



Rep. Elaine Nekritz

Filed: 5/23/2011

09700SB1355ham002

LRB097 07919 AJ0 55726 a

1 AMENDMENT TO SENATE BILL 1355

2 AMENDMENT NO. _____. Amend Senate Bill 1355, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 1, on page 3, replacing lines 6 through 16 with the following:

5 "by first class mail to the chairperson of the county board or
6 county clerk in the case of a county, to the mayor or city
7 clerk in the case of a city, to the president of the board of
8 trustees or village clerk in the case of a village, or to the
9 president or town clerk in the case of a town provided pursuant
10 to Section 2-211 of the Code of Civil Procedure. Additionally,
11 if the real estate is located in a city with a population of
12 more than 2,000,000, the party or the party's attorney must
13 within 3 days after filing the complaint or counterclaim: (i)
14 send a copy of the notice of foreclosure to the city clerk and
15 (ii) file an affidavit attesting to the fact that the notice
16 was sent to the city clerk. Within 5 days after receipt of a
17 notice of foreclosure, the city clerk shall send a copy of the

1 notice to the alderman for the ward in which the real estate is
2 located. The failure to send a copy of the notice to the clerk
3 or to file an affidavit within 3 days as required results in
4 the dismissal without prejudice of the complaint or
5 counterclaim as a matter of law. If, after the complaint or
6 counterclaim has been dismissed without prejudice as a matter
7 of law, the party or the party's attorney refiles the complaint
8 or counterclaim, then the party or the party's attorney must
9 again meet the requirements that the party send the notice to
10 the city clerk within 3 days and file an affidavit within 3
11 days attesting to the fact that the notice was sent as
12 required. In that instance, the city clerk shall send a copy of
13 the notice to the appropriate alderman within 5 days."; and

14 on page 6, by replacing lines 5 through 14 as follows:

15 "a county, to the mayor or city clerk in the case of a city, to
16 the president of the board of trustees or village clerk in the
17 case of a village, or to the president or town clerk in the
18 case of a town ~~provided pursuant to Section 2-211 of the Code~~
19 of Civil Procedure. Additionally, if the real estate is located
20 in a city with a population of more than 2,000,000, the party
21 or the party's attorney filing the complaint or the counter
22 claim must within 3 days after the entry of the confirmation
23 order: (i) send a copy of the confirmation order to the city
24 clerk and (ii) file an affidavit attesting to the fact that a

1 copy of the confirmation order was sent to the city clerk.
2 Within 5 days after receipt of a confirmation order, the city
3 clerk shall send a copy of the confirmation order to the
4 alderman for the ward in which the real estate is located."