

1 AN ACT in relation to 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 Section 9-316 as follows:

6 (735 ILCS 5/9-316) (from Ch. 110, par. 9-316)

7 (Text of Section before amendment by P.A. 91-893)

8 Sec. 9-316. Lien on ~~upon~~ crops. Every landlord shall
9 have a lien upon the crops grown or growing upon the demised
10 premises for the rent thereof, whether the same is payable
11 wholly or in part in money or specific articles of property
12 or products of the premises, or labor, and also for the
13 faithful performance of the terms of the lease. Such lien
14 shall continue for the period of 6 months after the
15 expiration of the term for which the premises are demised,
16 and may be enforced by distraint as provided in Part 3 of
17 Article IX of this Act.

18 A good faith purchaser shall, however, take such crops
19 free of any landlord's lien unless, within 6 months prior to
20 the purchase, the landlord provides written notice of his
21 lien to the purchaser by registered or certified mail. Such
22 notice shall contain the names and addresses of the landlord
23 and tenant, and clearly identify the leased property.

24 A landlord may require that, prior to his tenant's
25 selling any crops grown on the demised premises, the tenant
26 disclose the name of the person to whom the tenant intends to
27 sell those crops. Where such a requirement has been imposed,
28 the tenant shall not sell the crops to any person other than
29 a person who has been disclosed to the landlord as a
30 potential buyer of the crops.

31 (Source: P.A. 83-70.)

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24 potential buyer of the crops.

25 A lien arising under this Section and duly perfected
26 under Article 9 of the Uniform Commercial Code shall have
27 priority over any other agricultural lien as defined in, and
28 over any security interest arising under, provisions of
29 Article 9 of the Uniform Commercial Code.

30 (Source: P.A. 91-893, eff. 7-1-01.)