

**SB1261**



**96TH GENERAL ASSEMBLY**

**State of Illinois**

**2009 and 2010**

**SB1261**

Introduced 2/6/2009, by Sen. M. Maggie Crotty

**SYNOPSIS AS INTRODUCED:**

735 ILCS 5/9-104

from Ch. 110, par. 9-104

Amends the Code of Civil Procedure. Makes a technical change in a Section concerning a demand for possession of premises in connection with forcible entry and detainer.

LRB096 07687 AJ0 17788 b

**A BILL FOR**

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  
5 changing Section 9-104 as follows:

6 (735 ILCS 5/9-104) (from Ch. 110, par. 9-104)

7 Sec. 9-104. Demand - Notice - Return. The ~~The~~ demand  
8 required by Section 9-102 of this Act may be made by delivering  
9 a copy thereof to the tenant, or by leaving such a copy with  
10 some person of the age of 13 years or upwards, residing on, or  
11 being in charge of, the premises; or in case no one is in the  
12 actual possession of the premises, then by posting the same on  
13 the premises; or if those in possession are unknown occupants  
14 who are not parties to any written lease, rental agreement, or  
15 right to possession agreement for the premises, then by  
16 delivering a copy of the notice, directed to "unknown  
17 occupants", to the occupant or by leaving a copy of the notice  
18 with some person of the age of 13 years or upwards occupying  
19 the premises, or by posting a copy of the notice on the  
20 premises directed to "unknown occupants". When such demand is  
21 made by an officer authorized to serve process, his or her  
22 return is prima facie evidence of the facts therein stated, and  
23 if such demand is made by any person not an officer, the return

1 may be sworn to by the person serving the same, and is then  
2 prima facie evidence of the facts therein stated. The demand  
3 for possession may be in the following form:

4           To ....

5           I hereby demand immediate possession of the following  
6           described premises: (describing the same.)

7           The demand shall be signed by the person claiming such  
8           possession, his or her agent, or attorney.

9           (Source: P.A. 92-823, eff. 8-21-02.)