

HB2164



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2164

Introduced 2/7/2023, by Rep. Margaret Croke

SYNOPSIS AS INTRODUCED:

35 ILCS 200/22-15

Amends the Property Tax Code. Provides that, in Cook County, service of notice of the expiration of the period of redemption may be made by a private detective, but only if the purchaser or assignee also delivers the notice to a sheriff (or the sheriff is disqualified, to a coroner) for attempted service. Effective immediately.

LRB103 06060 HLH 51090 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. In Cook County, service by a person who is
19 licensed or registered as a private detective under the
20 Private Detective, Private Alarm, Private Security,
21 Fingerprint Vendor, and Locksmith Act of 2004 shall be made
22 only if the purchaser or assignee also delivers the notice to
23 the sheriff (or if the sheriff is disqualified, to the

1 coroner) for attempted service. Service that is made by a
2 person who is licensed or registered as a private detective
3 under the Private Detective, Private Alarm, Private Security,
4 Fingerprint Vendor, and Locksmith Act of 2004 that complies
5 with the provisions of this Section shall have the same force
6 and effect as service by the sheriff or coroner. The costs
7 incurred in causing notices to be served by a licensed or
8 registered private detective under this Section are governed
9 by subsection (h) of Section 21-355.

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

1 effect as its delivery to and service by the sheriff or
2 coroner.

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

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

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

23 When a judgment is a lien upon the property sold, the
24 holder of the lien shall be served with notice if the name of
25 the judgment debtor as shown in the transcript, certified copy
26 or memorandum of judgment filed of record is identical, as to

1 given name and surname, with the name of the party interested
2 as it appears of record.

3 If any owner or party interested, upon diligent inquiry
4 and effort, cannot be found or served with notice in the county
5 as provided in this Section, and the person in actual
6 occupancy and possession is tenant to, or in possession under
7 the owners or the parties interested in the property, then
8 service of notice upon the tenant, occupant or person in
9 possession shall be deemed service upon the owners or parties
10 interested.

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

17 The changes to this Section made by Public Act 95-477
18 apply only to matters in which a petition for tax deed is filed
19 on or after June 1, 2008 (the effective date of Public Act
20 95-477).

21 The changes to this Section made by this amendatory Act of
22 the 103rd General Assembly apply only to matters in which a
23 petition for tax deed is filed on or after the effective date
24 of this amendatory Act of the 103rd General Assembly.

25 (Source: P.A. 95-195, eff. 1-1-08; 95-477, eff. 6-1-08;
26 95-876, eff. 8-21-08.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.