



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB5202

by Rep. Dan Reitz

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/21-240  
35 ILCS 200/21-243 new

Amends the Property Tax Code. Provides that if, at an annual tax sale, property is purchased in error and the purchaser notifies the collector of the error before the end of the auction, then the collector shall reoffer that property for sale before the end of the auction. Effective immediately.

LRB095 16891 BDD 42934 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 21-240 and by adding Section 21-243 as follows:

6 (35 ILCS 200/21-240)

7 Sec. 21-240. Payment for property purchased at tax sale;  
8 reoffering for sale. Except as otherwise provided below, the  
9 person purchasing any property, or any part thereof, shall be  
10 liable to the county for the amount due and shall forthwith pay  
11 to the county collector the amount charged on the property.  
12 Upon failure to do so, the amount due shall be recoverable in a  
13 civil action brought in the name of the People of the State of  
14 Illinois in any court of competent jurisdiction. The person so  
15 purchasing shall be relieved of liability only by payment of  
16 the amount due together with interest and costs thereon, or if  
17 the property is reoffered at the sale, purchased and paid for.  
18 Except as provided under Section 21-243, the reoffering  
19 ~~Reoffering~~ of the property for sale shall be at the discretion  
20 of the collector. The sale shall not be closed until payment is  
21 made or the property again offered for sale. In counties with  
22 3,000,000 or more inhabitants, only the taxes, special  
23 assessments, interest and costs as advertised in the sale shall

1 be required to be paid forthwith. The general taxes charged on  
2 the land remaining due and unpaid, including amounts subject to  
3 certificates of error, not included in the advertisement, shall  
4 be paid by the purchaser within 10 days after the sale, except  
5 that upon payment of the fee provided by law to the County  
6 Clerk (which fee shall be deemed part of the costs of sale) the  
7 purchaser may make written application, within the 10 day  
8 period, to the county clerk for a statement of all taxes,  
9 interest and costs due and an estimate of the cost of  
10 redemption of all forfeited general taxes, which were not  
11 included in the advertisement. After obtaining such statement  
12 and estimate and an order on the county collector to receive  
13 the amount of forfeited general taxes, if any, the purchaser  
14 shall pay to the county collector all the remaining taxes,  
15 interest and costs, and the amount necessary to redeem the  
16 forfeited general taxes. The county collector shall issue the  
17 purchaser a receipt therefor. Any delay in providing the  
18 statement or in accepting payment, and delivering receipt  
19 therefor, shall not be counted as a part of the 10 days. When  
20 the receipt of the collector is issued, a copy shall be filed  
21 with the county clerk and the county clerk shall include the  
22 amount shown in such receipt in the amount of the purchase  
23 price of the property in the certificate of purchase. The  
24 purchaser then shall be entitled to a certificate of purchase.  
25 If a purchaser fails to complete his or her purchase as  
26 provided in this Section, the purchase shall become void, and

1 be of no effect, but the collector shall not refund the amount  
2 paid in cash at the time of the sale, except in cases of sale in  
3 error. That amount shall be treated as a payment and  
4 distributed to the taxing bodies as other collections are  
5 distributed. The lien for taxes for the amount paid shall  
6 remain on the property, in favor of the purchaser, his or her  
7 heirs or assigns, until paid with 5% interest per year on that  
8 amount from the date the purchaser paid it. The amount and fact  
9 of such ineffective purchase shall be entered in the tax  
10 judgment, sale, redemption and forfeiture record opposite the  
11 property upon which the lien remains. No redemption shall be  
12 made without payment of this amount for the benefit of the  
13 purchaser, and no future sale of the property shall be made  
14 except subject to the lien of such purchaser. This section  
15 shall not apply to any purchase by any city, village or  
16 incorporated town in default of other bidders at any sale for  
17 delinquent special assessments.

18 (Source: P.A. 84-1308; 88-455.)

19 (35 ILCS 200/21-243 new)

20 Sec. 21-243. Reoffering property purchased in error. If  
21 property is purchased in error and the purchaser notifies the  
22 collector of the error before the end of the auction, then the  
23 collector shall reoffer that property for sale before the end  
24 of the auction.

25 Section 99. Effective date. This Act takes effect upon

1 becoming law.