



Rep. Barbara Flynn Currie

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09900SB2562ham003

LRB099 17003 HEP 49762 a

1 AMENDMENT TO SENATE BILL 2562

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2562 on page 115,  
3 by inserting immediately below line 15 the following:

4 "Section 10. The Eminent Domain Act is amended by changing  
5 Section 10-5-65 as follows:

6 (735 ILCS 30/10-5-65) (was 735 ILCS 5/7-122)

7 Sec. 10-5-65. Reimbursement; inverse condemnation.

8 (a) Except as provided in subsection (b), when ~~when~~ the  
9 condemning authority is required by a court to initiate  
10 condemnation proceedings for the actual physical taking of real  
11 property, the court rendering judgment for the property owner  
12 and awarding just compensation for the taking shall determine  
13 and award or allow to the property owner, as part of that  
14 judgment or award, further sums as will, in the opinion of the  
15 court, reimburse the property owner for the owner's reasonable  
16 costs, disbursements, and expenses, including reasonable

1 attorney, appraisal, and engineering fees actually incurred by  
2 the property owner in those proceedings.

3 (b) When the condemning authority is required to initiate  
4 condemnation proceedings of property impacted directly or  
5 indirectly by the Chicago Transit Authority Red-Purple  
6 Modernization Project, the court rendering judgment for the  
7 property owner and awarding just compensation for the taking  
8 shall determine and award or allow to the property owner, as  
9 part of that judgment or award, further sums as will, in the  
10 opinion of the court, reimburse the property owner for the  
11 owner's reasonable costs, disbursements, diminution, and  
12 expenses, including reasonable attorney, appraisal, and  
13 engineering fees actually incurred by the property owner in  
14 those proceedings.

15 (Source: P.A. 94-1055, eff. 1-1-07.)".