



Sen. John M. Sullivan

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LRB099 03457 HEP 51292 a

1 AMENDMENT TO SENATE BILL 168

2 AMENDMENT NO. _____. Amend Senate Bill 168 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Residential Real Property Disclosure Act is
5 amended by changing Section 15 as follows:

6 (765 ILCS 77/15)

7 Sec. 15. The provisions of this Act do not apply to the
8 following:

9 (1) Transfers pursuant to court order, including, but not
10 limited to, transfers ordered by a probate court in
11 administration of an estate, transfers between spouses
12 resulting from a judgment of dissolution of marriage or legal
13 separation, transfers pursuant to an order of possession,
14 transfers by a trustee in bankruptcy, transfers by eminent
15 domain, and transfers resulting from a decree for specific
16 performance.

1 (2) Transfers from a mortgagor to a mortgagee by deed in
2 lieu of foreclosure or consent judgment, transfer by judicial
3 deed issued pursuant to a foreclosure sale to the successful
4 bidder or the assignee of a certificate of sale, transfer by a
5 collateral assignment of a beneficial interest of a land trust,
6 or a transfer by a mortgagee or a successor in interest to the
7 mortgagee's secured position or a beneficiary under a deed in
8 trust who has acquired the real property by deed in lieu of
9 foreclosure, consent judgment or judicial deed issued pursuant
10 to a foreclosure sale.

11 (3) Transfers by a fiduciary in the course of the
12 administration of a decedent's estate, guardianship,
13 conservatorship, or trust.

14 (4) Transfers from one co-owner to one or more other
15 co-owners.

16 (5) Transfers pursuant to testate or intestate succession.

17 (6) Transfers made to a spouse, or to a person or persons
18 in the lineal line of consanguinity of one or more of the
19 sellers.

20 (7) Transfers from an entity that has taken title to
21 residential real property from a seller for the purpose of
22 assisting in the relocation of the seller, so long as the
23 entity makes available to all prospective buyers a copy of the
24 disclosure form furnished to the entity by the seller.

25 (8) Transfers to or from any governmental entity.

26 (9) Transfers of newly constructed residential real

1 property that has not been occupied.

2 (10) Transfers of residential real property that is
3 disclosed or advertised as uninhabitable and that has not been
4 occupied for the preceding 3 consecutive years or longer.

5 (Source: P.A. 88-111.)".