



Rep. Janet Yang Rohr

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10200SB3650ham001

LRB102 24547 LNS 38537 a

1 AMENDMENT TO SENATE BILL 3650

2 AMENDMENT NO. _____. Amend Senate Bill 3650 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Code of Civil Procedure is amended by
5 changing Section 13-115 as follows:

6 (735 ILCS 5/13-115) (from Ch. 110, par. 13-115)

7 Sec. 13-115. Foreclosure of mortgage; equitable mortgage;
8 equitable lien against real estate; subrogation to a prior
9 mortgage. Unless within 10 years after the right of action or
10 right to make such sale accrues, no ~~No~~ person shall (i)
11 commence an action or make a sale to foreclose any mortgage or
12 deed of trust in the nature of a mortgage; or (ii) commence an
13 action to establish an equitable mortgage, an equitable lien
14 against real estate, or a claim for subrogation to a prior
15 mortgage. For purposes of this Section, a right of action
16 accrues when the debt held or new promise in writing to pay

1 such debt is in default. This amendatory Act of the 102nd
2 General Assembly is declarative of existing law. ~~unless~~
3 ~~within 10 years after the right of action or right to make such~~
4 ~~sale accrues.~~

5 (Source: P.A. 82-280.)".