation by the Department in the same
14 manner as the Illinois Housing Development Authority
15 allocates low-income housing tax credits allocated to the
16 State.

17 (e) Authority to issue debt.

18 (1) The Department may borrow money and issue its
19 notes and bonds in such principal amount, as, in the
20 opinion of the Department, shall be necessary to provide
21 sufficient funds for achieving the purposes of this
22 Section. The Department's bonds and notes may be issued as
23 general obligations of the Department payable from such
24 revenues, funds, and obligations of the Department as the
25 Department's order authorizing issuance of the bonds or
26 notes shall provide, or may be issued as limited

1 obligations with a claim for payment solely from such
2 revenues, funds, and obligations as the Department's order
3 authorizing issuance of the bonds or notes shall provide
4 and may secure the payment thereof by, among other things,
5 the pledge, or assignment, or grant of a lien on or
6 security interest of mortgages and notes of others,
7 revenues derived from its operation of the Second Chance
8 State Housing Program and loan repayments and other funds,
9 if any, received by the Department.

10 (2) The Department may, from time to time, issue
11 renewal notes, issue bonds to pay such notes, and,
12 whenever it deems refunding expedient, refund any bonds by
13 the issuance of new bonds, whether the bonds to be
14 refunded have or have not matured, and issue bonds partly
15 to refund bonds then outstanding and partly for any other
16 purpose. The refunding bonds shall be sold and the
17 proceeds applied to the purchase, redemption or payment of
18 the bonds to be refunded.

19 (3) The Department may procure insurance against any
20 loss in connection with its bonds, notes, or property in
21 such amounts, and from such insurers, as may be necessary
22 or desirable. The Department may acquire any instruments
23 the purpose of which is to reduce the risk of loss due to
24 fluctuation in the interest rate or market price of those
25 investments or may enter into any agreements to insure,
26 protect, or preserve its investments from any loss

1 (including, without limitation, loss caused by fluctuation
2 in interest rates, markets or in securities) in such
3 amounts and from such insurers, issuers, or other parties
4 as the Department deems appropriate.

5 (4) The Department may consent, whenever it deems it
6 necessary or desirable in the fulfillment of the purposes
7 of this Section, to the modification, with respect to rate
8 of interest, time of payment or any installment of
9 principal or interest, or any other terms, of any
10 mortgage, mortgage loan, mortgage loan commitment, other
11 loan, contract or agreement of any kind to which the
12 Department is a party.

13 (5) The Department may create such funds and accounts
14 as it deems necessary to service its notes and bonds and to
15 otherwise operate the Second Chance State Housing Program.

16 (6) The notes and bonds issued under this Section
17 shall be authorized by an order issued at the Director's
18 direction, shall bear such date or dates, and shall mature
19 at such time or times, not exceeding 50 years from the date
20 of issue, as the order may provide. The bonds may be issued
21 as serial bonds or as term bonds or as a combination
22 thereof. The notes and bonds shall bear interest at such
23 rate or rates as shall be determined by the order
24 authorizing issuance of the bonds and as otherwise allowed
25 by law. The notes and bonds shall be in such
26 denominations, be in such form, either coupon or

1 registered, carry such registration privileges, be
2 executed in such manner, be payable in such medium of
3 payment, at such place or places and be subject to such
4 terms of redemption as the order authorizing them may
5 provide. The notes and bonds may be sold by the
6 Department, at public or private sale, at such price or
7 prices as the Department shall determine. The order for
8 the issuance of the notes or bonds may include any other
9 provisions that the Department determines are necessary,
10 expedient, or otherwise in the Department's best interest
11 for the issuance of the notes or bonds.

12 (7) In lieu of establishing various provisions
13 governing the issuance of the Department's notes or bonds,
14 including, without limitation, the rate at which the
15 Department's notes or bonds shall bear interest, the price
16 at which the notes or bonds shall be sold, and the date of
17 issuance of the notes or bonds, the order authorizing
18 their issuance may set maximum and minimum prices,
19 interest rates and annual interest cost to the Department,
20 a range for the date of issuance and maturities, and any
21 other terms that set ranges or criteria as the Department
22 may determine.

23 (8) The Department's order authorizing the issuance of
24 its notes or bonds may provide that interest rates may
25 vary from time to time depending upon criteria established
26 by the Department in that order, which may include,

1 without limitation, a variation in interest rates as may
2 be necessary to cause notes or bonds to be remarketable
3 from time to time at a price equal to their principal
4 amount (or compound accredited value in case of original
5 issue discount bonds), and may provide for appointment of
6 a national banking association, bank, trust company,
7 investment bank, or other financial institution to serve
8 as a remarketing agent in that connection. The
9 Department's order authorizing the issuance of its notes
10 or bonds may provide that alternative interest rates or
11 provisions will apply during such times as the notes or
12 bonds are held by a person providing a letter of credit or
13 other credit enhancement arrangement for those notes or
14 bonds. Notwithstanding any other provisions of law, there
15 shall be no statutory limitation on the interest rates
16 that such variable rate notes and bonds may bear from time
17 to time.

18 (9) The notes and bonds of the Department are
19 securities in which all public officers and bodies of this
20 State and all municipalities and municipal subdivisions,
21 all insurance companies and associations, and other
22 persons carrying on an insurance business, all banks,
23 trust companies, savings banks and savings associations,
24 saving and loan associations, investment companies, all
25 administrators, guardians, executors, trustees and other
26 fiduciaries, and all other persons whatsoever who are now

1 or may hereafter be authorized to invest in bonds or other
2 obligations of the State, may properly and legally invest
3 funds, including capital, in their control or belonging to
4 them.

5 (10) Neither the Director nor any officer or employee
6 of the Department nor any other authorized person
7 executing the Department's orders, notes, and bonds shall
8 be liable personally on the Department's notes or bonds or
9 be subject to any personal liability or accountability by
10 reason of the issuance thereof.

11 (11) The property of the Department and its income and
12 operation shall be exempt from taxation.

13 (12) The Department shall have no taxing power. The
14 Department's notes and bonds shall not be a general
15 obligation of the State, the State shall not be liable on
16 the Department's notes or bonds and such notes and bonds
17 shall not be a debt of the State. The Department's notes
18 and bonds shall contain a statement to such effect on
19 their face.

20 (13) The creation of the Second Chance State Housing
21 Program is in all respects for the benefit of the people of
22 Illinois and for the improvement of their health, safety,
23 welfare, comfort, and security, and its purposes are
24 public purposes. In consideration thereof, the notes and
25 bonds of the Department issued under this Section and the
26 income therefrom shall be free from all taxation by the

1 State or its political subdivisions, except for estate,
2 transfer, and inheritance taxes.

3 (14) Neither the Department nor any notes or bonds it
4 issues shall be subject to the Bond Authorization Act.

5 (f) Tax increment finance authority. Solely for the
6 purpose of providing decent, affordable housing opportunities
7 to returning residents, the Department shall be considered to
8 be a municipality under the Tax Increment Allocation
9 Redevelopment Act and have all of the authority, rights,
10 powers, duties, and obligations of a municipality under that
11 Act; provided that for purposes of exercising the authority,
12 rights, powers, duties, and obligations under that Act:

13 (1) The provisions of the Tax Increment Allocation
14 Redevelopment Act that pertain to sales or utility taxes
15 and industrial, commercial, or retail developments shall
16 not apply to the Department.

17 (2) The Department's territorial limits shall be
18 anywhere within the State.

19 (3) Requirements pertaining to comprehensive or
20 community plans and plan commissions shall mean the
21 comprehensive or community plan and plan commission of the
22 county, township, or municipality with jurisdiction over
23 the property in the redevelopment project area.
24 Requirements pertaining to school districts shall mean the
25 school districts with jurisdiction over the property in
26 the redevelopment project area. Requirements pertaining to

1 library districts shall mean the library districts with
2 jurisdiction over the property in the redevelopment
3 project area.

4 (4) The Department may fulfill any ordinance or
5 resolution requirements by issuing an order.

6 (5) "Redevelopment project area" means an area in
7 which single-family and multi-family uses are permitted or
8 allowed by special use, planned unit development or a
9 similar zoning designation and that has been designated by
10 the Department, regardless of size, in respect to which
11 the Department has made a finding that there exist
12 conditions that cause the area to be classified as a
13 blighted area or a conservation area, or a combination of
14 both blighted areas and conservation areas.

15 (6) The Director shall fulfill the role of all
16 officials of a municipality and its corporate authorities.

17 (7) The Department may utilize revenues received under
18 the Tax Increment Allocation Redevelopment Act from one
19 redevelopment project area for eligible costs in another
20 redevelopment project area regardless of whether those
21 redevelopment project areas are contiguous.

22 (8) The provisions of the Tax Increment Allocation
23 Redevelopment Act pertaining to the issuance of
24 obligations shall not limit the authority provided to the
25 Department to issue debt under this Section. The
26 Department is authorized to pledge and use any revenues it

1 receives under the Tax Increment Allocation Redevelopment
2 Act to repay such debt, regardless of the source of that
3 revenue and the purpose of the debt, including, without
4 limitation, using revenue received from one redevelopment
5 project area to pay debt incurred for the purpose of
6 redeveloping another redevelopment project area,
7 regardless of whether those redevelopment project areas
8 are contiguous.

9 (g) Authority to acquire tax delinquent property. The
10 Department may exercise the authority provided to it under the
11 Property Tax Code to acquire interests in tax delinquent
12 single-family and multi-family residential properties.

13 (h) Prohibition on exclusionary local law. No county,
14 township, municipality, special district, or other unit of
15 local government shall enact any zoning, permit, building code
16 or other requirement for the purpose of preventing the
17 Department from acquiring, revitalizing, rehabilitating, and
18 conveying an interest in single-family and multi-family
19 residential housing to one or more returning residents.

20 (i) Confidentiality of information. All information
21 provided by a returning resident to the Department, any
22 employee of the Department, a hub site operator or any
23 employee of a hub site operator under or in connection with
24 participation in the Second Chance State Housing Program shall
25 be confidential and shall not be disclosed except as required
26 by law.

1 (j) The Department may offer non-recourse reverse mortgage
2 loans to qualified borrowers with the same restrictions and
3 requirements as prescribed in Section 6.1 of the Illinois
4 Banking Act. The Authority may seek funds from the Federal
5 Home Loan Bank of Chicago to fund reverse mortgage loans made
6 under this Section. Reverse mortgage loans may be made under
7 terms that qualify the loans for purchase by the Federal
8 National Mortgage Association.

9 (k) The Department may do any and all things necessary or
10 convenient to carry out its purposes and exercise the powers,
11 either separately or jointly, expressly given and granted in
12 this Section.

13 Section 10. The Freedom of Information Act is amended by
14 changing Section 7 as follows:

15 (5 ILCS 140/7) (from Ch. 116, par. 207)

16 Sec. 7. Exemptions.

17 (1) When a request is made to inspect or copy a public
18 record that contains information that is exempt from
19 disclosure under this Section, but also contains information
20 that is not exempt from disclosure, the public body may elect
21 to redact the information that is exempt. The public body
22 shall make the remaining information available for inspection
23 and copying. Subject to this requirement, the following shall
24 be exempt from inspection and copying:

1 (a) Information specifically prohibited from
2 disclosure by federal or State law or rules and
3 regulations implementing federal or State law.

4 (b) Private information, unless disclosure is required
5 by another provision of this Act, a State or federal law or
6 a court order.

7 (b-5) Files, documents, and other data or databases
8 maintained by one or more law enforcement agencies and
9 specifically designed to provide information to one or
10 more law enforcement agencies regarding the physical or
11 mental status of one or more individual subjects.

12 (c) Personal information contained within public
13 records, the disclosure of which would constitute a
14 clearly unwarranted invasion of personal privacy, unless
15 the disclosure is consented to in writing by the
16 individual subjects of the information. "Unwarranted
17 invasion of personal privacy" means the disclosure of
18 information that is highly personal or objectionable to a
19 reasonable person and in which the subject's right to
20 privacy outweighs any legitimate public interest in
21 obtaining the information. The disclosure of information
22 that bears on the public duties of public employees and
23 officials shall not be considered an invasion of personal
24 privacy.

25 (d) Records in the possession of any public body
26 created in the course of administrative enforcement

1 proceedings, and any law enforcement or correctional
2 agency for law enforcement purposes, but only to the
3 extent that disclosure would:

4 (i) interfere with pending or actually and
5 reasonably contemplated law enforcement proceedings
6 conducted by any law enforcement or correctional
7 agency that is the recipient of the request;

8 (ii) interfere with active administrative
9 enforcement proceedings conducted by the public body
10 that is the recipient of the request;

11 (iii) create a substantial likelihood that a
12 person will be deprived of a fair trial or an impartial
13 hearing;

14 (iv) unavoidably disclose the identity of a
15 confidential source, confidential information
16 furnished only by the confidential source, or persons
17 who file complaints with or provide information to
18 administrative, investigative, law enforcement, or
19 penal agencies; except that the identities of
20 witnesses to traffic accidents, traffic accident
21 reports, and rescue reports shall be provided by
22 agencies of local government, except when disclosure
23 would interfere with an active criminal investigation
24 conducted by the agency that is the recipient of the
25 request;

26 (v) disclose unique or specialized investigative

1 techniques other than those generally used and known
2 or disclose internal documents of correctional
3 agencies related to detection, observation or
4 investigation of incidents of crime or misconduct, and
5 disclosure would result in demonstrable harm to the
6 agency or public body that is the recipient of the
7 request;

8 (vi) endanger the life or physical safety of law
9 enforcement personnel or any other person; or

10 (vii) obstruct an ongoing criminal investigation
11 by the agency that is the recipient of the request.

12 (d-5) A law enforcement record created for law
13 enforcement purposes and contained in a shared electronic
14 record management system if the law enforcement agency
15 that is the recipient of the request did not create the
16 record, did not participate in or have a role in any of the
17 events which are the subject of the record, and only has
18 access to the record through the shared electronic record
19 management system.

20 (d-6) Records contained in the Officer Professional
21 Conduct Database under Section 9.2 ~~9.4~~ of the Illinois
22 Police Training Act, except to the extent authorized under
23 that Section. This includes the documents supplied to the
24 Illinois Law Enforcement Training Standards Board from the
25 Illinois State Police and Illinois State Police Merit
26 Board.

1 (e) Records that relate to or affect the security of
2 correctional institutions and detention facilities.

3 (e-5) Records requested by persons committed to the
4 Department of Corrections, Department of Human Services
5 Division of Mental Health, or a county jail if those
6 materials are available in the library of the correctional
7 institution or facility or jail where the inmate is
8 confined.

9 (e-6) Records requested by persons committed to the
10 Department of Corrections, Department of Human Services
11 Division of Mental Health, or a county jail if those
12 materials include records from staff members' personnel
13 files, staff rosters, or other staffing assignment
14 information.

15 (e-7) Records requested by persons committed to the
16 Department of Corrections or Department of Human Services
17 Division of Mental Health if those materials are available
18 through an administrative request to the Department of
19 Corrections or Department of Human Services Division of
20 Mental Health.

21 (e-8) Records requested by a person committed to the
22 Department of Corrections, Department of Human Services
23 Division of Mental Health, or a county jail, the
24 disclosure of which would result in the risk of harm to any
25 person or the risk of an escape from a jail or correctional
26 institution or facility.

1 (e-9) Records requested by a person in a county jail
2 or committed to the Department of Corrections or
3 Department of Human Services Division of Mental Health,
4 containing personal information pertaining to the person's
5 victim or the victim's family, including, but not limited
6 to, a victim's home address, home telephone number, work
7 or school address, work telephone number, social security
8 number, or any other identifying information, except as
9 may be relevant to a requester's current or potential case
10 or claim.

11 (e-10) Law enforcement records of other persons
12 requested by a person committed to the Department of
13 Corrections, Department of Human Services Division of
14 Mental Health, or a county jail, including, but not
15 limited to, arrest and booking records, mug shots, and
16 crime scene photographs, except as these records may be
17 relevant to the requester's current or potential case or
18 claim.

19 (f) Preliminary drafts, notes, recommendations,
20 memoranda and other records in which opinions are
21 expressed, or policies or actions are formulated, except
22 that a specific record or relevant portion of a record
23 shall not be exempt when the record is publicly cited and
24 identified by the head of the public body. The exemption
25 provided in this paragraph (f) extends to all those
26 records of officers and agencies of the General Assembly

1 that pertain to the preparation of legislative documents.

2 (g) Trade secrets and commercial or financial
3 information obtained from a person or business where the
4 trade secrets or commercial or financial information are
5 furnished under a claim that they are proprietary,
6 privileged, or confidential, and that disclosure of the
7 trade secrets or commercial or financial information would
8 cause competitive harm to the person or business, and only
9 insofar as the claim directly applies to the records
10 requested.

11 The information included under this exemption includes
12 all trade secrets and commercial or financial information
13 obtained by a public body, including a public pension
14 fund, from a private equity fund or a privately held
15 company within the investment portfolio of a private
16 equity fund as a result of either investing or evaluating
17 a potential investment of public funds in a private equity
18 fund. The exemption contained in this item does not apply
19 to the aggregate financial performance information of a
20 private equity fund, nor to the identity of the fund's
21 managers or general partners. The exemption contained in
22 this item does not apply to the identity of a privately
23 held company within the investment portfolio of a private
24 equity fund, unless the disclosure of the identity of a
25 privately held company may cause competitive harm.

26 Nothing contained in this paragraph (g) shall be

1 construed to prevent a person or business from consenting
2 to disclosure.

3 (h) Proposals and bids for any contract, grant, or
4 agreement, including information which if it were
5 disclosed would frustrate procurement or give an advantage
6 to any person proposing to enter into a contractor
7 agreement with the body, until an award or final selection
8 is made. Information prepared by or for the body in
9 preparation of a bid solicitation shall be exempt until an
10 award or final selection is made.

11 (i) Valuable formulae, computer geographic systems,
12 designs, drawings and research data obtained or produced
13 by any public body when disclosure could reasonably be
14 expected to produce private gain or public loss. The
15 exemption for "computer geographic systems" provided in
16 this paragraph (i) does not extend to requests made by
17 news media as defined in Section 2 of this Act when the
18 requested information is not otherwise exempt and the only
19 purpose of the request is to access and disseminate
20 information regarding the health, safety, welfare, or
21 legal rights of the general public.

22 (j) The following information pertaining to
23 educational matters:

24 (i) test questions, scoring keys and other
25 examination data used to administer an academic
26 examination;

1 (ii) information received by a primary or
2 secondary school, college, or university under its
3 procedures for the evaluation of faculty members by
4 their academic peers;

5 (iii) information concerning a school or
6 university's adjudication of student disciplinary
7 cases, but only to the extent that disclosure would
8 unavoidably reveal the identity of the student; and

9 (iv) course materials or research materials used
10 by faculty members.

11 (k) Architects' plans, engineers' technical
12 submissions, and other construction related technical
13 documents for projects not constructed or developed in
14 whole or in part with public funds and the same for
15 projects constructed or developed with public funds,
16 including, but not limited to, power generating and
17 distribution stations and other transmission and
18 distribution facilities, water treatment facilities,
19 airport facilities, sport stadiums, convention centers,
20 and all government owned, operated, or occupied buildings,
21 but only to the extent that disclosure would compromise
22 security.

23 (l) Minutes of meetings of public bodies closed to the
24 public as provided in the Open Meetings Act until the
25 public body makes the minutes available to the public
26 under Section 2.06 of the Open Meetings Act.

1 (m) Communications between a public body and an
2 attorney or auditor representing the public body that
3 would not be subject to discovery in litigation, and
4 materials prepared or compiled by or for a public body in
5 anticipation of a criminal, civil, or administrative
6 proceeding upon the request of an attorney advising the
7 public body, and materials prepared or compiled with
8 respect to internal audits of public bodies.

9 (n) Records relating to a public body's adjudication
10 of employee grievances or disciplinary cases; however,
11 this exemption shall not extend to the final outcome of
12 cases in which discipline is imposed.

13 (o) Administrative or technical information associated
14 with automated data processing operations, including, but
15 not limited to, software, operating protocols, computer
16 program abstracts, file layouts, source listings, object
17 modules, load modules, user guides, documentation
18 pertaining to all logical and physical design of
19 computerized systems, employee manuals, and any other
20 information that, if disclosed, would jeopardize the
21 security of the system or its data or the security of
22 materials exempt under this Section.

23 (p) Records relating to collective negotiating matters
24 between public bodies and their employees or
25 representatives, except that any final contract or
26 agreement shall be subject to inspection and copying.

1 (q) Test questions, scoring keys, and other
2 examination data used to determine the qualifications of
3 an applicant for a license or employment.

4 (r) The records, documents, and information relating
5 to real estate purchase negotiations until those
6 negotiations have been completed or otherwise terminated.
7 With regard to a parcel involved in a pending or actually
8 and reasonably contemplated eminent domain proceeding
9 under the Eminent Domain Act, records, documents, and
10 information relating to that parcel shall be exempt except
11 as may be allowed under discovery rules adopted by the
12 Illinois Supreme Court. The records, documents, and
13 information relating to a real estate sale shall be exempt
14 until a sale is consummated.

15 (s) Any and all proprietary information and records
16 related to the operation of an intergovernmental risk
17 management association or self-insurance pool or jointly
18 self-administered health and accident cooperative or pool.
19 Insurance or self insurance (including any
20 intergovernmental risk management association or self
21 insurance pool) claims, loss or risk management
22 information, records, data, advice or communications.

23 (t) Information contained in or related to
24 examination, operating, or condition reports prepared by,
25 on behalf of, or for the use of a public body responsible
26 for the regulation or supervision of financial

1 institutions, insurance companies, or pharmacy benefit
2 managers, unless disclosure is otherwise required by State
3 law.

4 (u) Information that would disclose or might lead to
5 the disclosure of secret or confidential information,
6 codes, algorithms, programs, or private keys intended to
7 be used to create electronic signatures under the Uniform
8 Electronic Transactions Act.

9 (v) Vulnerability assessments, security measures, and
10 response policies or plans that are designed to identify,
11 prevent, or respond to potential attacks upon a
12 community's population or systems, facilities, or
13 installations, the destruction or contamination of which
14 would constitute a clear and present danger to the health
15 or safety of the community, but only to the extent that
16 disclosure could reasonably be expected to jeopardize the
17 effectiveness of the measures or the safety of the
18 personnel who implement them or the public. Information
19 exempt under this item may include such things as details
20 pertaining to the mobilization or deployment of personnel
21 or equipment, to the operation of communication systems or
22 protocols, or to tactical operations.

23 (w) (Blank).

24 (x) Maps and other records regarding the location or
25 security of generation, transmission, distribution,
26 storage, gathering, treatment, or switching facilities

1 owned by a utility, by a power generator, or by the
2 Illinois Power Agency.

3 (y) Information contained in or related to proposals,
4 bids, or negotiations related to electric power
5 procurement under Section 1-75 of the Illinois Power
6 Agency Act and Section 16-111.5 of the Public Utilities
7 Act that is determined to be confidential and proprietary
8 by the Illinois Power Agency or by the Illinois Commerce
9 Commission.

10 (z) Information about students exempted from
11 disclosure under Sections 10-20.38 or 34-18.29 of the
12 School Code, and information about undergraduate students
13 enrolled at an institution of higher education exempted
14 from disclosure under Section 25 of the Illinois Credit
15 Card Marketing Act of 2009.

16 (aa) Information the disclosure of which is exempted
17 under the Viatical Settlements Act of 2009.

18 (bb) Records and information provided to a mortality
19 review team and records maintained by a mortality review
20 team appointed under the Department of Juvenile Justice
21 Mortality Review Team Act.

22 (cc) Information regarding interments, entombments, or
23 inurnments of human remains that are submitted to the
24 Cemetery Oversight Database under the Cemetery Care Act or
25 the Cemetery Oversight Act, whichever is applicable.

26 (dd) Correspondence and records (i) that may not be

1 disclosed under Section 11-9 of the Illinois Public Aid
2 Code or (ii) that pertain to appeals under Section 11-8 of
3 the Illinois Public Aid Code.

4 (ee) The names, addresses, or other personal
5 information of persons who are minors and are also
6 participants and registrants in programs of park
7 districts, forest preserve districts, conservation
8 districts, recreation agencies, and special recreation
9 associations.

10 (ff) The names, addresses, or other personal
11 information of participants and registrants in programs of
12 park districts, forest preserve districts, conservation
13 districts, recreation agencies, and special recreation
14 associations where such programs are targeted primarily to
15 minors.

16 (gg) Confidential information described in Section
17 1-100 of the Illinois Independent Tax Tribunal Act of
18 2012.

19 (hh) The report submitted to the State Board of
20 Education by the School Security and Standards Task Force
21 under item (8) of subsection (d) of Section 2-3.160 of the
22 School Code and any information contained in that report.

23 (ii) Records requested by persons committed to or
24 detained by the Department of Human Services under the
25 Sexually Violent Persons Commitment Act or committed to
26 the Department of Corrections under the Sexually Dangerous

1 Persons Act if those materials: (i) are available in the
2 library of the facility where the individual is confined;
3 (ii) include records from staff members' personnel files,
4 staff rosters, or other staffing assignment information;
5 or (iii) are available through an administrative request
6 to the Department of Human Services or the Department of
7 Corrections.

8 (jj) Confidential information described in Section
9 5-535 of the Civil Administrative Code of Illinois.

10 (kk) The public body's credit card numbers, debit card
11 numbers, bank account numbers, Federal Employer
12 Identification Number, security code numbers, passwords,
13 and similar account information, the disclosure of which
14 could result in identity theft or impression or defrauding
15 of a governmental entity or a person.

16 (ll) Records concerning the work of the threat
17 assessment team of a school district.

18 (mm) Records provided by a returning resident pursuant
19 to or in connection with participation in the Second
20 Chance State Housing Program.

21 (1.5) Any information exempt from disclosure under the
22 Judicial Privacy Act shall be redacted from public records
23 prior to disclosure under this Act.

24 (2) A public record that is not in the possession of a
25 public body but is in the possession of a party with whom the
26 agency has contracted to perform a governmental function on

1 behalf of the public body, and that directly relates to the
2 governmental function and is not otherwise exempt under this
3 Act, shall be considered a public record of the public body,
4 for purposes of this Act.

5 (3) This Section does not authorize withholding of
6 information or limit the availability of records to the
7 public, except as stated in this Section or otherwise provided
8 in this Act.

9 (Source: P.A. 101-434, eff. 1-1-20; 101-452, eff. 1-1-20;
10 101-455, eff. 8-23-19; 101-652, eff. 1-1-22; 102-38, eff.
11 6-25-21; 102-558, eff. 8-20-21; revised 11-22-21.)

12 Section 15. The Property Tax Code is amended by changing
13 Sections 21-95, 21-100, and 21-260 and by adding Section 21-92
14 as follows:

15 (35 ILCS 200/21-92 new)

16 Sec. 21-92. Purchase and sale by Department of Returning
17 Resident Affairs. When any single-family or multi-family
18 residential property is delinquent, or is forfeited for each
19 of 2 or more years, and is offered for sale under any of the
20 provisions of this Code, and the county board of the county in
21 which the property is located has not applied to purchase it,
22 the Department of Returning Resident Affairs may apply to
23 purchase it. The Director of Returning Resident Affairs may
24 appoint on its behalf some officer or person to attend such

1 sales and bid or, in the case of forfeited property, to apply
2 to the county clerk to purchase. The Department of Returning
3 Resident Affairs shall apply on the bid or purchase the unpaid
4 taxes and special assessments due upon the property. No cash
5 need be paid. The Department of Returning Resident Affairs may
6 take steps necessary to acquire title to the property and may
7 manage and operate the property, including, but not limited
8 to, mowing of grass, removal of nuisance greenery, removal of
9 garbage, waste, debris or other materials, or the demolition,
10 repair, or remediation of unsafe structures. When the
11 Department of Returning Resident Affairs is a petitioner for a
12 tax deed, no filing fee shall be required. When the Department
13 of Returning Resident Affairs is the petitioner for a tax
14 deed, one petition may be filed including all parcels that are
15 tax delinquent within the county or taxing district, and any
16 publication made under Section 22-20 of this Code may combine
17 all such parcels within a single notice. The notice shall list
18 the street or common address, if known, of the parcels for
19 informational purposes. The Department of Returning Resident
20 Affairs shall not be required to allege and prove that all
21 taxes and special assessments which become due and payable
22 after the sale to the county have been paid nor shall the
23 county be required to pay the subsequently accruing taxes or
24 special assessments at any time. The county collector shall be
25 prohibited from including the property in the tax sale of one
26 or more subsequent years. The lien of taxes and special

1 assessments which become due and payable after a sale to the
2 Department of Returning Resident Affairs shall merge in the
3 fee title of that Department on the issuance of a deed. The
4 Department may sell or assign the property so acquired, or the
5 certificate of purchase to it, to any party.

6 (35 ILCS 200/21-95)

7 Sec. 21-95. Tax abatement after acquisition by a
8 governmental unit. When any county, municipality, school
9 district, forest preserve district, or park district or the
10 Department of Returning Resident Affairs acquires property
11 through the foreclosure of a lien, through a judicial deed,
12 through the foreclosure of receivership certificate lien, or
13 by acceptance of a deed of conveyance in lieu of foreclosing
14 any lien against the property, or when a government unit
15 acquires property under the Abandoned Housing Rehabilitation
16 Act or a blight reduction or abandoned property program
17 administered by the Illinois Housing Development Authority, or
18 when any county or other taxing district acquires a deed for
19 property under Section 21-90 or Sections 21-145 and 21-260, or
20 when the Department of Returning Resident Affairs acquires a
21 deed for property under Section 21-90a, or when any county,
22 municipality, school district, forest preserve district, or
23 park district acquires title to property that was to be
24 transferred to that county, municipality, school district,
25 forest preserve district, or park district under the terms of

1 an annexation agreement, development agreement, donation
2 agreement, plat of subdivision, or zoning ordinance by an
3 entity that has been dissolved or is being dissolved or has
4 been in bankruptcy proceedings or is in bankruptcy
5 proceedings, all due or unpaid property taxes and existing
6 liens for unpaid property taxes imposed or pending under any
7 law or ordinance of this State or any of its political
8 subdivisions shall become null and void.

9 (Source: P.A. 100-314, eff. 8-24-17; 100-445, eff. 1-1-18;
10 100-863, eff. 8-14-18.)

11 (35 ILCS 200/21-100)

12 Sec. 21-100. Notice to county officials; voiding of tax
13 bills. The county board or corporate authorities of the
14 county, or other taxing district or the Department of
15 Returning Resident Affairs acquiring property under Section
16 21-95 shall give written notice of the acquisition to the
17 chief county assessment officer and the county collector and
18 the county clerk of the county in which the property is
19 located, and request the voiding of the tax liens as provided
20 in this Section. The notice shall describe the acquired
21 property by legal description or property index number.

22 Upon receipt of the notice, the county collector and
23 county clerk shall void the current and all prior unpaid taxes
24 on the records in their respective offices by entering the
25 following statement upon their records for the property:

1 "Acquired by ... (name of county, municipality, school
2 district, or park district or the Department of Returning
3 Resident Affairs acquiring the property under Section 21-95).
4 Taxes due and unpaid on this property ... (give legal
5 description or property index number and address of the
6 property) ... are waived and null and void under Section
7 21-100 of the Property Tax Code. The tax bills of this property
8 are hereby voided and liens for the taxes are extinguished."
9 (Source: P.A. 96-1142, eff. 7-21-10.)

10 (35 ILCS 200/21-260)

11 Sec. 21-260. Collector's scavenger sale. Upon the county
12 collector's application under Section 21-145, to be known as
13 the Scavenger Sale Application, the Court shall enter judgment
14 for the general taxes, special taxes, special assessments,
15 interest, penalties and costs as are included in the
16 advertisement and appear to be due thereon after allowing an
17 opportunity to object and a hearing upon the objections as
18 provided in Section 21-175, and order those properties sold by
19 the County Collector at public sale, or by electronic
20 automated sale if the collector chooses to conduct an
21 electronic automated sale pursuant to Section 21-261, to the
22 highest bidder for cash, notwithstanding the bid may be less
23 than the full amount of taxes, special taxes, special
24 assessments, interest, penalties and costs for which judgment
25 has been entered.

1 (a) Conducting the sale; bidding sale ~~sale~~ ~~Bidding~~. All
2 properties shall be offered for sale in consecutive order as
3 they appear in the delinquent list. The minimum bid for any
4 property shall be \$250 or one-half of the tax if the total
5 liability is less than \$500. For in-person scavenger sales,
6 the successful bidder shall pay the amount of the minimum bid
7 to the County Collector by the end of the business day on which
8 the bid was placed. That amount shall be paid in cash, by
9 certified or cashier's check, by money order, or, if the
10 successful bidder is a governmental unit, by a check issued by
11 that governmental unit. For electronic automated scavenger
12 sales, the successful bidder shall pay the minimum bid amount
13 by the close of the business day on which the bid was placed.
14 That amount shall be paid online via ACH debit or by the
15 electronic payment method required by the county collector.
16 For in-person scavenger sales, if the bid exceeds the minimum
17 bid, the successful bidder shall pay the balance of the bid to
18 the county collector in cash, by certified or cashier's check,
19 by money order, or, if the successful bidder is a governmental
20 unit, by a check issued by that governmental unit by the close
21 of the next business day. For electronic automated scavenger
22 sales, the successful bidder shall pay, by the close of the
23 next business day, the balance of the bid online via ACH debit
24 or by the electronic payment method required by the county
25 collector. If the minimum bid is not paid at the time of sale
26 or if the balance is not paid by the close of the next business

1 day, then the sale is void and the minimum bid, if paid, is
2 forfeited to the county general fund. In that event, the
3 property shall be reoffered for sale within 30 days of the last
4 offering of property in regular order. The collector shall
5 make available to the public a list of all properties to be
6 included in any reoffering due to the voiding of the original
7 sale. The collector is not required to serve or publish any
8 other notice of the reoffering of those properties. In the
9 event that any of the properties are not sold upon reoffering,
10 or are sold for less than the amount of the original voided
11 sale, the original bidder who failed to pay the bid amount
12 shall remain liable for the unpaid balance of the bid in an
13 action under Section 21-240. Liability shall not be reduced
14 where the bidder upon reoffering also fails to pay the bid
15 amount, and in that event both bidders shall remain liable for
16 the unpaid balance of their respective bids. A sale of
17 properties under this Section shall not be final until
18 confirmed by the court.

19 (b) Confirmation of sales. The county collector shall file
20 his or her report of sale in the court within 30 days of the
21 date of sale of each property. No notice of the county
22 collector's application to confirm the sales shall be required
23 except as prescribed by rule of the court. Upon confirmation,
24 except in cases where the sale becomes void under Section
25 22-85, or in cases where the order of confirmation is vacated
26 by the court, a sale under this Section shall extinguish the in

1 rem lien of the general taxes, special taxes and special
2 assessments for which judgment has been entered and a
3 redemption shall not revive the lien. Confirmation of the sale
4 shall in no event affect the owner's personal liability to pay
5 the taxes, interest and penalties as provided in this Code or
6 prevent institution of a proceeding under Section 21-440 to
7 collect any amount that may remain due after the sale.

8 (c) Issuance of tax sale certificates. Upon confirmation
9 of the sale, the County Clerk and the County Collector shall
10 issue to the purchaser a certificate of purchase in the form
11 prescribed by Section 21-250 as near as may be. A certificate
12 of purchase shall not be issued to any person who is ineligible
13 to bid at the sale or to receive a certificate of purchase
14 under Section 21-265.

15 (d) Scavenger Tax Judgment, Sale and Redemption Record;
16 sale Record — Sale of parcels not sold. The county collector
17 shall prepare a Scavenger Tax Judgment, Sale and Redemption
18 Record. The county clerk shall write or stamp on the scavenger
19 tax judgment, sale, forfeiture and redemption record opposite
20 the description of any property offered for sale and not sold,
21 or not confirmed for any reason, the words "offered but not
22 sold". The properties which are offered for sale under this
23 Section and not sold or not confirmed shall be offered for sale
24 annually thereafter in the manner provided in this Section
25 until sold, except in the case of mineral rights, which after
26 10 consecutive years of being offered for sale under this

1 Section and not sold or confirmed shall no longer be required
2 to be offered for sale. Single-family and multi-family
3 residential properties shall first be offered without charge
4 to the Department of Returning Resident Affairs . At any time
5 between annual sales the County Collector may advertise for
6 sale any properties subject to sale under judgments for sale
7 previously entered under this Section and not executed for any
8 reason. The advertisement and sale shall be regulated by the
9 provisions of this Code as far as applicable.

10 (e) Proceeding to tax deed. The owner of the certificate
11 of purchase shall give notice as required by Sections 22-5
12 through 22-30, and may extend the period of redemption as
13 provided by Section 21-385. At any time within 6 months prior
14 to expiration of the period of redemption from a sale under
15 this Code, the owner of a certificate of purchase may file a
16 petition and may obtain a tax deed under Sections 22-30
17 through 22-55. Within 30 days from filing of the petition, the
18 owner of a certificate must file with the county clerk the
19 names and addresses of the owners of the property and those
20 persons entitled to service of notice at their last known
21 addresses. The clerk shall mail notice within 30 days from the
22 date of the filing of addresses with the clerk. All
23 proceedings for the issuance of a tax deed and all tax deeds
24 for properties sold under this Section shall be subject to
25 Sections 22-30 through 22-55. Deeds issued under this Section
26 are subject to Section 22-70. This Section shall be liberally

1 construed so that the deeds provided for in this Section
2 convey merchantable title.

3 (f) Redemptions from scavenger sales. Redemptions may be
4 made from sales under this Section in the same manner and upon
5 the same terms and conditions as redemptions from sales made
6 under the County Collector's annual application for judgment
7 and order of sale, except that in lieu of penalty the person
8 redeeming shall pay interest as follows if the sale occurs
9 before September 9, 1993:

10 (1) If redeemed within the first 2 months from the
11 date of the sale, 3% per month or portion thereof upon the
12 amount for which the property was sold;

13 (2) If redeemed between 2 and 6 months from the date of
14 the sale, 12% of the amount for which the property was
15 sold;

16 (3) If redeemed between 6 and 12 months from the date
17 of the sale, 24% of the amount for which the property was
18 sold;

19 (4) If redeemed between 12 and 18 months from the date
20 of the sale, 36% of the amount for which the property was
21 sold;

22 (5) If redeemed between 18 and 24 months from the date
23 of the sale, 48% of the amount for which the property was
24 sold;

25 (6) If redeemed after 24 months from the date of sale,
26 the 48% herein provided together with interest at 6% per

1 year thereafter.

2 If the sale occurs on or after September 9, 1993, the
3 person redeeming shall pay interest on that part of the amount
4 for which the property was sold equal to or less than the full
5 amount of delinquent taxes, special assessments, penalties,
6 interest, and costs, included in the judgment and order of
7 sale as follows:

8 (1) If redeemed within the first 2 months from the
9 date of the sale, 3% per month upon the amount of taxes,
10 special assessments, penalties, interest, and costs due
11 for each of the first 2 months, or fraction thereof.

12 (2) If redeemed at any time between 2 and 6 months from
13 the date of the sale, 12% of the amount of taxes, special
14 assessments, penalties, interest, and costs due.

15 (3) If redeemed at any time between 6 and 12 months
16 from the date of the sale, 24% of the amount of taxes,
17 special assessments, penalties, interest, and costs due.

18 (4) If redeemed at any time between 12 and 18 months
19 from the date of the sale, 36% of the amount of taxes,
20 special assessments, penalties, interest, and costs due.

21 (5) If redeemed at any time between 18 and 24 months
22 from the date of the sale, 48% of the amount of taxes,
23 special assessments, penalties, interest, and costs due.

24 (6) If redeemed after 24 months from the date of sale,
25 the 48% provided for the 24 months together with interest
26 at 6% per annum thereafter on the amount of taxes, special

1 assessments, penalties, interest, and costs due.

2 The person redeeming shall not be required to pay any
3 interest on any part of the amount for which the property was
4 sold that exceeds the full amount of delinquent taxes, special
5 assessments, penalties, interest, and costs included in the
6 judgment and order of sale.

7 Notwithstanding any other provision of this Section,
8 except for owner-occupied single family residential units
9 which are condominium units, cooperative units or dwellings,
10 the amount required to be paid for redemption shall also
11 include an amount equal to all delinquent taxes on the
12 property which taxes were delinquent at the time of sale. The
13 delinquent taxes shall be apportioned by the county collector
14 among the taxing districts in which the property is situated
15 in accordance with law. In the event that all moneys received
16 from any sale held under this Section exceed an amount equal to
17 all delinquent taxes on the property sold, which taxes were
18 delinquent at the time of sale, together with all publication
19 and other costs associated with the sale, then, upon
20 redemption, the County Collector and the County Clerk shall
21 apply the excess amount to the cost of redemption.

22 (g) Bidding by county or other taxing districts. Any
23 taxing district and the Department of Returning Resident
24 Affairs may bid at a scavenger sale. The county board of the
25 county in which properties offered for sale under this Section
26 are located may bid as trustee for all taxing districts having

1 an interest in the taxes for the nonpayment of which the
2 parcels are offered. The County or the Department of Returning
3 Resident Affairs shall apply on the bid the unpaid taxes due
4 upon the property and no cash need be paid. The County or other
5 taxing district or the Department of Returning Resident
6 Affairs acquiring a tax sale certificate shall take all steps
7 necessary to acquire title to the property and may manage and
8 operate the property so acquired.

9 When a county, or other taxing district within the county,
10 or the Department of Returning Resident Affairs is a
11 petitioner for a tax deed, no filing fee shall be required on
12 the petition. The county as a tax creditor and as trustee for
13 other tax creditors, or other taxing district within the
14 county or the Department of Returning Resident Affairs shall
15 not be required to allege and prove that all taxes and special
16 assessments which become due and payable after the sale to the
17 county have been paid. The county or the Department of
18 Returning Resident Affairs shall not be required to pay the
19 subsequently accruing taxes or special assessments at any
20 time. Upon the written request of the county board or its
21 designee, the county collector shall not offer the property
22 for sale at any tax sale subsequent to the sale of the property
23 to the county under this Section. The lien of taxes and special
24 assessments which become due and payable after a sale to a
25 county shall merge in the fee title of the county, or other
26 taxing district, on the issuance of a deed. The County may sell

1 the properties so acquired, or the certificate of purchase
2 thereto, and the proceeds of the sale shall be distributed to
3 the taxing districts in proportion to their respective
4 interests therein. The presiding officer of the county board,
5 with the advice and consent of the County Board, may appoint
6 some officer or person to attend scavenger sales and bid on its
7 behalf.

8 (h) Miscellaneous provisions. In the event that the tract
9 of land or lot sold at any such sale is not redeemed within the
10 time permitted by law and a tax deed is issued, all moneys that
11 may be received from the sale of properties in excess of the
12 delinquent taxes, together with all publication and other
13 costs associated with the sale, shall, upon petition of any
14 interested party to the court that issued the tax deed, be
15 distributed by the County Collector pursuant to order of the
16 court among the persons having legal or equitable interests in
17 the property according to the fair value of their interests in
18 the tract or lot. Section 21-415 does not apply to properties
19 sold under this Section. Appeals may be taken from the orders
20 and judgments entered under this Section as in other civil
21 cases. The remedy herein provided is in addition to other
22 remedies for the collection of delinquent taxes.

23 (i) The changes to this Section made by Public Act 95-477
24 ~~this amendatory Act of the 95th General Assembly~~ apply only to
25 matters in which a petition for tax deed is filed on or after
26 June 1, 2008 (the effective date of Public Act 95-477) ~~this~~

1 ~~amendatory Act of the 95th General Assembly.~~

2 (Source: P.A. 102-519, eff. 8-20-21; 102-528, eff. 1-1-22;
3 revised 10-18-21.)

4 Section 97. Severability. The provisions of this Act are
5 severable under Section 1.31 of the Statute on Statutes.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law, but this Act does not take effect at all unless
8 "An Act creating the Department of Returning Resident Affairs"
9 of the 102nd General Assembly becomes law.

1 INDEX

2 Statutes amended in order of appearance

3 5 ILCS 140/7 from Ch. 116, par. 207

4 35 ILCS 200/21-92 new

5 35 ILCS 200/21-95

6 35 ILCS 200/21-100

7 35 ILCS 200/21-260