

# HB0178



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB0178**

Introduced 1/11/2005, by Rep. Robert W. Churchill

**SYNOPSIS AS INTRODUCED:**

735 ILCS 5/12-901

from Ch. 110, par. 12-901

Amends the Code of Civil Procedure. Increases the amount of the homestead exemption from \$7,500 to \$100,000. Provides that if 2 or more individuals own property that is exempt as a homestead, the value of the exemption of each individual may not exceed his or her proportionate share of \$200,000 (instead of \$15,000) based upon percentage of ownership. Effective immediately.

LRB094 03502 LCB 33505 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning civil procedure.

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 changing Section 12-901 as follows:

6 (735 ILCS 5/12-901) (from Ch. 110, par. 12-901)

7 Sec. 12-901. Amount. Every individual is entitled to an  
8 estate of homestead to the extent in value of \$100,000 ~~\$7,500~~  
9 of his or her interest in a farm or lot of land and buildings  
10 thereon, a condominium, or personal property, owned or rightly  
11 possessed by lease or otherwise and occupied by him or her as a  
12 residence, or in a cooperative that owns property that the  
13 individual uses as a residence. That homestead and all right in  
14 and title to that homestead is exempt from attachment,  
15 judgment, levy, or judgment sale for the payment of his or her  
16 debts or other purposes and from the laws of conveyance,  
17 descent, and legacy, except as provided in this Code or in  
18 Section 20-6 of the Probate Act of 1975. This Section is not  
19 applicable between joint tenants or tenants in common but it is  
20 applicable as to any creditors of those persons.

21 If 2 or more individuals own property that is exempt as a  
22 homestead, the value of the exemption of each individual may  
23 not exceed his or her proportionate share of \$200,000 ~~\$15,000~~  
24 based upon percentage of ownership.

25 (Source: P.A. 88-672, eff. 12-14-94.)

26 Section 99. Effective date. This Act takes effect upon  
27 becoming law.