

1 AN ACT concerning property taxes.

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 Sections 21-15, 21-20, and 21-25 as follows:

6 (35 ILCS 200/21-15)

7 Sec. 21-15. General tax due dates; default by mortgage
8 lender. Except as otherwise provided in this Section or
9 Section 21-40, all property upon which the first installment
10 of taxes remains unpaid on June 1 annually shall be deemed
11 delinquent and shall bear interest after June 1 at the rate
12 of 1 1/2% per month or portion thereof. Except as otherwise
13 provided in Section 21-40 and notwithstanding any other
14 provision, for taxable years 2003 and thereafter, farm
15 property assessed under Sections 10-110 through 10-140 upon
16 which the first installment of taxes remains unpaid on June 1
17 annually shall be deemed delinquent and shall bear interest
18 after June 1 at the rate of 1/2% per month or portion thereof
19 for a period of 5 years, after which time the rate of
20 interest shall be 1 1/2% per month or portion thereof. Except
21 as otherwise provided in this Section or Section 21-40, all
22 property upon which the second installment of taxes remains
23 due and unpaid on September 1, annually, shall be deemed
24 delinquent and shall bear interest after September 1 at the
25 same interest rate as the first installment. All interest
26 collected shall be paid into the general fund of the county.
27 Payment received by mail and postmarked on or before the
28 required due date is not delinquent.

29 Property not subject to the interest charge in Section
30 9-265 shall also not be subject to the interest charge
31 imposed by this Section until such time as the owner of the

1 property receives actual notice of and is billed for the
2 principal amount of back taxes due and owing.

3 If a member of a reserve component of the armed forces of
4 the United States who has an ownership interest in property
5 taxed under this Act is called to active duty for deployment
6 outside the continental United States and is on active duty
7 on the due date of any installment of taxes due under this
8 Act, he or she shall not be deemed delinquent in the payment
9 of the installment and no interest shall accrue or be charged
10 as a penalty on the installment until 30 days after that
11 member returns from active duty.

12 Notwithstanding any other provision of law, when any
13 unpaid taxes become delinquent under this Section through the
14 fault of the mortgage lender, (i) the interest assessed under
15 this Section for delinquent taxes shall be charged against
16 the mortgage lender and not the mortgagor and (ii) the
17 mortgage lender shall pay the taxes, redeem the property and
18 take all necessary steps to remove any liens accruing against
19 the property because of the delinquency. In the event that
20 more than one entity meets the definition of mortgage lender
21 with respect to any mortgage, the interest shall be assessed
22 against the mortgage lender responsible for servicing the
23 mortgage. Unpaid taxes shall be deemed delinquent through
24 the fault of the mortgage lender only if: (a) the mortgage
25 lender has received all payments due the mortgage lender for
26 the property being taxed under the written terms of the
27 mortgage or promissory note secured by the mortgage, (b) the
28 mortgage lender holds funds in escrow to pay the taxes, and
29 (c) the funds are sufficient to pay the taxes after deducting
30 all amounts reasonably anticipated to become due for all
31 hazard insurance premiums and mortgage insurance premiums and
32 any other assessments to be paid from the escrow under the
33 terms of the mortgage. For purposes of this Section, an
34 amount is reasonably anticipated to become due if it is

1 payable within 12 months from the time of determining the
2 sufficiency of funds held in escrow. Unpaid taxes shall not
3 be deemed delinquent through the fault of the mortgage lender
4 if the mortgage lender was directed in writing by the
5 mortgagor not to pay the property taxes, or if the failure to
6 pay the taxes when due resulted from inadequate or inaccurate
7 parcel information provided by the mortgagor, a title or
8 abstract company, or by the agency or unit of government
9 assessing the tax.

10 (Source: P.A. 90-336, eff. 1-1-98; 90-575, eff. 3-20-98;
11 91-199, eff. 1-1-00; 91-898, eff. 7-6-00.)

12 (35 ILCS 200/21-20)

13 Sec. 21-20. Due dates; accelerated billing in counties
14 of less than 3,000,000. Except as otherwise provided in
15 Section 21-40, in counties with less than 3,000,000
16 inhabitants in which the accelerated method of billing and
17 paying taxes provided for in Section 21-30 is in effect, the
18 estimated first installment of unpaid taxes shall be deemed
19 delinquent and shall bear interest after a date not later
20 than June 1 annually as provided for in the ordinance or
21 resolution of the county board adopting the accelerated
22 method, at the rate of 1 1/2% per month or portion thereof
23 until paid or forfeited. Except as otherwise provided in
24 Section 21-40 and notwithstanding any other provision, for
25 taxable years 2003 and thereafter, in counties with less than
26 3,000,000 inhabitants in which the accelerated method of
27 billing and paying taxes provided for in Section 21-30 is in
28 effect, the estimated first installment of unpaid taxes on
29 farm property assessed under Sections 10-110 through 10-140
30 shall be deemed delinquent and shall bear interest, after a
31 date not later than June 1 annually as provided for in the
32 ordinance or resolution of the county board adopting the
33 accelerated method, at the rate of 1/2% per month or portion

1 thereof for a period of 5 years, after which time the rate of
2 interest shall be 1 1/2% per month or portion thereof until
3 paid or forfeited. The second installment of unpaid taxes
4 shall be deemed delinquent and shall bear interest after
5 August 1 annually at the same interest rate as the first
6 installment until paid or forfeited. Payment received by
7 mail and postmarked on or before the required due date is not
8 delinquent.

9 If a member of a reserve component of the armed forces of
10 the United States who has an ownership interest in property
11 taxed under this Act is called to active duty for deployment
12 outside the continental United States and is on active duty
13 on the due date of any installment of taxes due under this
14 Act, he or she shall not be deemed delinquent in the payment
15 of the installment and no interest shall accrue or be charged
16 as a penalty on the installment until 30 days after that
17 member returns from active duty.

18 (Source: P.A. 91-199, eff. 1-1-00; 91-898, eff. 7-6-00.)

19 (35 ILCS 200/21-25)

20 Sec. 21-25. Due dates; accelerated billing in counties
21 of 3,000,000 or more. Except as hereinafter provided and as
22 provided in Section 21-40, in counties with 3,000,000 or more
23 inhabitants in which the accelerated method of billing and
24 paying taxes provided for in Section 21-30 is in effect, the
25 estimated first installment of unpaid taxes shall be deemed
26 delinquent and shall bear interest after March 1 at the rate
27 of 1 1/2% per month or portion thereof until paid or
28 forfeited. Except as otherwise provided in this Section or in
29 Section 21-40 and notwithstanding any other provision, for
30 taxable years 2003 and thereafter, in counties with 3,000,000
31 or more inhabitants in which the accelerated method of
32 billing and paying taxes provided for in Section 21-30 is in
33 effect, the estimated first installment of unpaid taxes on

1 farm property assessed under Sections 10-110 through 10-140
2 shall be deemed delinquent and shall bear interest after
3 March 1 at the rate of 1/2% per month or portion thereof for
4 a period of 5 years, after which time the rate of interest
5 shall be 1 1/2% per month or portion thereof until paid or
6 forfeited. The second installment of unpaid taxes shall be
7 deemed delinquent and shall bear interest after August 1
8 annually at the same interest rate as the first installment
9 until paid or forfeited.

10 If the county board elects by ordinance adopted prior to
11 July 1 of a levy year to provide for taxes to be paid in 4
12 installments, each installment for that levy year and each
13 subsequent year shall be deemed delinquent and shall begin to
14 bear interest 30 days after the date specified by the
15 ordinance for mailing bills, at the rate of 1 1/2% per month
16 or portion thereof (or, for taxable years 2003 and
17 thereafter, for farm property assessed under Sections 10-110
18 through 10-140, at the rate of 1/2% per month or portion
19 thereof for a period of 5 years, after which time the rate of
20 interest shall be 1 1/2% per month or portion thereof) until
21 paid or forfeited.

22 Payment received by mail and postmarked on or before the
23 required due date is not delinquent.

24 Taxes levied on homestead property in which a member of
25 the National Guard or reserves of the armed forces of the
26 United States who was called to active duty on or after
27 August 1, 1990, and who has an ownership interest, shall not
28 be deemed delinquent and no interest shall accrue or be
29 charged as a penalty on such taxes due and payable in 1991 or
30 1992 until one year after that member returns to civilian
31 status.

32 If a member of a reserve component of the armed forces of
33 the United States who has an ownership interest in property
34 taxed under this Act is called to active duty for deployment

1 outside the continental United States and is on active duty
2 on the due date of any installment of taxes due under this
3 Act, he or she shall not be deemed delinquent in the payment
4 of the installment and no interest shall accrue or be charged
5 as a penalty on the installment until 30 days after that
6 member returns to civilian status.

7 (Source: P.A. 91-199, eff. 1-1-00; 91-898, eff. 7-6-00.)

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