



Sen. Kwame Raoul

Filed: 3/15/2013

09800SB1912sam001

LRB098 08938 HEP 43051 a

1 AMENDMENT TO SENATE BILL 1912

2 AMENDMENT NO. _____. Amend Senate Bill 1912 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Code of Civil Procedure is amended by
5 changing Section 9-316 as follows:

6 (735 ILCS 5/9-316) (from Ch. 110, par. 9-316)

7 Sec. 9-316. Lien upon crops. Every landlord shall have a
8 lien upon the ~~the~~ crops grown or growing upon the demised
9 premises for the rent thereof, whether the same is payable
10 wholly or in part in money or specific articles of property or
11 products of the premises, or labor, and also for the faithful
12 performance of the terms of the lease. Such lien shall continue
13 for the period of 6 months after the expiration of the term for
14 which the premises are demised, and may be enforced by
15 distraint as provided in Part 3 of Article IX of this Act.

16 A good faith purchaser shall, however, take such crops free

1 of any landlord's lien unless, within 6 months prior to the
2 purchase, the landlord provides written notice of his lien to
3 the purchaser by registered or certified mail. Such notice
4 shall contain the names and addresses of the landlord and
5 tenant, and clearly identify the leased property.

6 A landlord may require that, prior to his tenant's selling
7 any crops grown on the demised premises, the tenant disclose
8 the name of the person to whom the tenant intends to sell those
9 crops. Where such a requirement has been imposed, the tenant
10 shall not sell the crops to any person other than a person who
11 has been disclosed to the landlord as a potential buyer of the
12 crops.

13 A lien arising under this Section shall have priority over
14 any agricultural lien as defined in, and over any security
15 interest arising under, provisions of Article 9 of the Uniform
16 Commercial Code.

17 (Source: P.A. 91-893, eff. 7-1-01; 92-819, eff. 8-21-02.)".