



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB3762

Introduced 2/25/2009, by Rep. Mark L. Walker

SYNOPSIS AS INTRODUCED:

735 ILCS 5/15-1501.5 new

Amends the Code of Civil Procedure. Provides that in addition to any rights and under the federal Service members Civil Relief Act, whenever it is determined in a foreclosure proceeding that the mortgagor defendant is a person who was deployed to a combat or combat support posting while on active military duty within the previous 12 months, the court must stay the proceedings for a period of 90 days. "Active military duty" means service on active duty as a member of the Armed Forces of the United States, the Illinois National Guard, or any reserve component of the Armed Forces of the United States.

LRB096 09908 AJO 20071 b

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 15-1501.5 as follows:

6 (735 ILCS 5/15-1501.5 new)

7 Sec. 15-1501.5. Return from combat stay. In addition to
8 any rights and obligations provided under the federal Service
9 members Civil Relief Act, whenever it is determined in a
10 foreclosure proceeding that the mortgagor defendant is a person
11 who was deployed to a combat or combat support posting while on
12 active military duty within the previous 12 months, the court
13 must stay the proceedings for a period of 90 days. "Active
14 military duty" means, for purposes of this Section, service on
15 active duty as a member of the Armed Forces of the United
16 States, the Illinois National Guard, or any reserve component
17 of the Armed Forces of the United States.