



State Government Administration Committee

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09500HB0217ham001

LRB095 04358 DRH 31494 a

1 AMENDMENT TO HOUSE BILL 217

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 217 on page 1, line  
3 5, by replacing "Section 3-113" with "Sections 3-113 and  
4 3-202"; and

5 on page 2, below line 9, by inserting the following:

6 "(625 ILCS 5/3-202) (from Ch. 95 1/2, par. 3-202)  
7 Sec. 3-202. Perfection of security interest.

8 (a) Unless excepted by Section 3-201, a security interest  
9 in a vehicle of a type for which a certificate of title is  
10 required is not valid against subsequent transferees or  
11 lienholders of the vehicle unless perfected as provided in this  
12 Act.

13 (b) A security interest is perfected by the delivery to the  
14 Secretary of State of the existing certificate of title, if  
15 any, an application for a certificate of title containing the  
16 name and address of the lienholder and the required fee. The

1 security interest is perfected as of the time of its creation  
2 if the delivery to the Secretary of State is completed within  
3 30 ~~21~~ days after the creation of the security interest or  
4 receipt by the new lienholder of the existing certificate of  
5 title from a prior lienholder or licensed dealer, otherwise as  
6 of the time of the delivery.

7 (c) If a vehicle is subject to a security interest when  
8 brought into this State, the validity of the security interest  
9 is determined by the law of the jurisdiction where the vehicle  
10 was when the security interest attached, subject to the  
11 following:

12 1. If the parties understood at the time the security  
13 interest attached that the vehicle would be kept in this  
14 State and it was brought into this State within 30 days  
15 thereafter for purposes other than transportation through  
16 this State, the validity of the security interest in this  
17 State is determined by the law of this State.

18 2. If the security interest was perfected under the law  
19 of the jurisdiction where the vehicle was when the security  
20 interest attached, the following rules apply:

21 (A) If the name of the lienholder is shown on an  
22 existing certificate of title issued by that  
23 jurisdiction, his security interest continues  
24 perfected in this State.

25 (B) If the name of the lienholder is not shown on  
26 an existing certificate of title issued by that

1 jurisdiction, a security interest may be perfected by  
2 the lienholder delivering to the Secretary of State the  
3 prescribed notice and by payment of the required fee.  
4 Such security interest is perfected as of the time of  
5 delivery of the prescribed notice and payment of the  
6 required fee.

7 3. If the security interest was not perfected under the  
8 law of the jurisdiction where the vehicle was when the  
9 security interest attached, it may be perfected in this  
10 State; in that case perfection dates from the time of  
11 perfection in this State.

12 4. A security interest may be perfected under paragraph  
13 3 of this subsection either as provided in subsection (b)  
14 or by the lienholder delivering to the Secretary of State a  
15 notice of security interest in the form the Secretary of  
16 State prescribes and the required fee.

17 (Source: P.A. 91-893, eff. 7-6-00.)".