



Sen. John G. Mulroe

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09700HB1698sam002

LRB097 07917 AJ0 56014 a

1 AMENDMENT TO HOUSE BILL 1698

2 AMENDMENT NO. _____. Amend House Bill 1698 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Code of Civil Procedure is amended by
5 changing Sections 15-1504, 15-1504.1, 15-1507.1, 15-1508,
6 15-1603, and 15-1701 and by adding Sections 15-1200.5 and
7 15-1505.8 as follows:

8 (735 ILCS 5/15-1200.5 new)

9 Sec. 15-1200.5. Abandoned residential property. "Abandoned
10 residential property" means residential real estate that upon
11 inspection is not occupied by any mortgagor or bona fide tenant
12 as a principal residence and as to which at least 2 of the
13 following circumstances exist:

14 (1) the property has had at least one uncorrected
15 municipal or county building, housing, or similar code
16 violation in the preceding year, or has been declared unfit

1 for occupancy and ordered to remain vacant and unoccupied
2 by a municipal or county authority;

3 (2) construction was initiated on the property and
4 discontinued prior to completion, and there is no valid
5 municipal or county construction or building permit posted
6 on the property;

7 (3) gas, electric, or water utility service to the
8 property has been terminated;

9 (4) windows or entrances to the property are boarded up
10 or closed off, or multiple window panes are broken and
11 unrepaired;

12 (5) doors to the property are smashed through, broken
13 off, unhinged, or continuously unlocked;

14 (6) rubbish, trash, garbage, debris, graffiti,
15 neglected weeds, grass, trees, bushes, or other nuisance
16 greenery, or other hazardous, noxious, or unhealthy
17 substances or materials, have accumulated on the property;

18 (7) the police or the sheriff's office has received at
19 least one report of trespassing, vandalism, or other
20 illegal activity being committed on the property in the
21 preceding year;

22 (8) pursuant to the terms of the mortgage, the
23 mortgagee has posted a pre-foreclosure notice of its intent
24 to enter the property for purposes of maintaining or
25 repairing it, and upon entering the property following the
26 posting of the notice and a lack of response by the

1 mortgagor, has found the property unoccupied;

2 (9) the mortgagee or an interested or authorized party
3 has secured or winterized the property due to the property
4 being deemed vacant and unprotected or in danger of
5 freezing;

6 (10) any mortgagor, or his or her personal
7 representatives or assigns, has issued an oral or written
8 statement expressing the clear intent of all mortgagors to
9 abandon the property;

10 (11) any property manager or other person conducting an
11 inspection of the property has issued an oral or written
12 statement indicating all mortgagors or bona fide tenants
13 have moved out and vacated the property;

14 (12) the property is a vacant lot;

15 (13) the property is deteriorating and is either below
16 or is in imminent danger of falling below minimum municipal
17 or county government standards for public safety and
18 sanitation; or

19 (14) any other reasonable indicia of abandonment that
20 is not otherwise included in this Section.

21 (735 ILCS 5/15-1504) (from Ch. 110, par. 15-1504)

22 Sec. 15-1504. Pleadings and service.

23 (a) Form of Complaint. A foreclosure complaint may be in
24 substantially the following form:

25 (1) Plaintiff files this complaint to foreclose the

1 mortgage (or other conveyance in the nature of a mortgage)
2 (hereinafter called "mortgage") hereinafter described and
3 joins the following person as defendants: (here insert
4 names of all defendants).

5 (2) Attached as Exhibit "A" is a copy of the mortgage
6 and as Exhibit "B" is a copy of the note secured thereby.

7 (3) Information concerning mortgage:

8 (A) Nature of instrument: (here insert whether a
9 mortgage, trust deed or other instrument in the nature
10 of a mortgage, etc.)

11 (B) Date of mortgage:

12 (C) Name of mortgagor:

13 (D) Name of mortgagee:

14 (E) Date and place of recording:

15 (F) Identification of recording: (here insert book
16 and page number or document number)

17 (G) Interest subject to the mortgage: (here insert
18 whether fee simple, estate for years, undivided
19 interest, etc.)

20 (H) Amount of original indebtedness, including
21 subsequent advances made under the mortgage:

22 (I) Both the legal description of the mortgaged
23 real estate and the common address or other information
24 sufficient to identify it with reasonable certainty:

25 (J) Statement as to defaults, including, but not
26 necessarily limited to, date of default, current

1 unpaid principal balance, per diem interest accruing,
2 and any further information concerning the default:

3 (K) Name of present owner of the real estate:

4 (L) Names of other persons who are joined as
5 defendants and whose interest in or lien on the
6 mortgaged real estate is sought to be terminated:

7 (M) Names of defendants claimed to be personally
8 liable for deficiency, if any:

9 (N) Capacity in which plaintiff brings this
10 foreclosure (here indicate whether plaintiff is the
11 legal holder of the indebtedness, a pledgee, an agent,
12 the trustee under a trust deed or otherwise, as
13 appropriate):

14 (O) Facts in support of redemption period shorter
15 than the longer of (i) 7 months from the date the
16 mortgagor or, if more than one, all the mortgagors (I)
17 have been served with summons or by publication or (II)
18 have otherwise submitted to the jurisdiction of the
19 court, or (ii) 3 months from the entry of the judgment
20 of foreclosure, if sought (here indicate whether based
21 upon the real estate not being residential, ~~7~~
22 ~~abandonment,~~ or real estate value less than 90% of
23 amount owed, etc.):

24 (P) Statement that the right of redemption has been
25 waived by all owners of redemption, if applicable:

26 (Q) Facts in support of request for attorneys' fees

1 and of costs and expenses, if applicable:

2 (R) Facts in support of a request for appointment
3 of mortgagee in possession or for appointment of
4 receiver, and identity of such receiver, if sought:

5 (S) Offer to mortgagor in accordance with Section
6 15-1402 to accept title to the real estate in
7 satisfaction of all indebtedness and obligations
8 secured by the mortgage without judicial sale, if
9 sought:

10 (T) Name or names of defendants whose right to
11 possess the mortgaged real estate, after the
12 confirmation of a foreclosure sale, is sought to be
13 terminated and, if not elsewhere stated, the facts in
14 support thereof:

15 REQUEST FOR RELIEF

16 Plaintiff requests:

17 (i) A judgment of foreclosure and sale.

18 (ii) An order granting a shortened redemption period,
19 if sought.

20 (iii) A personal judgment for a deficiency, if sought.

21 (iv) An order granting possession, if sought.

22 (v) An order placing the mortgagee in possession or
23 appointing a receiver, if sought.

24 (vi) A judgment for attorneys' fees, costs and
25 expenses, if sought.

1 (b) Required Information. A foreclosure complaint need
2 contain only such statements and requests called for by the
3 form set forth in subsection (a) of Section 15-1504 as may be
4 appropriate for the relief sought. Such complaint may be filed
5 as a counterclaim, may be joined with other counts or may
6 include in the same count additional matters or a request for
7 any additional relief permitted by Article II of the Code of
8 Civil Procedure.

9 (c) Allegations. The statements contained in a complaint in
10 the form set forth in subsection (a) of Section 15-1504 are
11 deemed and construed to include allegations as follows:

12 (1) on the date indicated the obligor of the
13 indebtedness or other obligations secured by the mortgage
14 was justly indebted in the amount of the indicated original
15 indebtedness to the original mortgagee or payee of the
16 mortgage note;

17 (2) that the exhibits attached are true and correct
18 copies of the mortgage and note and are incorporated and
19 made a part of the complaint by express reference;

20 (3) that the mortgagor was at the date indicated an
21 owner of the interest in the real estate described in the
22 complaint and that as of that date made, executed and
23 delivered the mortgage as security for the note or other
24 obligations;

25 (4) that the mortgage was recorded in the county in
26 which the mortgaged real estate is located, on the date

1 indicated, in the book and page or as the document number
2 indicated;

3 (5) that defaults occurred as indicated;

4 (6) that at the time of the filing of the complaint the
5 persons named as present owners are the owners of the
6 indicated interests in and to the real estate described;

7 (7) that the mortgage constitutes a valid, prior and
8 paramount lien upon the indicated interest in the mortgaged
9 real estate, which lien is prior and superior to the right,
10 title, interest, claim or lien of all parties and nonrecord
11 claimants whose interests in the mortgaged real estate are
12 sought to be terminated;

13 (8) that by reason of the defaults alleged, if the
14 indebtedness has not matured by its terms, the same has
15 become due by the exercise, by the plaintiff or other
16 persons having such power, of a right or power to declare
17 immediately due and payable the whole of all indebtedness
18 secured by the mortgage;

19 (9) that any and all notices of default or election to
20 declare the indebtedness due and payable or other notices
21 required to be given have been duly and properly given;

22 (10) that any and all periods of grace or other period
23 of time allowed for the performance of the covenants or
24 conditions claimed to be breached or for the curing of any
25 breaches have expired;

26 (11) that the amounts indicated in the statement in the

1 complaint are correctly stated and if such statement
2 indicates any advances made or to be made by the plaintiff
3 or owner of the mortgage indebtedness, that such advances
4 were, in fact, made or will be required to be made, and
5 under and by virtue of the mortgage the same constitute
6 additional indebtedness secured by the mortgage; and

7 (12) that, upon confirmation of the sale, the holder of
8 the certificate of sale or deed issued pursuant to that
9 certificate or, if no certificate or deed was issued, the
10 purchaser at the sale will be entitled to full possession
11 of the mortgaged real estate against the parties named in
12 clause (T) of paragraph (3) of subsection (a) of Section
13 15-1504 or elsewhere to the same effect; the omission of
14 any party indicates that plaintiff will not seek a
15 possessory order in the order confirming sale unless the
16 request is subsequently made under subsection (h) of
17 Section 15-1701 or by separate action under Article 9 of
18 this Code.

19 (d) Request for Fees and Costs. A statement in the
20 complaint that plaintiff seeks the inclusion of attorneys' fees
21 and of costs and expenses shall be deemed and construed to
22 include allegations that:

23 (1) plaintiff has been compelled to employ and retain
24 attorneys to prepare and file the complaint and to
25 represent and advise the plaintiff in the foreclosure of
26 the mortgage and the plaintiff will thereby become liable

1 for the usual, reasonable and customary fees of the
2 attorneys in that behalf;

3 (2) that the plaintiff has been compelled to advance or
4 will be compelled to advance, various sums of money in
5 payment of costs, fees, expenses and disbursements
6 incurred in connection with the foreclosure, including,
7 without limiting the generality of the foregoing, filing
8 fees, stenographer's fees, witness fees, costs of
9 publication, costs of procuring and preparing documentary
10 evidence and costs of procuring abstracts of title, Torrens
11 certificates, foreclosure minutes and a title insurance
12 policy;

13 (3) that under the terms of the mortgage, all such
14 advances, costs, attorneys' fees and other fees, expenses
15 and disbursements are made a lien upon the mortgaged real
16 estate and the plaintiff is entitled to recover all such
17 advances, costs, attorneys' fees, expenses and
18 disbursements, together with interest on all advances at
19 the rate provided in the mortgage, or, if no rate is
20 provided therein, at the statutory judgment rate, from the
21 date on which such advances are made;

22 (4) that in order to protect the lien of the mortgage,
23 it may become necessary for plaintiff to pay taxes and
24 assessments which have been or may be levied upon the
25 mortgaged real estate;

26 (5) that in order to protect and preserve the mortgaged

1 real estate, it may also become necessary for the plaintiff
2 to pay liability (protecting mortgagor and mortgagee),
3 fire and other hazard insurance premiums on the mortgaged
4 real estate, make such repairs to the mortgaged real estate
5 as may reasonably be deemed necessary for the proper
6 preservation thereof, advance for costs to inspect the
7 mortgaged real estate or to appraise it, or both, and
8 advance for premiums for pre-existing private or
9 governmental mortgage insurance to the extent required
10 after a foreclosure is commenced in order to keep such
11 insurance in force; and

12 (6) that under the terms of the mortgage, any money so
13 paid or expended will become an additional indebtedness
14 secured by the mortgage and will bear interest from the
15 date such monies are advanced at the rate provided in the
16 mortgage, or, if no rate is provided, at the statutory
17 judgment rate.

18 (e) Request for Foreclosure. The request for foreclosure is
19 deemed and construed to mean that the plaintiff requests that:

20 (1) an accounting may be taken under the direction of
21 the court of the amounts due and owing to the plaintiff;

22 (2) that the defendants be ordered to pay to the
23 plaintiff before expiration of any redemption period (or,
24 if no redemption period, before a short date fixed by the
25 court) whatever sums may appear to be due upon the taking
26 of such account, together with attorneys' fees and costs of

1 the proceedings (to the extent provided in the mortgage or
2 by law);

3 (3) that in default of such payment in accordance with
4 the judgment, the mortgaged real estate be sold as directed
5 by the court, to satisfy the amount due to the plaintiff as
6 set forth in the judgment, together with the interest
7 thereon at the statutory judgment rate from the date of the
8 judgment;

9 (4) that in the event the plaintiff is a purchaser of
10 the mortgaged real estate at such sale, the plaintiff may
11 offset against the purchase price of such real estate the
12 amounts due under the judgment of foreclosure and order
13 confirming the sale;

14 (5) that in the event of such sale and the failure of
15 any person entitled thereto to redeem prior to such sale
16 pursuant to this Article, the defendants made parties to
17 the foreclosure in accordance with this Article, and all
18 nonrecord claimants given notice of the foreclosure in
19 accordance with this Article, and all persons claiming by,
20 through or under them, and each and any and all of them,
21 may be forever barred and foreclosed of any right, title,
22 interest, claim, lien, or right to redeem in and to the
23 mortgaged real estate; and

24 (6) that if no redemption is made prior to such sale, a
25 deed may be issued to the purchaser thereat according to
26 law and such purchaser be let into possession of the

1 mortgaged real estate in accordance with Part 17 of this
2 Article.

3 (f) Request for Deficiency Judgment. A request for a
4 personal judgment for a deficiency in a foreclosure complaint
5 if the sale of the mortgaged real estate fails to produce a
6 sufficient amount to pay the amount found due, the plaintiff
7 may have a personal judgment against any party in the
8 foreclosure indicated as being personally liable therefor and
9 the enforcement thereof be had as provided by law.

10 (g) Request for Possession or Receiver. A request for
11 possession or appointment of a receiver has the meaning as
12 stated in subsection (b) of Section 15-1706.

13 (h) Answers by Parties. Any party may assert its interest
14 by counterclaim and such counterclaim may at the option of that
15 party stand in lieu of answer to the complaint for foreclosure
16 and all counter complaints previously or thereafter filed in
17 the foreclosure. Any such counterclaim shall be deemed to
18 constitute a statement that the counter claimant does not have
19 sufficient knowledge to form a belief as to the truth or
20 falsity of the allegations of the complaint and all other
21 counterclaims, except to the extent that the counterclaim
22 admits or specifically denies such allegations.

23 (Source: P.A. 91-357, eff. 7-29-99.)

24 (735 ILCS 5/15-1504.1)

25 Sec. 15-1504.1. Filing fee for Abandoned Residential

1 Property Municipality Relief Foreclosure Prevention Program
2 Fund.

3 (a) With respect to residential real estate, at the time of
4 the filing of a foreclosure complaint, the plaintiff shall pay
5 to the clerk of the court in which the foreclosure complaint is
6 filed a fee of \$50 for deposit into the Abandoned Residential
7 Property Municipality Relief Foreclosure Prevention Program
8 Fund, a special fund created in the State treasury. The clerk
9 shall remit the fee to the State Treasurer as provided in this
10 Section to be expended for the purposes set forth in Section
11 7.31 7.30 of the Illinois Housing Development Act.

12 (a-5) All fees paid by plaintiffs to the clerk of the court
13 as provided in this Section shall be disbursed within 60 days
14 after receipt by the clerk of the court as follows: (i) 98% to
15 the State Treasurer for deposit into the Abandoned Residential
16 Property Municipality Relief Foreclosure Prevention Counseling
17 Program Fund, and (ii) 2% to the clerk of the court for
18 administrative expenses related to implementation of this
19 Section.

20 (b) Not later than March 1 of each year, the clerk of the
21 court shall submit to the Illinois Housing Development
22 Authority a report of the funds collected and remitted pursuant
23 to this Section during the preceding year.

24 (c) Notwithstanding the provisions of subsections (a) and
25 (a-5), all fees paid to the clerk of the court as provided in
26 this Section prior to the effective date of this amendatory Act

1 of the 97th General Assembly shall be disbursed to the
2 Foreclosure Prevention Counseling Program Fund.

3 (Source: P.A. 96-1419, eff. 10-1-10; revised 9-16-10.)

4 (735 ILCS 5/15-1505.8 new)

5 Sec. 15-1505.8. Expedited judgment and sale procedure for
6 abandoned residential property.

7 (a) Upon motion and notice, the mortgagee may elect to
8 utilize the expedited judgment and sale procedure for abandoned
9 residential property set forth in this Section to obtain a
10 judgment of foreclosure pursuant to Section 15-1506. The motion
11 may be combined with or made part of the motion requesting a
12 judgment of foreclosure. If service upon the mortgagor was
13 obtained by publication, then notice of the motion to the
14 mortgagor shall be posted at the property address.

15 (b) The motion requesting an expedited judgment of
16 foreclosure and sale may be filed by the mortgagee at the time
17 the foreclosure complaint is filed or any time thereafter and
18 shall be accompanied by an affidavit setting forth facts
19 sufficient for the court to find that the mortgaged real estate
20 is abandoned residential property.

21 (c) Motion for an expedited judgment and sale.

22 (1) If a motion for an expedited judgment and sale is
23 filed at the time the foreclosure complaint is filed, the
24 motion shall be heard by the court no later than:

25 (A) 45 days after the date of service of the

1 summons on the mortgagor or, if more than one, no later
2 than 45 days after the date of service on the last
3 served mortgagor;

4 (B) 45 days after the date of first publication, if
5 service of process is by publication; or

6 (C) 45 days after the mortgagors have otherwise
7 submitted to the jurisdiction of the court.

8 (2) If a motion for an expedited judgment and sale is
9 filed after the foreclosure complaint is filed, the motion
10 shall be heard no later than 15 days after the motion is
11 filed, provided that at least:

12 (A) 30 days have transpired since service of the
13 summons on the mortgagor, or, if there is more than one
14 mortgagor, 30 days have transpired since service on all
15 mortgagors; or

16 (B) 30 days have transpired since the date of first
17 publication, if service of process is by publication;
18 or

19 (C) 30 days have transpired since all mortgagors
20 have otherwise submitted to the jurisdiction of the
21 court.

22 (d) The hearing shall be given priority by the court and
23 shall be scheduled to be heard within the applicable time
24 period set forth in subsection (c).

25 (e) The affidavit shall be signed by and based upon the
26 information and belief of the mortgagee, an agent of the

1 mortgagee, the sheriff of the county or local law enforcement
2 agency of the municipality in which the property is located, or
3 a building inspector or other municipal or county official for
4 the municipality or county in which the property is located.
5 The affidavit shall state that the property is not occupied by
6 any mortgagor or bona fide tenant as a principal residence and
7 there exists at least 2 of the criteria set forth in Section
8 15-1200.5, which shall be stated in the affidavit. Photographic
9 or other documentary evidence that demonstrates supporting
10 facts set forth in the affidavit shall be attached to the
11 affidavit. An affidavit that meets the foregoing criteria shall
12 be prima facie evidence that the property which is the subject
13 of the foreclosure complaint is abandoned residential
14 property.

15 (f) At the hearing on the motion requesting an expedited
16 judgment and sale, and upon a finding by the court that the
17 mortgaged real estate is abandoned residential property, the
18 court shall immediately proceed to enter a judgment of
19 foreclosure as requested in the complaint. The judgment of
20 foreclosure shall include the matters identified in Section
21 15-1506.

22 (g) The reinstatement period and redemption period for the
23 abandoned residential property shall end in accordance with
24 paragraph (4) of subsection (b) of Section 15-1603, and the
25 property shall be sold at the earliest practicable time at a
26 sale as provided in this Article.

1 (h) Mortgagee responsibility.

2 (1) A mortgagee or its agent may enter an abandoned
3 residential property that is the subject of a foreclosure
4 complaint for the purpose of maintaining or securing the
5 property, provided that entry is not barred by an automatic
6 stay issued by a bankruptcy court. A mortgagee and its
7 agents shall not be held liable for any claim of
8 negligence, civil trespass, or criminal trespass based
9 upon entering the abandoned residential property or
10 maintaining or securing the abandoned residential
11 property.

12 (2) The mortgagee shall be responsible for repairs or
13 other maintenance to the abandoned residential property if
14 it purchases the property at the foreclosure sale held
15 pursuant to Section 15-1507 and the sale is confirmed by
16 the court pursuant to Section 15-1508.

17 (i) Upon confirmation of the sale held pursuant to Section
18 15-1507, any personal property remaining in or upon the
19 abandoned residential property shall be deemed to have been
20 abandoned by the owner of such personal property and may be
21 disposed of or donated by the holder of the certificate of sale
22 or, if none, by the purchaser at the sale. In the event of
23 donation of any such personal property, the holder of the
24 certificate of sale or, if none, the purchaser at the sale may
25 transfer such donated property with a bill of sale. No
26 mortgagee or its successors or assigns, holder of a certificate

1 of sale, or purchaser at the sale, or its attorneys or agents,
2 shall be liable for any such disposal or donation of personal
3 property.

4 (j) No mortgagee shall be held liable for seeking a
5 judicial determination of abandonment, if the mortgagee, upon
6 information and belief at the time the motion requesting an
7 expedited judgment of foreclosure and sale is filed with the
8 court, makes a good faith assertion through its affidavit that
9 evidence exists supporting the fact the mortgaged real estate
10 is abandoned residential property.

11 (735 ILCS 5/15-1507.1)

12 (Section scheduled to be repealed on March 2, 2016)

13 Sec. 15-1507.1. Judicial sale fee for Foreclosure
14 Prevention Program ~~Abandoned Residential Property Municipality~~
15 ~~Relief~~ Fund.

16 (a) Upon and at the sale of residential real estate under
17 Section 15-1507, the purchaser shall pay to the person
18 conducting the sale pursuant to Section 15-1507 a fee for
19 deposit into the Foreclosure Prevention Program ~~Abandoned~~
20 ~~Residential Property Municipality Relief~~ Fund, a special fund
21 created in the State treasury. The fee shall be calculated at
22 the rate of \$1 for each \$1,000 or fraction thereof of the
23 amount paid by the purchaser to the person conducting the sale,
24 as reflected in the receipt of sale issued to the purchaser,
25 provided that in no event shall the fee be less than \$100 or

1 exceed \$300. No fee shall be paid by the mortgagee acquiring
2 the residential real estate pursuant to its credit bid at the
3 sale or by any mortgagee, judgment creditor, or other lienor
4 acquiring the residential real estate whose rights in and to
5 the residential real estate arose prior to the sale. Upon
6 confirmation of the sale under Section 15-1508, the person
7 conducting the sale shall remit the fee to the clerk of the
8 court in which the foreclosure case is pending. The clerk shall
9 remit the fee to the State Treasurer as provided in this
10 Section, to be expended for the purposes set forth in Section
11 7.30 ~~7.31~~ of the Illinois Housing Development Act.

12 (b) All fees paid by purchasers as provided in this Section
13 shall be disbursed within 60 days after receipt by the clerk of
14 the court as follows: (i) 98% to the State Treasurer for
15 deposit into the Foreclosure Prevention Program ~~Abandoned~~
16 ~~Residential Property Municipality Relief~~ Fund, and (ii) 2% to
17 the clerk of the court for administrative expenses related to
18 implementation of this Section.

19 (c) Not later than March 1 of each year, the clerk of the
20 court shall submit to the Illinois Housing Development
21 Authority a report of the funds collected and remitted during
22 the preceding year pursuant to this Section.

23 (d) (Blank.) ~~Subsections (a) and (b) of this Section shall~~
24 ~~become inoperative on January 1, 2016. This Section is repealed~~
25 ~~on March 2, 2016.~~

26 (Source: P.A. 96-1419, eff. 10-1-10.)

1 (735 ILCS 5/15-1508) (from Ch. 110, par. 15-1508)

2 Sec. 15-1508. Report of Sale and Confirmation of Sale.

3 (a) Report. The person conducting the sale shall promptly
4 make a report to the court, which report shall include a copy
5 of all receipts and, if any, certificate of sale.

6 (b) Hearing. Upon motion and notice in accordance with
7 court rules applicable to motions generally, which motion shall
8 not be made prior to sale, the court shall conduct a hearing to
9 confirm the sale. Unless the court finds that (i) a notice
10 required in accordance with subsection (c) of Section 15-1507
11 was not given, (ii) the terms of sale were unconscionable,
12 (iii) the sale was conducted fraudulently, or (iv) ~~that~~ justice
13 was otherwise not done, the court shall then enter an order
14 confirming the sale. The confirmation order shall include a
15 name, address, and telephone number of the holder of the
16 certificate of sale or deed issued pursuant to that certificate
17 or, if no certificate or deed was issued, the purchaser, whom a
18 municipality or county may contact with concerns about the real
19 estate. The confirmation order may also:

20 (1) approve the mortgagee's fees and costs arising
21 between the entry of the judgment of foreclosure and the
22 confirmation hearing, those costs and fees to be allowable
23 to the same extent as provided in the note and mortgage and
24 in Section 15-1504;

25 (2) provide for a personal judgment against any party

1 for a deficiency; and

2 (3) determine the priority of the judgments of parties
3 who deferred proving the priority pursuant to subsection
4 (h) of Section 15-1506, but the court shall not defer
5 confirming the sale pending the determination of such
6 priority.

7 (b-3) Hearing to confirm sale of abandoned residential
8 property. Upon motion and notice, which motion shall be made
9 prior to the sale and heard by the court upon conclusion of the
10 sale, the court shall enter an order confirming the sale of the
11 abandoned residential property, unless the court finds that a
12 reason set forth in items (i) through (iv) of subsection (b) of
13 this Section exists for not approving the sale. The
14 confirmation order also may address the matters identified in
15 items (1) through (3) of subsection (b) of this Section.
16 Notwithstanding anything to the contrary in subsection (g) of
17 this Section, the order confirming the sale of the abandoned
18 residential property shall award to the purchaser possession of
19 the property as of the date of the entry of the order
20 confirming the sale.

21 (b-5) Notice with respect to residential real estate. With
22 respect to residential real estate, the notice required under
23 subsection (b) of this Section shall be sent to the mortgagor
24 even if the mortgagor has previously been held in default. In
25 the event the mortgagor has filed an appearance, the notice
26 shall be sent to the address indicated on the appearance. In

1 all other cases, the notice shall be sent to the mortgagor at
2 the common address of the foreclosed property. The notice shall
3 be sent by first class mail. Unless the right to possession has
4 been previously terminated by the court, the notice shall
5 include the following language in 12-point boldface
6 capitalized type:

7 IF YOU ARE THE MORTGAGOR (HOMEOWNER), YOU HAVE THE RIGHT TO
8 REMAIN IN POSSESSION FOR 30 DAYS AFTER ENTRY OF AN ORDER OF
9 POSSESSION, IN ACCORDANCE WITH SECTION 15-1701(c) OF THE
10 ILLINOIS MORTGAGE FORECLOSURE LAW.

11 (b-10) Notice of confirmation order sent to municipality or
12 county. A copy of the confirmation order required under
13 subsection (b) shall be sent to the municipality in which the
14 foreclosed property is located, or to the county within the
15 boundary of which the foreclosed property is located if the
16 foreclosed property is located in an unincorporated territory.
17 A municipality or county must clearly publish on its website a
18 single address to which such notice shall be sent. If a
19 municipality or county does not maintain a website, then the
20 municipality or county must publicly post in its main office a
21 single address to which such notice shall be sent. In the event
22 that a municipality or county has not complied with the
23 publication requirement in this subsection (b-10), then such
24 notice to the municipality or county shall be provided pursuant
25 to Section 2-211 of the Code of Civil Procedure.

26 (c) Failure to Give Notice. If any sale is held without

1 compliance with subsection (c) of Section 15-1507 of this
2 Article, any party entitled to the notice provided for in
3 paragraph (3) of that subsection (c) who was not so notified
4 may, by motion supported by affidavit made prior to
5 confirmation of such sale, ask the court which entered the
6 judgment to set aside the sale. Any such party shall guarantee
7 or secure by bond a bid equal to the successful bid at the
8 prior sale, unless the party seeking to set aside the sale is
9 the mortgagor, the real estate sold at the sale is residential
10 real estate, and the mortgagor occupies the residential real
11 estate at the time the motion is filed. In that event, no
12 guarantee or bond shall be required of the mortgagor. Any
13 subsequent sale is subject to the same notice requirement as
14 the original sale.

15 (d) Validity of Sale. Except as provided in subsection (c)
16 of Section 15-1508, no sale under this Article shall be held
17 invalid or be set aside because of any defect in the notice
18 thereof or in the publication of the same, or in the
19 proceedings of the officer conducting the sale, except upon
20 good cause shown in a hearing pursuant to subsection (b) of
21 Section 15-1508. At any time after a sale has occurred, any
22 party entitled to notice under paragraph (3) of subsection (c)
23 of Section 15-1507 may recover from the mortgagee any damages
24 caused by the mortgagee's failure to comply with such paragraph
25 (3). Any party who recovers damages in a judicial proceeding
26 brought under this subsection may also recover from the

1 mortgagee the reasonable expenses of litigation, including
2 reasonable attorney's fees.

3 (d-5) Making Home Affordable Program. The court that
4 entered the judgment shall set aside a sale held pursuant to
5 Section 15-1507, upon motion of the mortgagor at any time prior
6 to the confirmation of the sale, if the mortgagor proves by a
7 preponderance of the evidence that (i) the mortgagor has
8 applied for assistance under the Making Home Affordable Program
9 established by the United States Department of the Treasury
10 pursuant to the Emergency Economic Stabilization Act of 2008,
11 as amended by the American Recovery and Reinvestment Act of
12 2009, and (ii) the mortgaged real estate was sold in material
13 violation of the program's requirements for proceeding to a
14 judicial sale. The provisions of this subsection (d-5), except
15 for this sentence, shall become inoperative on January 1, 2013
16 for all actions filed under this Article after December 31,
17 2012, in which the mortgagor did not apply for assistance under
18 the Making Home Affordable Program on or before December 31,
19 2012.

20 (e) Deficiency Judgment. In any order confirming a sale
21 pursuant to the judgment of foreclosure, the court shall also
22 enter a personal judgment for deficiency against any party (i)
23 if otherwise authorized and (ii) to the extent requested in the
24 complaint and proven upon presentation of the report of sale in
25 accordance with Section 15-1508. Except as otherwise provided
26 in this Article, a judgment may be entered for any balance of

1 money that may be found due to the plaintiff, over and above
2 the proceeds of the sale or sales, and enforcement may be had
3 for the collection of such balance, the same as when the
4 judgment is solely for the payment of money. Such judgment may
5 be entered, or enforcement had, only in cases where personal
6 service has been had upon the persons personally liable for the
7 mortgage indebtedness, unless they have entered their
8 appearance in the foreclosure action.

9 (f) Satisfaction. Upon confirmation of the sale, the
10 judgment stands satisfied to the extent of the sale price less
11 expenses and costs. If the order confirming the sale includes a
12 deficiency judgment, the judgment shall become a lien in the
13 manner of any other judgment for the payment of money.

14 (g) The order confirming the sale shall include,
15 notwithstanding any previous orders awarding possession during
16 the pendency of the foreclosure, an award to the purchaser of
17 possession of the mortgaged real estate, as of the date 30 days
18 after the entry of the order, against the parties to the
19 foreclosure whose interests have been terminated.

20 An order of possession authorizing the removal of a person
21 from possession of the mortgaged real estate shall be entered
22 and enforced only against those persons personally named as
23 individuals in the complaint or the petition under subsection
24 (h) of Section 15-1701 and in the order of possession and shall
25 not be entered and enforced against any person who is only
26 generically described as an unknown owner or nonrecord claimant

1 or by another generic designation in the complaint.

2 Notwithstanding the preceding paragraph, the failure to
3 personally name, include, or seek an award of possession of the
4 mortgaged real estate against a person in the confirmation
5 order shall not abrogate any right that the purchaser may have
6 to possession of the mortgaged real estate and to maintain a
7 proceeding against that person for possession under Article 9
8 of this Code or subsection (h) of Section 15-1701; and
9 possession against a person who (1) has not been personally
10 named as a party to the foreclosure and (2) has not been
11 provided an opportunity to be heard in the foreclosure
12 proceeding may be sought only by maintaining a proceeding under
13 Article 9 of this Code or subsection (h) of Section 15-1701.

14 (Source: P.A. 95-826, eff. 8-14-08; 96-265, eff. 8-11-09;
15 96-856, eff. 3-1-10; 96-1245, eff. 7-23-10; revised 9-16-10.)

16 (735 ILCS 5/15-1603) (from Ch. 110, par. 15-1603)

17 Sec. 15-1603. Redemption.

18 (a) Owner of Redemption. Except as provided in subsection
19 (b) of Section 15-1402, only an owner of redemption may redeem
20 from the foreclosure, and such owner of redemption may redeem
21 only during the redemption period specified in subsection (b)
22 of Section 15-1603 and only if the right of redemption has not
23 been validly waived.

24 (b) Redemption Period.

25 (1) In the foreclosure of a mortgage of real estate

1 which is residential real estate at the time the
2 foreclosure is commenced, the redemption period shall end
3 on the later of (i) the date 7 months from the date the
4 mortgagor or, if more than one, all the mortgagors (A) have
5 been served with summons or by publication or (B) have
6 otherwise submitted to the jurisdiction of the court, or
7 (ii) the date 3 months from the date of entry of a judgment
8 of foreclosure.

9 (2) In all other foreclosures, the redemption period
10 shall end on the later of (i) the date 6 months from the
11 date the mortgagor or, if more than one, all the mortgagors
12 (A) have been served with summons or by publication or (B)
13 have otherwise submitted to the jurisdiction of the court,
14 or (ii) the date 3 months from the date of entry of a
15 judgment of foreclosure.

16 (3) Notwithstanding paragraphs (1) and (2), the
17 redemption period shall end at the later of the expiration
18 of any reinstatement period provided for in Section 15-1602
19 or the date 60 days after the date the judgment of
20 foreclosure is entered, if the court finds that (i) the
21 value of the mortgaged real estate as of the date of the
22 judgment is less than 90% of the amount specified pursuant
23 to subsection (d) of Section 15-1603 and (ii) the mortgagee
24 waives any and all rights to a personal judgment for a
25 deficiency against the mortgagor and against all other
26 persons liable for the indebtedness or other obligations

1 secured by the mortgage.

2 (4) Notwithstanding paragraphs (1) and (2), the
3 redemption period shall end on ~~the date 30 days after~~ the
4 date the judgment of foreclosure is entered if the court
5 finds that the mortgaged real estate is abandoned
6 residential property ~~has been abandoned~~. In cases where the
7 redemption period is shortened on account of abandonment,
8 the reinstatement period shall not extend beyond the date
9 the judgment is entered ~~redemption period as shortened~~.

10 (c) Extension of Redemption Period.

11 (1) Once expired, the right of redemption provided for
12 in Sections 15-1603 or 15-1604 shall not be revived. The
13 period within which the right of redemption provided for in
14 Sections 15-1603 or 15-1604 may be exercised runs
15 independently of any action by any person to enforce the
16 judgment of foreclosure or effect a sale pursuant thereto.
17 Neither the initiation of any legal proceeding nor the
18 order of any court staying the enforcement of a judgment of
19 foreclosure or the sale pursuant to a judgment or the
20 confirmation of the sale, shall have the effect of tolling
21 the running of the redemption period.

22 (2) If a court has the authority to stay, and does
23 stay, the running of the redemption period, or if the
24 redemption period is extended by any statute of the United
25 States, the redemption period shall be extended until the
26 expiration of the same number of days after the expiration

1 of the stay order as the number of days remaining in the
2 redemption period at the time the stay order became
3 effective, or, if later, until the expiration of 30 days
4 after the stay order terminates. If the stay order
5 terminates more than 30 days prior to the expiration of the
6 redemption period, the redemption period shall not be
7 extended.

8 (d) Amount Required to Redeem. The amount required to
9 redeem shall be the sum of:

10 (1) The amount specified in the judgment of
11 foreclosure, which shall consist of (i) all principal and
12 accrued interest secured by the mortgage and due as of the
13 date of the judgment, (ii) all costs allowed by law, (iii)
14 costs and expenses approved by the court, (iv) to the
15 extent provided for in the mortgage and approved by the
16 court, additional costs, expenses and reasonable
17 attorneys' fees incurred by the mortgagee, (v) all amounts
18 paid pursuant to Section 15-1505 and (vi) per diem interest
19 from the date of judgment to the date of redemption
20 calculated at the mortgage rate of interest applicable as
21 if no default had occurred; and

22 (2) The amount of other expenses authorized by the
23 court which the mortgagee reasonably incurs between the
24 date of judgment and the date of redemption, which shall be
25 the amount certified by the mortgagee in accordance with
26 subsection (e) of Section 15-1603.

1 (e) Notice of Intent to Redeem. An owner of redemption who
2 intends to redeem shall give written notice of such intent to
3 redeem to the mortgagee's attorney of record specifying the
4 date designated for redemption and the current address of the
5 owner of redemption for purposes of receiving notice. Such
6 owner of redemption shall file with the clerk of the court a
7 certification of the giving of such notice. The notice of
8 intent to redeem must be received by the mortgagee's attorney
9 at least 15 days (other than Saturday, Sunday or court holiday)
10 prior to the date designated for redemption. The mortgagee
11 shall thereupon file with the clerk of the court and shall give
12 written notice to the owner of redemption at least three days
13 (other than Saturday, Sunday or court holiday) before the date
14 designated for redemption a certification, accompanied by
15 copies of paid receipts or appropriate affidavits, of any
16 expenses authorized in paragraph (2) of subsection (d) of
17 Section 15-1603. If the mortgagee fails to serve such
18 certification within the time specified herein, then the owner
19 of redemption intending to redeem may redeem on the date
20 designated for redemption in the notice of intent to redeem,
21 and the mortgagee shall not be entitled to payment of any
22 expenses authorized in paragraph (2) of subsection (d) of
23 Section 15-1603.

24 (f) Procedure for Redemption.

25 (1) An owner of redemption may redeem the real estate
26 from the foreclosure by paying the amount specified in

1 subsection (d) of Section 15-1603 to the mortgagee or the
2 mortgagee's attorney of record on or before the date
3 designated for redemption pursuant to subsection (e) of
4 Section 15-1603.

5 (2) If the mortgagee refuses to accept payment or if
6 the owner of redemption redeeming from the foreclosure
7 objects to the reasonableness of the additional expenses
8 authorized in paragraph (2) of subsection (d) of Section
9 15-1603 and certified in accordance with subsection (e) of
10 Section 15-1603, the owner of redemption shall pay the
11 certified amount to the clerk of the court on or before the
12 date designated for redemption, together with a written
13 statement specifying the expenses to which objection is
14 made. In such case the clerk shall pay to the mortgagee the
15 amount tendered minus the amount to which the objection
16 pertains.

17 (3) Upon payment to the clerk, whether or not the owner
18 of redemption files an objection at the time of payment,
19 the clerk shall give a receipt of payment to the person
20 redeeming from the foreclosure, and shall file a copy of
21 that receipt in the foreclosure record. Upon receipt of the
22 amounts specified to be paid to the mortgagee pursuant to
23 this Section, the mortgagee shall promptly furnish the
24 mortgagor with a release of the mortgage or satisfaction of
25 the judgment, as appropriate, and the evidence of all
26 indebtedness secured by the mortgage shall be cancelled.

1 (g) Procedure Upon Objection. If an objection is filed by
2 an owner of redemption in accordance with paragraph (2) of
3 subsection (f) of Section 15-1603, the clerk shall hold the
4 amount to which the objection pertains until the court orders
5 distribution of those funds. The court shall hold a hearing
6 promptly to determine the distribution of any funds held by the
7 clerk pursuant to such objection. Each party shall pay its own
8 costs and expenses in connection with any objection, including
9 attorneys' fees, subject to Section 2-611 of the Code of Civil
10 Procedure.

11 (h) Failure to Redeem. Unless the real estate being
12 foreclosed is redeemed from the foreclosure, it shall be sold
13 as provided in this Article.

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

15 (735 ILCS 5/15-1701) (from Ch. 110, par. 15-1701)

16 Sec. 15-1701. Right to possession.

17 (a) General. The provisions of this Article shall govern
18 the right to possession of the mortgaged real estate during
19 foreclosure. Possession under this Article includes physical
20 possession of the mortgaged real estate to the same extent to
21 which the mortgagor, absent the foreclosure, would have been
22 entitled to physical possession. For the purposes of Part 17,
23 real estate is residential real estate only if it is
24 residential real estate at the time the foreclosure is
25 commenced.

1 (a-5) Abandoned residential property. Notwithstanding
2 anything to the contrary in this Section, the holder of the
3 certificate of sale or deed issued pursuant to that certificate
4 or, if no certificate or deed was issued, the purchaser, of
5 abandoned residential property shall be entitled to possession
6 of the property as of the date the order confirming the sale of
7 the abandoned residential property is entered.

8 (b) Pre-Judgment. Prior to the entry of a judgment of
9 foreclosure:

10 (1) In the case of residential real estate, the
11 mortgagor shall be entitled to possession of the real
12 estate except if (i) the mortgagee shall object and show
13 good cause, (ii) the mortgagee is so authorized by the
14 terms of the mortgage or other written instrument, and
15 (iii) the court is satisfied that there is a reasonable
16 probability that the mortgagee will prevail on a final
17 hearing of the cause, the court shall upon request place
18 the mortgagee in possession. If the residential real estate
19 consists of more than one dwelling unit, then for the
20 purpose of this Part residential real estate shall mean
21 only that dwelling unit or units occupied by persons
22 described in clauses (i), (ii) and (iii) of Section
23 15-1219.

24 (2) In all other cases, if (i) the mortgagee is so
25 authorized by the terms of the mortgage or other written
26 instrument, and (ii) the court is satisfied that there is a

1 reasonable probability that the mortgagee will prevail on a
2 final hearing of the cause, the mortgagee shall upon
3 request be placed in possession of the real estate, except
4 that if the mortgagor shall object and show good cause, the
5 court shall allow the mortgagor to remain in possession.

6 (c) Judgment Through 30 Days After Sale Confirmation. After
7 the entry of a judgment of foreclosure and through the 30th day
8 after a foreclosure sale is confirmed:

9 (1) Subsection (b) of Section 15-1701 shall be
10 applicable, regardless of the provisions of the mortgage or
11 other instrument, except that after a sale pursuant to the
12 judgment the holder of the certificate of sale (or, if
13 none, the purchaser at the sale) shall have the mortgagee's
14 right to be placed in possession, with all rights and
15 duties of a mortgagee in possession under this Article.

16 (2) Notwithstanding paragraph (1) of subsection (b)
17 and paragraph (1) of subsection (c) of Section 15-1701,
18 upon request of the mortgagee, a mortgagor of residential
19 real estate shall not be allowed to remain in possession
20 between the expiration of the redemption period and through
21 the 30th day after sale confirmation unless (i) the
22 mortgagor pays to the mortgagee or such holder or
23 purchaser, whichever is applicable, monthly the lesser of
24 the interest due under the mortgage calculated at the
25 mortgage rate of interest applicable as if no default had
26 occurred or the fair rental value of the real estate, or

1 (ii) the mortgagor otherwise shows good cause. Any amounts
2 paid by the mortgagor pursuant to this subsection shall be
3 credited against the amounts due from the mortgagor.

4 (d) After 30 Days After Sale Confirmation. The holder of
5 the certificate of sale or deed issued pursuant to that
6 certificate or, if no certificate or deed was issued, the
7 purchaser, except to the extent the holder or purchaser may
8 consent otherwise, shall be entitled to possession of the
9 mortgaged real estate, as of the date 30 days after the order
10 confirming the sale is entered, against those parties to the
11 foreclosure whose interests the court has ordered terminated,
12 without further notice to any party, further order of the
13 court, or resort to proceedings under any other statute other
14 than this Article. This right to possession shall be limited by
15 the provisions governing entering and enforcing orders of
16 possession under subsection (g) of Section 15-1508. If the
17 holder or purchaser determines that there are occupants of the
18 mortgaged real estate who have not been made parties to the
19 foreclosure and had their interests terminated therein, the
20 holder or purchaser may bring a proceeding under subsection (h)
21 of this Section or under Article 9 of this Code to terminate
22 the rights of possession of any such occupants. The holder or
23 purchaser shall not be entitled to proceed against any such
24 occupant under Article 9 of this Code until after 30 days after
25 the order confirming the sale is entered.

26 (e) Termination of Leases. A lease of all or any part of

1 the mortgaged real estate shall not be terminated automatically
2 solely by virtue of the entry into possession by (i) a
3 mortgagee or receiver prior to the entry of an order confirming
4 the sale, (ii) the holder of the certificate of sale, (iii) the
5 holder of the deed issued pursuant to that certificate, or (iv)
6 if no certificate or deed was issued, the purchaser at the
7 sale.

8 (f) Other Statutes; Instruments. The provisions of this
9 Article providing for possession of mortgaged real estate shall
10 supersede any other inconsistent statutory provisions. In
11 particular, and without limitation, whenever a receiver is
12 sought to be appointed in any action in which a foreclosure is
13 also pending, a receiver shall be appointed only in accordance
14 with this Article. Except as may be authorized by this Article,
15 no mortgage or other instrument may modify or supersede the
16 provisions of this Article.

17 (g) Certain Leases. Leases of the mortgaged real estate
18 entered into by a mortgagee in possession or a receiver and
19 approved by the court in a foreclosure shall be binding on all
20 parties, including the mortgagor after redemption, the
21 purchaser at a sale pursuant to a judgment of foreclosure and
22 any person acquiring an interest in the mortgaged real estate
23 after entry of a judgment of foreclosure in accordance with
24 Sections 15-1402 and 15-1403.

25 (h) Proceedings Against Certain Occupants.

26 (1) The mortgagee-in-possession of the mortgaged real

1 estate under Section 15-1703, a receiver appointed under
2 Section 15-1704, a holder of the certificate of sale or
3 deed, or the purchaser may, at any time during the pendency
4 of the foreclosure and up to 90 days after the date of the
5 order confirming the sale, file a supplemental petition for
6 possession against a person not personally named as a party
7 to the foreclosure. The supplemental petition for
8 possession shall name each such occupant against whom
9 possession is sought and state the facts upon which the
10 claim for relief is premised.

11 (2) The petitioner shall serve upon each named occupant
12 the petition, a notice of hearing on the petition, and, if
13 any, a copy of the certificate of sale or deed. The
14 proceeding for the termination of such occupant's
15 possessory interest, including service of the notice of the
16 hearing and the petition, shall in all respects comport
17 with the requirements of Article 9 of this Code, except as
18 otherwise specified in this Section. The hearing shall be
19 no less than 21 days from the date of service of the
20 notice.

21 (3) The supplemental petition shall be heard as part of
22 the foreclosure proceeding and without the payment of
23 additional filing fees. An order for possession obtained
24 under this Section shall name each occupant whose interest
25 has been terminated, shall recite that it is only effective
26 as to the occupant so named and those holding under them,

1 and shall be enforceable for no more than 120 days after
2 its entry, except that the 120-day period may be extended
3 to the extent and in the manner provided in Section 9-117
4 of Article 9 and except as provided in item (4) of this
5 subsection (h).

6 (4) In a case of foreclosure where the occupant is
7 current on his or her rent, or where timely written notice
8 of to whom and where the rent is to be paid has not been
9 provided to the occupant, or where the occupant has made
10 good-faith efforts to make rental payments in order to keep
11 current, any order of possession must allow the occupant to
12 retain possession of the property covered in his or her
13 rental agreement (i) for 120 days following the notice of
14 the hearing on the supplemental petition that has been
15 properly served upon the occupant, or (ii) through the
16 duration of his or her lease, whichever is shorter,
17 provided that if the duration of his or her lease is less
18 than 30 days from the date of the order, the order shall
19 allow the occupant to retain possession for 30 days from
20 the date of the order. A mortgagee in possession, receiver,
21 holder of a certificate of sale or deed, or purchaser at
22 the judicial sale, who asserts that the occupant is not
23 current in rent, shall file an affidavit to that effect in
24 the supplemental petition proceeding. If the occupant has
25 been given timely written notice of to whom and where the
26 rent is to be paid, this item (4) shall only apply if the

1 occupant continues to pay his or her rent in full during
2 the 120-day period or has made good-faith efforts to pay
3 the rent in full during that period. No
4 mortgagee-in-possession, receiver or holder of a
5 certificate of sale or deed, or purchaser who fails to file
6 a supplemental petition under this subsection during the
7 pendency of a mortgage foreclosure shall file a forcible
8 entry and detainer action against an occupant of the
9 mortgaged real estate until 90 days after a notice of
10 intent to file such action has been properly served upon
11 the occupant.

12 (5) The court records relating to a supplemental
13 petition for possession filed under this subsection (h)
14 against an occupant who is entitled to notice under item
15 (4) of this subsection (h), or relating to a forcible entry
16 and detainer action brought against an occupant who would
17 have lawful possession of the premises but for the
18 foreclosure of a mortgage on the property, shall be ordered
19 sealed and shall not be disclosed to any person, other than
20 a law enforcement officer or any other representative of a
21 governmental entity, except upon further order of the
22 court.

23 (Source: P.A. 95-262, eff. 1-1-08; 95-933, eff. 8-26-08; 96-60,
24 eff. 7-23-09; 96-111, eff. 10-29-09; 96-1000, eff. 7-2-10.)

25 Section 99. Effective date. This Act takes effect upon

1 becoming law.".