

1 AN ACT concerning civil law.

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 adding  
5 Section 15-1406 as follows:

6 (735 ILCS 5/15-1406 new)

7 Sec. 15-1406. Sale surplus deposit fee. For any surplus  
8 being deposited by the circuit court clerk or the sheriff as  
9 directed by the court, the clerk shall charge and collect a \$20  
10 fee for each deposit of surplus proceeds, unless otherwise  
11 ordered by the court, which shall be paid to the clerk at the  
12 time the surplus money is deposited. Of this \$20 fee, \$15 shall  
13 be deposited into the county's general fund and \$5 shall be  
14 deposited into the Circuit Court Clerk Operation and  
15 Administrative Fund created by the clerk of the circuit court.  
16 The clerk of the circuit court shall notify each defendant  
17 mortgagor by mail at the last address provided by the  
18 defendants that a surplus was deposited with the clerk of the  
19 circuit court and that a petition may be filed for turnover of  
20 surplus funds. If no address was provided to the clerk of the  
21 circuit court by the defendants, the clerk of the circuit court  
22 shall not notify the defendants of the deposit of the surplus  
23 proceeds.