



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB4115

by Rep. Robert Rita

#### SYNOPSIS AS INTRODUCED:

35 ILCS 200/22-35

Amends the Property Tax Code. Provides that a Section of the Code requiring tax purchasers to either reimburse any governmental agency that has an interest in the property as a result of certain advancements made from public funds or obtain a waiver of the lien applies to (i) interests held by the State as well as cities, villages, incorporated towns, and other units of local government that provide water or sewer service and (ii) interests based on the provision of water or sewer services.

LRB097 15986 HLH 61137 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

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 22-35 as follows:

6 (35 ILCS 200/22-35)

7 Sec. 22-35. Reimbursement of governmental agency  
8 ~~municipality~~ before issuance of tax deed. Except in any  
9 proceeding in which the tax purchaser is a county acting as a  
10 trustee for taxing districts as provided in Section 21-90, an  
11 order for the issuance of a tax deed under this Code shall not  
12 be entered affecting the title to or interest in any property  
13 in which a governmental agency ~~city, village or incorporated~~  
14 ~~town~~ has an interest (i) under the police and welfare power by  
15 advancements made from public funds or (ii) for the provision  
16 of water or sewer services, until the purchaser or assignee  
17 makes reimbursement to the governmental agency ~~city, village or~~  
18 ~~incorporated town~~ of the money so advanced or the governmental  
19 agency ~~city, village, or town~~ waives its lien on the property  
20 for the money so advanced. However, in lieu of reimbursement or  
21 waiver, the purchaser or his or her assignee may make  
22 application for and the court shall order that the tax purchase  
23 be set aside as a sale in error. A filing or appearance fee

1 shall not be required of a governmental agency ~~city, village or~~  
2 ~~incorporated town~~ seeking to enforce its claim under this  
3 Section in a tax deed proceeding.

4 For the purposes of this Section, "governmental agency"  
5 includes the State, a city, a village, an incorporated town,  
6 and any other unit of local government that provides water or  
7 sewer services.

8 (Source: P.A. 93-490, eff. 8-8-03.)