

1 AN ACT concerning civil procedure.

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 Sections 12-910 and 12-911 as follows:

6 (735 ILCS 5/12-910) (from Ch. 110, par. 12-910)

7 Sec. 12-910. Proceedings to enforce judgment. If in the
8 opinion of the judgment creditors, their successors or
9 assigns, or the officer holding a certified copy of a
10 judgment for enforcement against such individuals, the
11 premises claimed by him or her as exempt are worth more than
12 \$7,500, the judgment creditor or the successor or assignee of
13 the judgment creditor shall first deliver to the officer
14 holding a certified copy of the judgment a written appraisal
15 of the premises prepared by a State certified general real
16 estate appraiser or a State certified residential real estate
17 appraiser, and if in the opinion of the person, firm,
18 corporation, or other entity conducting the appraisal, such
19 officer--shall--summon--3--individuals,--as--commissioners,--who
20 shall,--upon--oath,--to--be--administered--to--them--by--the--officer,
21 appraise--the--premises,--and--if,--in--their--opinion, the property
22 may be divided without damage to the interest of the parties,
23 the State certified general real estate appraiser or State
24 certified residential real estate appraiser they shall set
25 off so much of the premises, including the dwelling house, as
26 in the State certified general real estate appraiser's or the
27 State certified residential real estate appraiser's their
28 opinion is worth \$7,500, and the residue of the premises may
29 be advertised and sold by the such officer, subject to any
30 existing encumbrances. Each--commissioner--shall--receive--for
31 his--or--her--services--the--sum--of--\$5--per--day--for--each--day

1 necessarily engaged in such service. The officer summoning
 2 such commissioners shall receive such fees as may be allowed
 3 for serving summons, but shall be entitled to charge mileage
 4 for only the actual distance traveled from the premises to be
 5 appraised, to the residence of the commissioners summoned.
 6 The officer shall not be required to summon commissioners
 7 until the judgment creditor, or some one for him or her,
 8 shall advance to the officer one day's fees for the
 9 commissioners, and unless the creditor shall advance such
 10 fees the officer shall not be required to enforce the
 11 judgment. The costs of such appraisal shall not be taxed
 12 against the judgment debtor unless the such appraisal
 13 shows that the judgment debtor has property subject to the
 14 such judgment.

15 (Source: P.A. 83-707.)

16 (735 ILCS 5/12-911) (from Ch. 110, par. 12-911)
 17 Sec. 12-911. Notice to judgment debtor. In case the
 18 value of the premises is, in the opinion of the
 19 commissioners, more than \$7,500, and cannot be divided as is
 20 provided for in Section 12-910 of this Act, the State
 21 certified general real estate appraiser or State certified
 22 residential real estate appraiser they shall make and sign an
 23 appraisal of the value thereof, which shall be delivered to
 24 the officer. The officer shall then mail by certified mail,
 25 or cause to be mailed by certified mail, a notice to the
 26 judgment debtor stating that unless the judgment is satisfied
 27 the property will be sold. The notice shall contain the
 28 scheduled date of sale which shall not be less than 60 days
 29 from the date of the notice. and deliver the same to the
 30 officer, who shall deliver a copy thereof to the judgment
 31 debtor, or to some one of the family of the age of 13 years
 32 or upwards, with a notice thereto attached that unless the
 33 judgment debtor pays to such officer the surplus over and

1 ~~above-\$7,500-on-the-amount-due-on-the-judgment-within-60-days~~
2 ~~thereafter, such-premises-will-be-sold.~~
3 (Source: P.A. 83-356.)

4 Section 99. This Act takes effect upon becoming law.