

1 AN ACT concerning 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 this Section or Section 21-40, all property upon  
14 which the second installment of taxes remains due and unpaid  
15 on September 1, annually, shall be deemed delinquent and  
16 shall bear interest after September 1 at the same interest  
17 rate. All interest collected shall be paid into the general  
18 fund of the county. Payment received by mail and postmarked  
19 on or before the required due date is not delinquent.

20 Property not subject to the interest charge in Section  
21 9-265 shall also not be subject to the interest charge  
22 imposed by this Section until such time as the owner of the  
23 property receives actual notice of and is billed for the  
24 principal amount of back taxes due and owing.

25 If an Illinois resident who is a member of the Illinois  
26 National Guard or a reserve component of the armed forces of  
27 the United States and who has an ownership interest in  
28 property taxed under this Act is called to active duty for  
29 deployment outside the continental United States and is on  
30 active duty on the due date of any installment of taxes due  
31 under this Act, he or she shall not be deemed delinquent in

1 the payment of the installment and no interest shall accrue  
2 or be charged as a penalty on the installment until one year  
3 30-days after that member returns from active duty. To be  
4 deemed not delinquent in the payment of an installment of  
5 taxes and any interest on that installment, the reservist or  
6 guardsperson must notify the county clerk within 30 days  
7 after his or her deactivation and provide verification of the  
8 date of his or her deactivation. An installment of property  
9 taxes on the property of any reservist or guardsperson who  
10 fails to provide timely notice and verification of  
11 deactivation to the county clerk is subject to interest and  
12 penalties as delinquent taxes under this Code from the date  
13 of deactivation.

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

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

12 (Source: P.A. 90-336, eff. 1-1-98; 90-575, eff. 3-20-98;  
13 91-199, eff. 1-1-00; 91-898, eff. 7-6-00.)

14 (35 ILCS 200/21-20)

15 Sec. 21-20. Due dates; accelerated billing in counties  
16 of less than 3,000,000. Except as otherwise provided in  
17 Section 21-40, in counties with less than 3,000,000  
18 inhabitants in which the accelerated method of billing and  
19 paying taxes provided for in Section 21-30 is in effect, the  
20 estimated first installment of unpaid taxes shall be deemed  
21 delinquent and shall bear interest after a date not later  
22 than June 1 annually as provided for in the ordinance or  
23 resolution of the county board adopting the accelerated  
24 method, at the rate of 1 1/2% per month or portion thereof  
25 until paid or forfeited. The second installment of unpaid  
26 taxes shall be deemed delinquent and shall bear interest  
27 after August 1 annually at the same interest rate until paid  
28 or forfeited. Payment received by mail and postmarked on or  
29 before the required due date is not delinquent.

30 If an Illinois resident who is a member of the Illinois  
31 National Guard or a reserve component of the armed forces of  
32 the United States and who has an ownership interest in  
33 property taxed under this Act is called to active duty for

1 deployment outside the continental United States and is on  
2 active duty on the due date of any installment of taxes due  
3 under this Act, he or she shall not be deemed delinquent in  
4 the payment of the installment and no interest shall accrue  
5 or be charged as a penalty on the installment until one year  
6 30-days after that member returns from active duty. To be  
7 deemed not delinquent in the payment of an installment of  
8 taxes and any interest on that installment, the reservist or  
9 guardsperson must notify the county clerk within 30 days  
10 after his or her deactivation and provide verification of the  
11 date of his or her deactivation. An installment of property  
12 taxes on the property of any reservist or guardsperson who  
13 fails to provide timely notice and verification of  
14 deactivation to the county clerk is subject to interest and  
15 penalties as delinquent taxes under this Code from the date  
16 of deactivation.

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

18 (35 ILCS 200/21-25)

19 Sec. 21-25. Due dates; accelerated billing in counties  
20 of 3,000,000 or more. Except as hereinafter provided and as  
21 provided in Section 21-40, in counties with 3,000,000 or more  
22 inhabitants in which the accelerated method of billing and  
23 paying taxes provided for in Section 21-30 is in effect, the  
24 estimated first installment of unpaid taxes shall be deemed  
25 delinquent and shall bear interest after March 1 at the rate  
26 of 1 1/2% per month or portion thereof until paid or  
27 forfeited. The second installment of unpaid taxes shall be  
28 deemed delinquent and shall bear interest after August 1  
29 annually at the same interest rate until paid or forfeited.

30 If the county board elects by ordinance adopted prior to  
31 July 1 of a levy year to provide for taxes to be paid in 4  
32 installments, each installment for that levy year and each  
33 subsequent year shall be deemed delinquent and shall begin to

1 bear interest 30 days after the date specified by the  
2 ordinance for mailing bills, at the rate of 1 1/2% per month  
3 or portion thereof, until paid or forfeited.

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

6 Taxes levied on homestead property in which a member of  
7 the National Guard or reserves of the armed forces of the  
8 United States who was called to active duty on or after  
9 August 1, 1990, and who has an ownership interest, shall not  
10 be deemed delinquent and no interest shall accrue or be  
11 charged as a penalty on such taxes due and payable in 1991 or  
12 1992 until one year after that member returns to civilian  
13 status.

14 If an Illinois resident who is a member of the Illinois  
15 National Guard or a reserve component of the armed forces of  
16 the United States and who has an ownership interest in  
17 property taxed under this Act is called to active duty for  
18 deployment outside the continental United States and is on  
19 active duty on the due date of any installment of taxes due  
20 under this Act, he or she shall not be deemed delinquent in  
21 the payment of the installment and no interest shall accrue  
22 or be charged as a penalty on the installment until one year  
23 30--days after that member returns to civilian status. To be  
24 deemed not delinquent in the payment of an installment of  
25 taxes and any interest on that installment, the reservist or  
26 guardsperson must notify the county clerk within 30 days  
27 after his or her deactivation and provide verification of the  
28 date of his or her deactivation. An installment of property  
29 taxes on the property of any reservist or guardsperson who  
30 fails to provide timely notice and verification of  
31 deactivation to the county clerk is subject to interest and  
32 penalties as delinquent taxes under this Code from the date  
33 of deactivation.

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

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