

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Code of Civil Procedure is amended by
5 changing Section 9-117 as follows:

6 (735 ILCS 5/9-117) (from Ch. 110, par. 9-117)

7 Sec. 9-117. Expiration of Judgment. No judgment for
8 possession obtained in an action brought under this Article may
9 be enforced more than 120 days after judgment is entered,
10 unless upon motion by the plaintiff the court grants an
11 extension of the period of enforcement of the judgment.
12 Plaintiff's notice of motion shall contain the following notice
13 directed to the defendant:

14 "The plaintiff in this case ~~Your landlord~~, (insert
15 name), obtained an eviction judgment against you on (insert
16 date), but the sheriff did not evict you within the 120
17 days that the plaintiff ~~landlord~~ has to evict after a
18 judgment in court. On the date stated in this notice, the
19 plaintiff ~~your landlord~~ will be asking the court to allow
20 the sheriff to evict you based on that judgment. You must
21 attend the court hearing if you want the court to stop the
22 plaintiff ~~landlord~~ from having you evicted. To prevent the
23 eviction, you must be able to prove that (1) the plaintiff

1 ~~landlord~~ and you made an agreement after the judgment (for
2 instance, to pay up back rent or to comply with the lease)
3 and you have lived up to the agreement; or (2) the reason
4 the plaintiff ~~landlord~~ brought the original eviction case
5 has been resolved or forgiven, and the eviction the
6 plaintiff ~~landlord~~ now wants the court to grant is based on
7 a new or different reason; or (3) that you have another
8 legal or equitable reason why the court should not grant
9 the plaintiff's ~~landlord's~~ request for your eviction."

10 The court shall grant the motion for the extension of the
11 judgment of possession unless the defendant establishes that
12 the tenancy has been reinstated, that the breach upon which the
13 judgment was issued has been cured or waived, that the
14 plaintiff and defendant entered into a post-judgment agreement
15 whose terms the defendant has performed, or that other legal or
16 equitable grounds exist that bar enforcement of the judgment.
17 This Section does not apply to any action based upon a breach
18 of a contract entered into on or after July 1, 1962, for the
19 purchase of premises in which the court has entered a stay
20 under Section 9-110; nor shall this Section apply to any action
21 to which the provisions of Section 9-111 apply; nor shall this
22 Section affect the rights of Boards of Managers under Section
23 9-104.2.

24 (Source: P.A. 96-60, eff. 7-23-09.)