



Rep. John A. Fritchey

Filed: 3/11/2009

09600HB2003ham001

LRB096 05434 WGH 23262 a

1 AMENDMENT TO HOUSE BILL 2003

2 AMENDMENT NO. _____. Amend House Bill 2003 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Code of Civil Procedure is amended by
5 adding Section 9-121 as follows:

6 (735 ILCS 5/9-121 new)

7 Sec. 9-121. Expungement; court file.

8 (a) Definitions. As used in this Section:

9 "Student" means a student attending a public or private
10 university, college, or community college in Illinois.

11 "Expungement" means the removal of evidence of the court
12 file's existence from the publicly accessible records.

13 "Court file" means the court file created when a forcible
14 entry and detainer action is filed with the court.

15 (b) Mandatory expungement. The court shall order
16 expungement of a court file in a forcible entry and detainer

1 action if the court finds that the defendant occupied real
2 property that was subject to contract for deed cancellation or
3 mortgage foreclosure, the defendant was a student at the time
4 he or she occupied the real property, and:

5 (1) the time for contract cancellation or foreclosure
6 redemption has expired and the defendant vacated the
7 property prior to commencement of the forcible entry and
8 detainer action; or

9 (2) the defendant was a tenant during the contract
10 cancellation or foreclosure redemption period and did not
11 receive a notice under this Part to vacate on a date prior
12 to commencement of the forcible entry and detainer action.

13 Section 99. Effective date. This Act takes effect upon
14 becoming law."