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09600HB0967ham001

LRB096 10686 AJ0 23537 a

1 AMENDMENT TO HOUSE BILL 967

2 AMENDMENT NO. _____. Amend House Bill 967 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Code of Civil Procedure is amended by
5 changing Section 15-1503 as follows:

6 (735 ILCS 5/15-1503) (from Ch. 110, par. 15-1503)

7 Sec. 15-1503. Notice of Foreclosure. A notice of
8 foreclosure, whether the foreclosure is initiated by complaint
9 or counterclaim, made in accordance with this Section and
10 recorded in the county in which the mortgaged real estate is
11 located shall be constructive notice of the pendency of the
12 foreclosure to every person claiming an interest in or lien on
13 the mortgaged real estate, whose interest or lien has not been
14 recorded prior to the recording of such notice of foreclosure.
15 While the municipality within the boundaries of which the
16 property is located, or the township, if the area is

1 unincorporated, shall not be joined as a party unless it is
2 joined as a party under other provisions of this Article, the
3 municipality or township shall be provided a copy of the
4 recorded notice of foreclosure. The notice shall be sent within
5 15 days after the recording of the notice of foreclosure. The
6 notice shall be sent by first class mail to the municipal or
7 township clerk. Such notice of foreclosure must be executed by
8 any party or any party's attorney and shall include (i) the
9 names of all plaintiffs and the case number, (ii) the court in
10 which the action was brought, (iii) the names, addresses, phone
11 numbers, and other known contact information of title holders
12 of record, (iv) a legal description of the real estate
13 sufficient to identify it with reasonable certainty, (v) a
14 common address or description of the location of the real
15 estate and (vi) identification of the mortgage sought to be
16 foreclosed. An incorrect common address or description of the
17 location, or an immaterial error in the identification of a
18 plaintiff or title holder of record, shall not invalidate the
19 lis pendens effect of the notice under this Section. A notice
20 which complies with this Section shall be deemed to comply with
21 Section 2-1901 of the Code of Civil Procedure and shall have
22 the same effect as a notice filed pursuant to that Section;
23 however, a notice which complies with Section 2-1901 shall not
24 be constructive notice unless it also complies with the
25 requirements of this Section.

26 (Source: P.A. 86-974.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".