

HB1077



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB1077

Introduced 2/11/2009, by Rep. Frank J. Mautino

SYNOPSIS AS INTRODUCED:

35 ILCS 200/21-135

Amends the Property Tax Code. Eliminates the requirement that notice of application for judgment and sale of delinquent properties must be mailed "by registered or certified mail". Requires the person mailing the notice to make proof of service.

LRB096 05483 RCE 15549 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 21-135 as follows:

6 (35 ILCS 200/21-135)

7 Sec. 21-135. Mailed notice of application for judgment and
8 sale. Not less than 15 days before the date of application for
9 judgment and sale of delinquent properties, the county
10 collector shall mail, ~~by registered or certified mail,~~ a notice
11 of the forthcoming application for judgment and sale to the
12 person shown by the current collector's warrant book to be the
13 party in whose name the taxes were last assessed or to the
14 current owner of record and, if applicable, to the party
15 specified under Section 15-170. The notice shall include the
16 intended dates of application for judgment and sale and
17 commencement of the sale, and a description of the properties.
18 The county collector must present proof of the mailing to the
19 court along with the application for judgement. Proof of
20 mailing shall be an affidavit of the treasurer or the person
21 who deposited the notice in the mail and must state the time
22 and place of mailing, the complete address that appeared on the
23 envelope, and that postage was prepaid.

1 In counties with less than 3,000,000 inhabitants, a copy of
2 this notice shall also be mailed by the county collector ~~by~~
3 ~~registered or certified mail~~ to any lienholder of record who
4 annually requests a copy of the notice. The failure of the
5 county collector to mail a notice or its non-delivery to the
6 lienholder shall not affect the validity of the judgment.

7 In counties with 3,000,000 or more inhabitants, notice
8 shall not be mailed to any person when, under Section 14-15, a
9 certificate of error has been executed by the county assessor
10 or by both the county assessor and board of appeals (until the
11 first Monday in December 1998 and the board of review beginning
12 the first Monday in December 1998 and thereafter), except as
13 provided by court order under Section 21-120.

14 The collector shall collect \$10 from the proceeds of each
15 sale to cover the costs of ~~registered or certified~~ mailing and
16 the costs of advertisement and publication. If a taxpayer pays
17 the taxes on the property after the notice of the forthcoming
18 application for judgment and sale is mailed but before the sale
19 is made, then the collector shall collect \$10 from the taxpayer
20 to cover the costs of ~~registered or certified~~ mailing and the
21 costs of advertisement and publication.

22 (Source: P.A. 93-899, eff. 8-10-04.)