

SB3973



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3973

Introduced 1/21/2022, by Sen. Laura M. Murphy

SYNOPSIS AS INTRODUCED:

735 ILCS 5/15-1515 new

Amends the Mortgage Foreclosure Article of the Code of Civil Procedure. Requires a court file to be sealed upon the commencement of any foreclosure action during the COVID-19 emergency and economic recovery period. Provides that if a residential eviction action filed during the COVID-19 emergency and economic recovery period is pending on the effective date of the amendatory Act and is not sealed, the court shall order the sealing of the court file. Provides that the amendatory Act applies to any action to foreclose a mortgage relating to (i) residential real estate, and (ii) real estate improved with a dwelling structure containing dwelling units for 6 or fewer families living independently of each other in which the mortgagor is a natural person landlord renting the dwelling units, even if the mortgagor does not occupy any of the dwelling units as the mortgagor's personal residence. Effective immediately.

LRB102 24578 LNS 33812 b

A BILL FOR

1 AN ACT concerning civil law.

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

4 Section 5. The Code of Civil Procedure is amended by
5 adding Section 15-1515 as follows:

6 (735 ILCS 5/15-1515 new)

7 Sec. 15-1515. COVID-19 emergency sealing of court file.

8 (a) As used in this Section:

9 "Court file" means the court file created when a
10 foreclosure action is filed with the court.

11 "COVID-19 emergency and economic recovery period" means
12 the period beginning on March 9, 2020, when the Governor
13 issued the first disaster proclamation for the State to
14 address the circumstances related to COVID-19 and ending on
15 March 31, 2023.

16 (b) The court file shall be sealed upon the commencement
17 of any foreclosure action during the COVID-19 emergency and
18 economic recovery period. If a residential eviction action
19 filed during the COVID-19 emergency and economic recovery
20 period is pending on the effective date of this amendatory Act
21 of the 102nd General Assembly and is not sealed, the court
22 shall order the sealing of the court file.

23 (c) This Section applies to any action to foreclose a

1 mortgage relating to: (i) residential real estate as defined
2 in Section 15-1219; and (ii) real estate improved with a
3 dwelling structure containing dwelling units for 6 or fewer
4 families living independently of each other in which the
5 mortgagor is a natural person landlord renting the dwelling
6 units, even if the mortgagor does not occupy any of the
7 dwelling units as the mortgagor's personal residence.

8 (d) This Section is repealed on June 1, 2024.

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