



Sen. John G. Mulroe

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09900SB3166sam002

LRB099 17233 HEP 46758 a

1 AMENDMENT TO SENATE BILL 3166

2 AMENDMENT NO. _____. Amend Senate Bill 3166 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 9-117 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

1 days that the plaintiff ~~landlord~~ has to evict after a
2 judgment in court. On the date stated in this notice, the
3 plaintiff ~~your landlord~~ will be asking the court to allow
4 the sheriff to evict you based on that judgment. You must
5 attend the court hearing if you want the court to stop the
6 plaintiff ~~landlord~~ from having you evicted. To prevent the
7 eviction, you must be able to prove that (1) the plaintiff
8 ~~landlord~~ and you made an agreement after the judgment (for
9 instance, to pay up back rent or to comply with the lease)
10 and you have lived up to the agreement; or (2) the reason
11 the plaintiff ~~landlord~~ brought the original eviction case
12 has been resolved or forgiven, and the eviction the
13 plaintiff ~~landlord~~ now wants the court to grant is based on
14 a new or different reason; or (3) that you have another
15 legal or equitable reason why the court should not grant
16 the plaintiff's ~~landlord's~~ request for your eviction."

17 The court shall grant the motion for the extension of the
18 judgment of possession unless the defendant establishes that
19 the tenancy has been reinstated, that the breach upon which the
20 judgment was issued has been cured or waived, that the
21 plaintiff and defendant entered into a post-judgment agreement
22 whose terms the defendant has performed, or that other legal or
23 equitable grounds exist that bar enforcement of the judgment.
24 This Section does not apply to any action based upon a breach
25 of a contract entered into on or after July 1, 1962, for the
26 purchase of premises in which the court has entered a stay

1 under Section 9-110; nor shall this Section apply to any action
2 to which the provisions of Section 9-111 apply; nor shall this
3 Section affect the rights of Boards of Managers under Section
4 9-104.2.

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