

SB2168



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2168

Introduced 2/15/2013, by Sen. Jacqueline Y. Collins

SYNOPSIS AS INTRODUCED:

35 ILCS 200/22-35

Amends the Property Tax Code. Requires purchasers of tax delinquent property to reimburse holders of certain notes and receiver's certificates issued under the Illinois Municipal Code before a tax deed may be issued. Provides that, in lieu of reimbursement, the tax sale may be set aside as a sale in error. Effective immediately.

LRB098 07935 HLH 38023 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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

1 An order for the issuance of a tax deed under this Code
2 shall not be entered affecting the title to or interest in any
3 property in which a holder of a note or receiver's certificate
4 issued against the property pursuant to Section 11-31-2 of the
5 Illinois Municipal Code, and duly recorded and transferred by
6 the receiver after its initial issuance as provided in that
7 Section, has an interest under the note or receiver's
8 certificate until the purchaser or assignee makes
9 reimbursement to the holder of the note or receiver's
10 certificate in the face amount of the note or certificate plus
11 any accrued interest thereupon. However, in lieu of
12 reimbursement, the purchaser or his or her assignee may make
13 application for and the court shall order that the tax purchase
14 be set aside as a sale in error.

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

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.