



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB0557

Introduced 2/17/2005, by Sen. James F. Clayborne, Jr.

SYNOPSIS AS INTRODUCED:

35 ILCS 200/22-35

Amends the Property Tax Code. Provides that if a city, village or incorporated town has an interest under the police and welfare power by advancements made from public funds in property sold at a tax sale, a purchaser at the tax sale may make application for and the court shall order that the tax purchase be set aside as a sale in error only if the city, village, or incorporated town records a lien arising from the advancement of public funds after the date of the tax sale. Effective immediately.

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FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

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 22-35 as follows:

6 (35 ILCS 200/22-35)

7 Sec. 22-35. Reimbursement of municipality before issuance
8 of tax deed. Except in any proceeding in which the tax
9 purchaser is a county acting as a trustee for taxing districts
10 as provided in Section 21-90, an order for the issuance of a
11 tax deed under this Code shall not be entered affecting the
12 title to or interest in any property in which a city, village
13 or incorporated town has an interest under the police and
14 welfare power by advancements made from public funds, until the
15 purchaser or assignee makes reimbursement to the city, village
16 or incorporated town of the money so advanced or the city,
17 village, or town waives its lien on the property for the money
18 so advanced. However, in lieu of reimbursement or waiver, but
19 only if the city, village, or incorporated town records a lien
20 arising from the advancement of public funds after the date of
21 the tax sale, the purchaser or his or her assignee may make
22 application for and the court shall order that the tax purchase
23 be set aside as a sale in error. A filing or appearance fee
24 shall not be required of a city, village or incorporated town
25 seeking to enforce its claim under this Section in a tax deed
26 proceeding.

27 (Source: P.A. 93-490, eff. 8-8-03.)

28 Section 99. Effective date. This Act takes effect upon
29 becoming law.